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Foreword

"The fight against international terrorism will not be effective unless it is based on sustained efforts, pursued in accordance with international law, in particular the UN Charter. It is essential to foster greater cooperation in international fora and to see that all existing international anti-terrorism agreements are put into effect as soon as possible. While stressing the role of the United Nations, in particular the Security Council, in the fight against international terrorism, we fully recognize the necessity to reinforce solidarity at all levels—bilateral, regional and international."

This is the 2nd paragraph of the EU Japan Joint Declaration on Terrorism adopted at the 10th EU-Japan Summit in Brussels in December 2001. It is more than two years ago but unfortunately still relevant and valid.

When after the fall of the Berlin Wall in 1989, marking the end of the Cold War, people thought that now the security threat had been overcome and an era of peace and security started, they were basically right. But even during the 1990ies there were already new security challenges lurking beneath the surface. The attacks of 9-11 only made them dramatically visible, changing the security perception of Western societies. This is due to all kinds of partly interrelated new threats of global dimensions, such as terrorist attacks, proliferation of ABC weapons, failing states, international crime, big scale money-laundering, drug trafficking etc., which have been dominating the headlines since.

Real success so far remains elusive to the general public. People in many parts of the world, especially in Asia, fear that combating terrorism relies too heavily on military tools to the detriment of more diversified strategies aimed at addressing the roots of these threats.

It was very interesting to analyze and discuss Japanese and European/German approaches to strategies and explore new forms of countermeasures and interregional security cooperation in this conference.

This was a joint conference of the Japanese-German Center Berlin (JDZB) with the German Council of Foreign Relations (DGAP)—and I would like to particularly thank Frank Umbach for the concept draft—, the Friedrich Ebert Foundation (FES) and the National Institute for Research Advancement (NIRA) in Tōkyō.

I also express my thanks to Mr. Klöckner from the German Embassy in Tōkyō, the Japanese speakers and guests from abroad for having come all the way to contribute to our meeting, as well as to All Nippon Airways (ANA) for kindly supporting our conference.

I would like to mention that we consented to adopt policy recommendations as an outcome of our symposium. You will find them at the end of this publication. Finally, it was agreed upon that we would have at least two follow-up projects on security in 2004 mainly dealing with the question of proliferation and with security problems in Northeast Asia.

Angelika VIETS
Secretary General
Japanese-German Center Berlin

Opening Address

On behalf of the Friedrich-Ebert-Foundation (FES) I would like to welcome you. We are very happy to organize this conference in cooperation with the Japanese-German Center Berlin and the German Council on Foreign Relations.

As you may imagine, the issue of our conference "Global Terrorist Threats: New Security Challenges" has become a priority for a globally active political foundation like the FES over the last years.

The notion of international security had already changed since the end of the block conflict in the late eighties. But since the attacks on the World Trade Center and the Pentagon on 9/11 new security doctrines have become prevalent globally. Over the last decade we can observe a gradual blurring of the distinction between internal and external security. In more general terms a much broader concept of security has developed recently. This is largely due to the upcoming of new types of conflicts. In the era of the cold war conflicts used to occur between states. NATO was a multilateral security alliance of the West against the states of the Warsaw Pact. Paradoxically enough in comparison to today's challenges this constellation assured considerable stability.

Since the early nineties we are confronted with new types of conflicts very often inside states and their societies, frequently based on ethnic or religious roots and on economic discrimination. These conflicts do not stop at state boundaries. They frequently tend to destabilize not only states but also whole regions—thus creating the phenomenon of so-called "failed states." In addition to that—and the attacks of 9/11 demonstrated this better than anything else—we have to observe the privatization of violence of religious and terrorist origin attacking states, in this particular case even the only remaining "superpower."

Terrorist challenges are not unknown to the Japanese and the German societies. However in both cases, in Germany in the seventies and in Japan in the mid-nineties, we had to deal with domestic terrorism. But in the case of the sarin nerve gas attack of the pseudo-religious Aum Shinrikyô sect in Tôkyô Japan was confronted with a new aspect: the use of nonconventional weapons. Nevertheless, the attacks of 9/11 and their aftermath added yet another dimension to the terrorist threat and put it on a global scale.

This new global dimension redefines the political agenda of the international community. It is necessary to combine foreign-, security- and development policy aspects in a future security strategy. However, at the same time political priorities in dealing with the threats of international terrorism have to be newly defined.

Regional security, failed states, intercultural conflicts, proliferation of weapons of mass destruction, social injustice as a result of the globalization, etc. figure more prominently on the list of priorities that have to be tackled. There is a widespread consensus that we will need an approach of long-term structural prevention of crises through a mixture of "hard" and "soft power" components to foster stability and eventually democracy in the international system. It becomes clearer every day that security cannot be thought of only in terms of military capability and intervention.

We will address some of the above mentioned priorities in our conference. I am convinced that in order to face the new security challenges and to promote regional and global stability, a more intensive cooperation between Germany, the EU, Japan and the U.S. is urgently needed.

With all the expertise gathered in this conference today and tomorrow I am optimistic that we can contribute to a better cooperation between our countries in the spirit of joint responsibility facing global terrorist threats.

Dr. Uwe OPTENHÖGEL
Head of Division for International Dialogue
Friedrich-Ebert-Foundation

Preface

The September 2001 terrorist attacks in America continue to impact profoundly international stability and the future security policies not only in the United States, but also in the EU member states and Japan, among other countries. As the Cold War ended many states and international experts expected the "dividends of peace." Yet, although the last decade has been widely accepted as a new era, an era with new and different security challenges than those of the Cold War, the security and defense decisions of those nations mentioned above continue to be largely driven and determined by traditional security policies. New threats linked with the implosion of the Soviet Union ("loose nukes," the brain drain of experts for nuclear and other mass destruction weapons, etc.) play a considerable role in the international and interregional cooperation between the U.S., EU and Japan. Institutions such as the International Science and Technology Center (ISTC) were developed to cope with these new security liabilities, focused on curbing and containing the proliferation of weapons of mass destruction.

In this age of technological expansion, the increasing influence of technology on the lives of most people certainly presents numerous benefits and opportunities. But at the same time this also poses new security challenges. The globalization of economies and the widespread availability of technology paired with the acquisition of technological expertise provide a wide range of new opportunities for terrorists with access to these same benefits of globalization and technology.

Contrary to popular belief, the 9/11-attacks were not the first symptoms of this new security affliction. The Aum Shinrikyō Doomsday Cult in the mid-1990s has already demonstrated the potential dimensions of this threat. The March 20th 1995 nerve gas attack in Tôkyô killing twelve people and injuring nearly 5,500 others was the first employment of nonconventional weapons by a nonmilitary organization using terrorist means. Nearly at the same time, destructive intentions of fanatical individuals and groups also became evident in the United States with the Oklahoma City Bombing, killing 168 people, and in 1993, the first World Trade Center bombing.

Usama bin Laden's attacks, carefully planned and financed through an extensive international network of funding sources and secure economic channels, highlighted the vulnerabilities of open and in many ways ill-prepared Western societies. As the first U.S. investigations after 9/11 proved, a decline in intelligence resources, an inadequate amount of regional experts, and poor coordination among information-gathering agencies aided terrorists in exploiting the loopholes in the U.S. immigration and commercial aviation security systems. Furthermore, as international terrorist experts have warned for years, critical infrastructure in telecommunications, civilian nuclear and chemical plants, hospitals and other areas remain vulnerable to mass destruction.

Within the framework of the new post-9-11 global security environment and the events of 2001, the Japanese-German Center Berlin (JDZB), the Research Institute of the German Council on Foreign Relations (DGAP), the Friedrich-Ebert-Foundation (FES) and the National Institute for Research Advancement (NIRA) convened a joint symposium in November 2003 with European and Japanese security and terrorist experts in order analyze these new security threats, the implementation of national countermeasures in the EU and Japan as well as the measures still needed. Moreover, the joint international conference also discussed and explored new forms of

interregional security cooperation, especially due to the current blurring of internal and external national security issues. In order to prevent or at least to curb new security threats as well as to reinforce and prevent regional and global stability from being undermined, a much broader and deeper security cooperation between the U.S., the EU and Japan seems to be urgently needed.

The four organizers would like to express their appreciation to a number of people for helping to make this joint symposium a success: Frank Umbach of the DGAP, who played a key role in developing the conception of the symposium; Dr. Wolfgang Brenn of the JZDB, who carried the main organizational burden and Anne Seyfferth of the FES as well as Dr. Fukushima Akiko of NIRA with their indispensable support of the conference itself, the drafting of the policy recommendations and the finalization of the joint report of the conference. This publication incorporates the papers presented at the conference, summaries of the discussions as well as the resulting joint Policy Recommendations.

The DGAP enjoyed its cooperation with the JZDB, FES and NIRA. Furthermore, an extended thanks is directed at the JZDB for editing this publication.

Prof. Dr. Eberhard SANDSCHNEIDER
Otto-Wolff-Director
Research Institute of the DGAP

International Cooperation and Its New Challenges in Fighting the New Security Threats[*]

Frank UMBACH[**]
German Council on Foreign Relations

Introduction

The terrorist attacks on the World Trade Center and the Pentagon have and will have lasting profound impacts on international stability and the future security policies of the United States, the EU member states, Japan and many other countries in the world. When the Cold War ended at the beginnings of the 1990s, many states and international experts expected some kind of peace dividends. Although the last decade was widely seen as a new era with new and different security challenges compared to those during the Cold War, the security and defense policies of the United States, Europe and Asia were largely driven and determined by traditional security policies in the 1990s. However, even at that time, the new threats linked with the implosion of the Soviet Union (like "loose nukes" and a brain drain of nuclear as well as other experts of mass destruction weapons) played a considerable role in international and interregional cooperation between the U.S., EU and Japan (such as the International Science and Technology Center (ISTC)) to cope with these new security dangers, aimed at curbing and containing the proliferation of mass destruction weapons.

The expansion of technology in the age of globalization has an increasing dominant influence in lives of most people and presents certainly numerous benefits and opportunities. But at the same time it has also posed new security challenges. The globalization of economies and widespread technology availability and acquired technological expertise on the global scale provide new opportunities for terrorists with a power of modern weaponry and transnational links, which are unprecedented in human experience.[1]

In the light of these new global security threats after September 11, 2001, the EU and Japan have agreed at the 10th EU-Japan Summit held in Brussels in December 2001

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[1] See also Andrew TAN/Kumar RAMAKRISHNA (Eds.), "The New Terrorism. Anatomy, Trends and Counter Strategies," Singapore 2002; John PARACHINI, "Putting WMD Terrorism into Perspective," in: *Washington Quarterly*, Autumn 2003, pp. 37–50; Renseeselaer W. LEE II, "Smuggling Armageddon. The Nuclear Black Market in the Former Soviet Union and Europe," New York 1998; Anthony H. CORDESMAN, "Terrorism, Asymmetric Warfare, and Weapons of Mass Destruction. Defending U.S. Homeland," Washington–London 2002; Steven SIMON/Daniel BENJAMIN, "America and the New Terrorism," in: *Survival*, Spring 2000, pp. 59–75, and "America and the New Terrorism: An Exchange," in: ibid., Summer 2000, pp. 156–172.

on a new Action Plan for future EU-Japan cooperation. It also includes a new joint initiative for international cooperation and combating international terrorism.[2]

Excerpt of the Joint EU-Japan Action Planō of December 2001

Further promote coordinated international action to prevent and combat international terrorism by taking the following joint measures as first steps:

- Enhanced cooperation in all relevant international and regional fora;
- Early signature and ratification of relevant counterterrorism conventions and protocols, and smooth and rapid implementation of relevant UN Security Council Resolutions;
- Early finalization of the UN Comprehensive Convention against International Terrorism;
- Enhancing common efforts to stop the financing of terrorism, including freezing of funds and other financial assets of terrorists;
- Reinforcement of technical cooperation to developing countries for their capacity buildings in the field of counter-terrorism.

Continue combating terrorism through:

- Early finalization of the international convention for the suppression of acts of nuclear terrorism;
- Strengthening of nonproliferation regimes of weapons of mass destruction and related materials and technologies connected with terrorism;
- Cooperation between the European Police Office (Europol) and Japanese police authorities;
- Enhanced drugs control and active measures to reduce the supply and demand of drugs.

In addition, both sides issued a joint "Declaration on Terrorism" on December 8, 2001. In this document, both sides agreed on the following specific actions:

- Strengthening policy dialogue and coordination aimed at ensuring the peace and stability of Afghanistan and its neighboring countries in support of ongoing UN efforts intended to install in Afghanistan a legitimate, broad-based, multi-ethnic government committed to establishing human rights in Afghanistan;
- Active cooperation in providing humanitarian assistance to refugees and displaced persons in Afghanistan and in its neighboring countries;
- Assistance for reconstruction in postwar Afghanistan;
- Assistance to Pakistan and to other countries neighboring Afghanistan.[3]

However, the 9/11-attacks were not the first proof of these security challenges. The example of the Aum Shinrikyō Doomsday Cult in the mid-1990s has already underscored those grave hazards with new dimensions. The sarin nerve gas attack in the heart of Tōkyō on 20 March 1995, killing 12 people and injuring about 5.500 others, was indeed the first use of nonconventional weapons by a pseudo-religious sect using terrorist means. At the same time, destructive intentions of fanatical individuals and groups have also been manifested in the United States as with the terrorist attacks in

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[2] "Shaping our Common Future. An Action Plan for EU-Japan Cooperation," adopted at the 10th EU-Japan Summit, December 2001 (here via Internet: http//:europa.eu.int/comm/external_relations/japan/summit_12_01/actionplan.pdf; downloaded 20 October 2003).

[3] See "Declaration on Terrorism," adopted at the 10th EU-Japanese Summit, Brussels, 8 December 2001 (here via Internet: http//:europa.eu.int/comm/external_relations/japan/summit_12_01/terror.htm; downloaded 20 October 2003). To U.S.-Japan security cooperation see Michael GREEN, "Terrorism. Prevention & Preparedness. New Approaches to U.S.-Japan Security Cooperation," Tōkyō 2001 and "Bioterrorism & Consequence Management. New Approaches to U.S.-Japan Security Cooperation," New York 2003.

Oklahoma (killing 168 people) and the first one on the World Trade Center in New York City in 1993 had already been demonstrated. But for Japan, which has one of the lowest crime rates in the world, and which has never experienced terrorist challenges like the United States or European countries (such as Italy, France or Germany) until 1995 it was a deep and lasting shock.

In the following analysis, I will give at first a short overview of the Aum Shinrikyō story. It is followed by an analysis of the new dimensions of international terrorism before and after 9/11. Then I will outline the perspectives for anti-terrorist cooperation between the EU and Asia/Japan by describing the challenges and the countermeasures adopted by the EU and NATO in Europe. Thereafter, I will analyze the terrorist challenges in Asia (with a focus on Southeast Asia) and the problems of regional as well as international cooperation, including terrorist threats to maritime security. Finally, in my conclusions, I will offer a perspective what needs to be done beyond what has already been agreed by national states or on a regional and international level.

The Aum Shinrikyō Story[4]

It revealed a new form of international terrorism (involving religion) which turned to be more devastating than ever seen before in the world. As it had been uncovered after the sarin attack:

- The Aum cult had successfully infiltrated various departments of the Japanese society and industry including elements of law enforcement, the military and the defense industry.
- Moreover, the cult acquired conventional armaments and attempted to acquire non-conventional weapons and technologies from the United States and the former Soviet Union.
- It had planned attacks not only on the Japanese but on the U.S. government too.
- Neither their intentions nor the technology acquirements were fully discovered by the Japanese and U.S. law enforcement and intelligence services until the Tōkyō gas attack on 20 March 1995.
- Furthermore, the Japanese investigators found evidence that not only Sarin had been produced, but also other chemical weapons such as tabun, soman and VX.
- Furthermore, they also embarked upon intense research and development programs for the production of biological weapons, using agents such as botulism and anthrax, Q-fever and even ebola. Reportedly, they had actually attempted to use bacterial warfare. Thereby, the cult followers developed and produced those chemical and biological elements "on a scale not previously identified with a subnational terrorist group" as a final report of the U.S. Senate subcommittee on investigations of the Aum Shinrikyō gas attack concluded in October 1995. It stated further:

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[4] See David E. KAPLAN/Andrew MARSHALL, "The Cult at the End of the World. The Incredible Story of Aum," London 1996, and F. UMBACH, "Nuclear Proliferation Challenges in East Asia and Prospects for Cooperation – A View from Europe," in: Kurt W. RADTKE/Raymond FEDDEMA (Eds.), "Comprehensive Security in Asia. Views from Asia and the West on a Changing Security Environment and Their Implications for Europe," Leiden–Boston–Köln 2000, pp. 66–133 (114 ff.).

> "The ease with which the cult accessed the vast international supermarket of weapons and weapons technology is extremely troubling. It is especially troubling in light of the current state of the economies and governments of the former Soviet Union. How much this cult acquired and how much more they could have obtained is still a mystery. How much the next group may be able to acquire is the question that also remains unanswered."[5]

- The Aum Shinrikyō Cult was developing not only chemical weapons, but also biological ones, studying laser arms, trying to mine uranium and making uranium enrichment for nuclear weapons in Australia, assembling guns and rifles, making drugs and narcotics like LSD, and using truth serum on its own followers. Thereby, they operated worldwide: in Japan, the United States, Russia, Australia, Germany and other countries.

Compared to West European countries, both the United States and Japan seemed for a long time rather distant from the source of international terrorism and smuggling illegal nuclear or other special mass destruction material. There were several reasons why not only Japan, but also other East Asian and Western countries as well as Russia should have been concerned about Aum Shinrikyō's sarin nerve gas attack in 1995 as a precedent of a new form of terrorism and fundamental security challenge:

1) The willingness of the cult leader Asahara and his followers to use mass destruction weapons;
2) The truly global nature of the terrorist cult;
3) The amount of intellectual followers including lawyers, officers, scientists and engineers;
4) Highly sophisticated research and production facilities for mass destruction weapons;
5) The failing control of Internet providing sensitive information to the development of weapons of mass destruction (WMD) and
6) The manifold unpreparedness of Japan and other high-industrialized countries to the new form of terrorism and security challenge.

In this light, the timely development of common strategies and appropriate mechanisms and means by the West, Russia, Japan and other East Asian countries for countering and preventing the use of nonconventional weaponry by terrorist groups is a conditio sine qua non for future regional and global stability.

New Dimensions of International Terrorism

The terrorist attacks in New York and Washington D.C. in September 2001, in Bali in October 2002 and the JW Mariott Hotel in Jakarta in August 2002 tragically demonstrated the new dimensions and the global nature of the threat of international terrorism. At least the following eight new dimensions can be identified:

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[5] Staff Statement U.S. Senate Permanent Subcommittee on Investigations. Hearings on Global Proliferation of Weapons of Mass Destruction: A Case Study on the Aum Shinrikyo, Washington, October 31, 1995, here p. 55.

- An increasing dominance of religiously motivated terrorism;
- A geographic shift away from Europe and Latin America to Northern Africa, the Middle East, South Asia and Southeast Asia;
- The increasing global nature of international terrorism;
- Escalating warfare strategies, which might make use even of weapons of mass destruction;
- Inseparability of internal and external security of states being potential targets;
- New networks with internationally organized crime and making use of weak and failed states as operational bases;
- Increasing relevance of nonstate actors;
- Hybrid terrorist-criminal groups as the result of convergence of terrorist groups and organized crime.[6]

Nonetheless, many security experts in the aftermath have assumed that most terrorist groups will also use in the future rather nonconventional weaponry and may prefer the use of chemical and biological weapons instead of nuclear weapons (or so-called "dirty bombs"). However, even nuclear terrorism could not be totally dismissed any longer:

- Whilst only few groups have the means and skills to acquire nuclear material, unfortunately, most potent terrorist groups are likely to be both most capable of a determined pursuit of objectives and most capable of acquiring and handling weapons-grade nuclear material.
- Furthermore, the fact that the quality of fissile material is only important for bomb making. But most other forms of nuclear terrorism would be just as effective using industrial-grade fissile material as weapon-grade material or a nuclear-enriched conventional explosion (by a crude, nonfissionable atomic bomb, also called "dirty bomb"). The Chechen case in Moscow in November 1995, when terrorists had hidden four cases of radioactive caesium (310 times the normal amount of radio-activity) in the most well known Ismailovo Park confirmed the use of a conventional device with a highly radioactive coating rather than an operational nuclear bomb. It created chaos and helplessness in Moscow's security circles for some time, whereas Moscow officially downplayed any wider fears.

In this light, "thinking about the unthinkable" was and is the only reliable, but certainly also most unpopular policy guideline of changing the current unpreparedness of highly vulnerable Western industrial societies. Until September 11, 2001, in the West only the U.S. Energy Department maintained a nuclear emergency search team trained to disable terrorist nuclear devices—a program, however, which was under-financed and under-staffed according to many U.S. experts at that time. In the light of 9/11, the following

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[6]   These hybrid terrorist-criminal groups are involving two different types: (a) Criminal groups who have used terror tactics to gain political leverage and control via direct involvement in the political processes and institutions of a state (such as in Maritime Russia and Albania); (b) criminal terrorist groups who become so much engaged with their involvement in criminal activities that their ideological underpinnings and political agendas become compromised (examples are Abu Sayyaf in the Philippines, Fuerzas Armadas Revolucionarias de Colombia (FRAC) in Colombia or the Islamic Movement of Uzbekistan (IMU) in Central Asia). See Tamara MAKARENKO, "A Model of Terrorist-Criminal Relations," *Jane's Intelligence Review* (JIR), August 2003, pp. 6–11.

strategic trends of the "new terrorism" need to be taken into account for any effective terrorist counter-measures:

- While organized crime organizations and other non-state actors are forming powerful multinational alliances (such as the Russian and Colombian criminal organizations), the greater availability of expertise and resources could overcome former technological barriers. The threat of bioterrorism is seen by many terrorist experts in particular rising which demands more national and international attention, countermeasures and closer international cooperation although their use—dependent on the climate such as rain and wind—is very problematic and can therefore not be as easily controlled by terrorists as chemical and nuclear weapons.
- When the attacks against the World Trade Center and the Pentagon were followed by a spate of letters bearing anthrax bacteria, the United States were indeed largely unprepared and many of its countermeasures inappropriate, particularly in the light of a larger and more systematic attack. Even more alarming was the fact that the Islamic terrorists were only able to carry out their deadly mission because they managed to evade the U.S. intelligence agencies and slip through a porous domestic security system—despite the fact that Usama bin Laden and his followers were identified as a dangerous terrorist group that has developed a vast terrorist network and had already organized a series of deadly attacks on U.S. installations around the world.
- Although their attacks have been carefully planned and financed through an extensive international network of funding sources and secure economic channels, they also highlighted the vulnerabilities of an open and in many ways ill-prepared society.
- As the first U.S. investigations after the attack found out, diminished human intelligence resources, a scarcity of regional experts, and poor coordination among information-gathering agencies have helped the terrorists to exploit the loopholes in the U.S. immigration and in the commercial aviation security system. In addition, as international terrorist experts have warned for years, critical infrastructure in telecommunications, civilian nuclear and chemical plants, hospitals and other areas remain vulnerable to mass disruption.
- Although the operational power of Al Qaeda appears being constrained today, more than a dozen regional militant Islamic groups are showing increasing strength and broader ambitions in Southeast Asia, Central Asia and the Caucasus to North Africa. Most of them are only loosely affiliated with Al Qaeda, but they are drawing inspiration from Usama bin Laden. They have established new training camps in Kashmir, the Philippines and West Africa. The mutation of these new terrorist cells is spreading beyond their regional causes and territories, making it difficult to monitor their communications and financial flows. Thus Al Qaeda's biggest threat today seems its ability to inspire other groups to launch attacks in their own countries as well as in the West. A UN monitoring group estimated that some 30 to 40 Islamic terrorist groups are affiliated with Al Qaeda in one way or another.[7] Some of their new leaders (like Abu Mus'ab al-Zarqawi—one of the most dangerous terrorist leaders today) are seen as capable of continuing their fight against the U.S. and the West regardless of Al Qaeda's fate. As a loose collection of regional networks, they operate more

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[7] See Raymond BONNER/Don Van NATTA Jr., *International Herald Tribune* (IHT), 9 February 2004, p. 5.

autonomously than in the past. Therefore, the war on terrorism has become a multi-front conflict with no end in sight.

- In 2002, Pakistan introduced a plan to eliminate the teaching of extremist views in Islamic schools, called madrassahs. Musharraf's reforms were aimed to teach modern disciplines such as English, science, mathematics, economics, and computer science. But according to many experts and even Islamic conservatives in Pakistan, many madrassahs have not changed their fundamentalist religious programs. Furthermore, they are still financed by the Wahhabi clergy in Saudi Arabia to the tune of about 300 million a year. Many conservative Islamic groups continue successfully to oppose any government interference in the curriculum of the madrassahs.[8]

- Recent Investigations into the secret nuclear weapon of Iran and Libya as well as the questioning of Pakistani nuclear scientist A.Q. Khan have revealed that the extent of a global market in nuclear technology and access to related materials as well as technologies is much greater than previously thought. Khan's networks of suppliers and middlemen in Europe, the Middle East, and Asia, for instance, is much more extensive in regard to their coordination and cooperation, comparable only with an organization by selling nuclear secrets at high profits. Khan himself has warned that nuclear weapons are becoming easier to acquire, to build, to hide, and to transport, both for states and terrorist groups. Small terrorist groups of fanatics could gain the power to threaten great nations and the world peace as never small groups could ever do in the history of mankind.[9]

- Although all nuclear warheads were removed from the former Soviet republics and today independent states, nuclear trafficking remains a serious security concern in the former Soviet Union (such as Central Asia). The removal of contaminated substances, inter alia, could be used for potential terrorists for their objectives.

Against this background of a new global security environment after the September 11, 2001 events and in order to prevent or at least to curb those new security threats as well as to stabilize and not to undermine regional and global stability, a much broader and deeper security cooperation as well as networking between the U.S., the EU and Japan are urgently needed in the new global security environment.

At the same time, many nation-states are loosing their monopoly on the use of force or are voluntarily relegating it to private security companies. Meanwhile these companies are providing all the services normally carried out by national military forces, including even intelligence. But the expansion of these security services often lack transparency and parliamentary control and oversight (or of any other public institutions). Moreover, they are guided and motivated by business profit and not by national foreign policy or security interests. If these trends are continuing and becoming even more widespread, the privatization of security could pose new serious threats to international peace and security, rather helping to curb security threats, including international terrorism.

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[8] See Ron SYNOWITZ, "Pakistan: Despite Reform Plan, Few Changes Seen at Most Radical Madrassahs," RFE/RL-Feature Articles, 24 February 2004.

[9] See Charles RECKNAGEL, "World: A Lively Nuclear Black Market Raises Fears of Terrorists Getting the Bomb (Part 1)," RFE/RL Feature Articles, 26 February 2004 and idem, "World: Stopping Proliferation Requires Tough New Laws (Part 2)," ibid., 26 February 2004.

Perspectives for Antiterrorist Cooperation

In order to maintain a global war against the international terrorism, the U.S., the EU and Asia must support regional and interregional counterterrorism strategies instead of focusing on unilateral strategies and unstable coalitions of the willing. They must also be able for flexible strategies and operational tactics because international terrorist groups will seek to identify loopholes and gaps in Western security architecture enable them to breach security and overcome Western countermeasures. It is also expected that in the next years, East African Islamic groups, influenced by Al Qaeda, will increasingly join other international terrorist groups by attacking the West. But Sub-Saharan Africa is one of the Achilles heels for Western security and intelligence agencies.[10]

EU

Already before September 11, the EU had established a number of counterterrorism measures. The most important was the creation of a Counterterrorism Unit within the Europol Organized Crime Department. In light of the new terrorist threats, the number of Islamist elements that Europe has attracted is of great relevance today for the EU. In this respect, the EU is facing at least five dimensions of the new terrorist threats, each of which has contributed to the difficulties that European states are experiencing in strengthening their counter-terrorist policies[11]:

- *Freedom of Movement*: Individuals in criminal and terrorist groups alike have taken advantage of the freedom of movement between countries signed up to the Schengen agreement—which allows countries to remove their internal borders and permits people to travel between countries without checks—and the relatively porous borders along EU boundaries. That has facilitated the establishment of logistical bases for Al Qaeda and Algerian terrorist groups including the Armed Islamic Group and Islamic Jihad in France, Germany and Italy. Furthermore, given the example highlighted by the continued successes of international trafficking operations, it is probable that terrorist networks have harnessed the ability to move critical individual across borders and can rely on the same trafficking routs to move illicit commodities and material into Europe.

- *Asylum and Immigration*: Terrorist groups have benefited from relatively open and weakly monitored asylum and immigration systems in most European states. In the UK, for example, this resulted in numerous "unaccounted for" individuals in the run-up to the September 11, 2001 attacks. Although most members of international terrorist groups based in Europe entered the region through legal immigration channels or are born national, there is little doubt that the asylum system has been abused. As illustrated by Algerian groups, illegal immigrants—dependent on the support of Diaspora communities and forged identify documentation—inherently exist in illegal

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[10] See also Rohan G<small>UNARATNA</small>, "Al-Qaeda Adapts to Disruption," in:JIR, Feb. 2004, pp. 20–22 (22).
[11] See Tamara M<small>AKARENKO</small>, "Europe Adapts to New Terrorist Threats," in: ibid., Aug. 2003, pp. 24–27.

networks. It is this combination that makes international terrorist cells in Europe difficult to infiltrate.

- *Policing and Law*: Although many European institutions and regimes are conjoined, police and justice systems are not. Before September 11, 2001, this proved to be a significant obstacle to immediate cross-jurisdictional cooperation and extradition requests. The United Kingdom, for instance, refused to entertain a 1995 request from France to extradite an individual allegedly responsible for sponsoring a wave of Algerian terrorism in France.

- *Civil Liberties*: The most difficult problem to address is the fact that international terrorist groups and their sympathizers have depended on and benefited from European civil liberties, which allow for the freedom of assembly, religion and speech. This abuse has been most evident in the UK, where the authorities have allowed some imams to preach radical extremist and subversive ideas to their congregations. This helped the UK become a sanctuary for numerous Al Qaeda and Algerian terrorist sympathizers, and a center of radicalization and recruitment. Although three of the September 11, 2001 suicide hijackers lived in Germany for many years, it was the radical environment in the UK that helped turn several individuals currently under investigation to terrorism. Richard Reid, the convicted "shoe bomber" is indicative of this trend.

- *Finance*: International terrorist groups have benefited immensely from access to European financial networks. In addition to moving monies through money exchange bureaus, European cells have raised finances through petty crime, credit card fraud and small-scale trafficking operations. These combined vulnerabilities have allowed access to European territory by members and sympathizers of international terrorist groups. Cells were allowed to organize and operate for almost a decade, or in some cases longer, with impunity. Furthermore, because of a lack of knowledge and responsibility from financial institutions, and limited investigative personnel to follow-up any suspicious transaction reports European authorities seldom traced financial flows. This created an ideal fundraising environment, and the establishment of relatively sophisticated communications structures to maintain contact with the wider terrorist network.[12] Moreover, suppressing terrorism financing has proven difficult not just for developing countries to implement it.

From the mass of amended, redrafted and new legislation currently being implemented in Europe it is evident that EU counter-terrorism efforts are currently focused on four components[13]:

1) *Suppressing Terrorist Finances*: The single most important initiative taken by the majority of European states has been to introduce measures that could be used to suppress the financing of terrorism. In addition to ensuring that the International Convention for the Suppression of the Financing of Terrorism was signed and ratified, many states have drafted amendments to their banking policy and money laun-

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[12]   See also Maurice R. GREENBERG/William F. WECHSLER/Lee S. WOLOSKY, "Terrorist Financing," Report of an Independent Task Force sponsored by the Council on Foreign Relations, New York 2002.

[13]   See Tamara MAKARENKO, "Europe Adapts to New Terrorist Threats," here p. 25 f.

dering laws to incorporate key recommendations from the Financial Action Task Force on fighting terrorist financing. More specifically, states including Austria, Denmark, Finland, France, Germany, Italy and Spain have either added the financing of terrorism and the collection of funds for terrorist groups to their penal codes, or have introduced special legislation to address this issue. Amendments to money laundering and banking laws have also been made by states including Denmark, Finland and the UK. These allow for the almost immediate freezing of suspected terrorist fund; ensuring that any suspicion of terrorist financing is followed up with a full investigation; and extending responsibility for reporting suspicious transactions from banks to all financial institutions, and any individual—who in the course have cause to suspect suspicious financial activities. Finally, countries such as France, Germany and Italy have gone a step further by creating specific units dealing exclusively with the financing of terrorism. Between September 2001 and June 2002, European countries had frozen or seized about $35 million in suspected terrorist assets as part out of a total of $115 million confiscated worldwide. This sum has increased by December 2003 by only $23 million and to $138 million respectively. It is not so much a success for constraining the financing of terrorist groups but rather an indicator that they have effectively improvised their financing in response to the initial crackdown. Al Qaeda, for instance, has converted its assets to trade in commodities such as illicit drugs, weapons, cigarettes, diamonds, gold and other commodities, which are even harder to trace. Wealthy Saudi citizens and others are continuing substantial support for radical madrassahs (religious schools) throughout the Muslim world. In Saudi Arabia alone, estimations suggest more than 300 private charities that collectively yield over $6 billion a year to overseas Islamic causes. Although the Saudi government has established stricter controls on charities, it seems unable and/or unwilling to control them entirely. Furthermore, the Financial Aid Task Force (FATF), responsible for mandatory tightening, naming, "shaming" and blacklisting lax or unduly secretive banking practices worldwide, comprises only 33 member states. Moreover, as of December 2003, just 83 of the 191 UN member states under the Security Council Resolution 1373 have committed themselves to submit reports on terrorist financing. Even many European jurisdictions still lack statutory authority permitting the neutralization of shell companies (as opposed to just bank accounts) linked to terrorist groups. Any comparable concord with non-European states, especially Muslim ones, is even harder to build.[14]

2) *Defining Terrorism*: Attempts have been made to place terrorism as a crime that is specifically defined in either the penal code or within another specific piece of legislation. Denmark, Finland, France and Italy, for instance, have specifically criminalized acts of terrorism and support for terrorism in their criminal codes. Furthermore, Denmark, Germany, the Netherlands, and the UK released legislation that includes the Ant-Terrorism Act, the Prevention of Terrorism Act, the Crimes of Terrorism Bill and the Anti-Terrorism, Crime and Security Act respectively.

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[14] See "Financing Islamist Terrorism. Closing the Net," Strategic Comments (ed. by the IISS, London), Vol. 9, Issue 10, December 2003.

3) *Strengthening Immigration Policies*: Recognizing weaknesses in their asylum and immigration policies, most European sates have sought ways to specifically strengthen their processing and monitoring of asylum applications. Denmark, for example, adjusted its Alien Act to empower the government to expel any individual deemed to be a danger to national security, public order or the health of the population. The UK implemented the most extreme legislation, which allows for the imprisonment without trial of foreigners suspected of terrorist activities.

4) *Collecting Intelligence*: Almost every European state has made a concerted effort to increase their intelligence collection, analysis and dissemination between domestic departments (law enforcement, military and security services), European states, and internationally. In fact, given the numerous arrests and foiled terrorist plots in Europe since September 11, it may be concluded that intelligence cooperation is on an unprecedented high level.

While France, Germany, Italy, Spain, Switzerland, and the UK have taken the lead in the bilateral and multilateral cooperation area, cooperation within the EU has also generally increased. This is a result of the EU implementing a draft framework decision on combating terrorism, strengthening the role of Eurojust, an EU body established in 2002 to deal with the investigation and prosecution of serious cross-border crime, and introducing an European Arrest Warrant which is hoped to be implemented in 2004.[15]

But despite a growing awareness of the dangers linked with the "new terrorism" and the steps and improvements in cross-border cooperation as well as communication within Europe, the diverse civil and military emergency-response agencies still lack standardized procedures for coping particularly with biological and chemical threats on critical European infrastructure. Very soon, a wider EU will have 25 different national emergency plans. Hardly surprising for most security experts, the few exercises to test national emergency plans that have taken place until today in Europe have revealed a critical lack of interoperability between all these structures and procedures.[16] These achievements are also hampered by an uneven implementation.[17] Furthermore, while the EU has competence in civil protection and security, its direct involvement is limited by the principles of "subsidiarity" and "proportionality" as well as funding constraints and its reliance on experts from member states to supplement its own relatively small groups of officials and experts. Overall, despite the increased cooperation within national states in Europe as well as within the EU, Europe is still insufficiently prepared to cope in particular with WMD terrorism. In this context, however, one should not overlook another major European-Transatlantic security organization.

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[15] See Tamara MAKARENKO, "European Adapts to New Terrorist Threats," in: JIR, August 2003, pp. 24–27.

[16] See also Brooks TIGNER, "Europe Works to Coordinate Terror Response," in: *DefenseNews.com*, 23 February 2004.

[17] See also Frank GREGORY, "The EU's Role in the War on Terror," in: JIR, January 2003, pp. 14–17.

NATO—New Tasks and Missions

Before September 11, terrorism was essentially seen as a domestic, law-enforcement concern. The acute threat of new international terrorism and their organizations, motivated by an extreme ideology and acting consistently and with determination to commit terrorist mass murders, have posed new challenges for existing security organizations. They have proven their strength that despite counter terrorist efforts by security forces around the world, they are capable of carrying out terrorist attacks on a number of continents and inflicting many casualties due to their operational flexibility and decentralized structures. These new forms of international terrorism, which have blurred the former distinction between external and internal security, cannot successfully be fought against alone by traditional police, intelligence services for domestic security and prosecution forces. They must be adequately addressed by a broad spectrum of political, economic, law-enforcement measures and military engagement. Any future successful campaign against international terrorism must be conducted intensively, continuously, aggressively, and to a greater extent than in the past. Thereby, the military countermeasures must be part of a political strategy, encompassing many nonmilitary strategies alike. In the context of a comprehensive security concept, NATO had already widened its security tasks since the mid-1990s. It also includes its willingness to fight international terrorist threats, particularly linked with the use of WMD.

At the Prague Summit of November 2002, the Euro-Atlantic Partnership Council (EAPC) leaders endorsed a Partnership Action Plan against Terrorism (called "Action Plan").[18] According to this "Action Plan", NATO should help deter, defend, disrupt and protect against terrorist attacks directed from abroad and to help national authorities to cope with the aftermath of tacks. The decision based on the common assumption that all their countries are facing the same security challenges and that only by working together would they be able to cope with the new terrorist threats. Indeed, many Partner countries—especially those in Central Asia—have been victims of Al-Qaeda-sponsored terrorism and have already provided significant support to allies for operations in Afghanistan by, for example, providing over-flight rights and access to bases.

The Action Plan itself foresees the promotion and facilitation of increased cooperation among their countries through political consultation and practical programs under the auspices of the EAPC and the Partnership for Peace. Since NATO's interest in promoting Partnership transcends military goals, allies also will benefit from the terrorist countermeasures contained in the Action Plan to promote democracy and nurture cooperation among Partners. In this way, potential sources of instability and conflict in the Euro-Atlantic area should be reduced. Moreover, the five Western European neutral members of the EAPC—Austria, Ireland, Finland, Sweden and Switzerland—have expressed their strategic interest in joining those allied efforts. To take the Action Plan forward, the strategic focuses have been placed on the following areas:

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[18] See also Osman YAVUZALP, "Working with Partners to Fight Terrorism," in: NATO-*Review*, Spring 2003 (Internet-version: http://www.nato.int/docu/review/2003/issue1/english/art3.html) and Christopher BENNETT, "Combating Terrorism," in: ibid (Internet-version: http://www.nato.int/docu/review/2003/issue1/english/art2.html).

Political Consultations
- Consulting regularly on shared security concerns related to terrorism;
- Providing the possibility for Partners to seek, in accordance with agreed procedures, direct political consultations with NATO, either individually or in smaller groups, on concerns related to terrorism.

Information Sharing
- Development of an EAPC/PfP Intelligence Liaison Unit should enhance information sharing. In this context, the possibility of establishing permanent working contacts among intelligence agencies of interested EAPC countries and especially those in the Caucasus and Central Asia could prove particularly useful.

Border Control
- A number of Partners have expressed their wish to initiate or enhance cooperation with NATO in the area of border control. In this unique context, priority may need to be given to Partners from Central Asia, which, because of their geographic location, may require assistance to prevent illicit movement of personnel and material across international borders.

WMD-related Terrorism
- Procedures have to be agreed to cater for Partner support for and participation in NATO-led activities to enhance capabilities against WMD-related terrorism and share appropriate information and experience in this field.

Enhancing Cooperation in Civil-Emergency Planning
- Continue working together to improve civil preparedness for possible terrorist attacks with weapons of mass destruction. To this end, Allied leaders at the Prague Summit endorsed a Civil-Emergency-Planning Action Plan for the improvement of civil preparedness against possible attacks against the civilian population with chemical, biological or radiological agents. Moreover, one of the principal objectives of the Action Plan is for Allies, upon request, to provide assistance to EAPC states in dealing with the risks and consequences of terrorist attacks, including on their economic and critical infrastructure.

Information Exchange About Forces
- In the short term this is the exchange of information regarding forces responsible for counterterrorism operations and the facilitation of contacts among them.

Force Planning
- In total, 22 Partners, including the three Caucasus countries—Armenia, Azerbaijan and Georgia—and Kazakhstan and Uzbekistan in Central Asia, now participate in NATO's Planning and Review Process.
- In the wake of the decision to invite seven countries to begin NATO accession talks, the development of Partnership Goals aimed at improving the capabilities of these Caucasian and Central Asian countries will likely receive priority attention, since the Prague Declaration emphasizes "further enhancing interoperability and defense-related activities, which constitute the core of Partnership."

Overall, the Action Plan is an important document reflecting NATO-Partner solidarity in the face of the terrorist threat. It consists of both time-tested and innovative mechanisms for:

- Improving consultations and information sharing;
- Enhancing preparedness for combating terrorism;
- Impeding support to terrorist groups, and developing consequence-management capabilities;
- Assisting Partner efforts against terrorism.

On this basis, NATO's military concept for defense against terrorism includes four categories of possible military engagement:

- *Antiterrorism*: Defensive measures to reduce vulnerability;
- *Consequence management*: Post-attack recuperation (such as planning and force generation, providing capabilities for immediate assistance and coordination centers, and establishing training facilities);
- *Counterterrorism*: Use of offensive measures, including counter-force activities;
- *Military cooperation*: even with Russia, Ukraine, Partners, Mediterranean Dialogue countries and other states as well as organizations (such as the EU), especially within the context of the Euro-Atlantic Partnership Council and the NATO-Russian Council.

Asia

In Asia itself and particularly in Southeast Asia, the arrest of Al Qaeda terrorists or those linked with Jemaah Islamiyah in Singapore and other ASEAN states have signaled that terrorism is a regional and not just a national security problem, affecting the entire region and even beyond.[19] In this light, global security challenges such as international terrorism require regional and global strategies to cope with these security threats. On a more basic level, extremism in Southeast Asia is centered primarily in debates within the Muslim communities of the region. Therefore any strategy designed to counterterrorist threats must also address understandable concerns that those antiterrorist strategies could upset social and political domestic stability and thus cause even more regional instability as, for instance, in southern Thailand.[20]

Although regional security cooperation has made important progress (such as the last APEC meeting last October which agreed to dismantle transnational terrorist groups, tackle the dangerous proliferation of WMD, impose strict controls on portable anti-aircraft missile systems and use the Asian Development Bank to help improve port

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[19] See Michael RICHARDSON, IHT, 31 July 2002, p. 2; Anthony DAVIS, "Southeast Asia Fears New Terrorist Attacks," in: JIR, November 2003, pp. 15–19, and Andrew TAN/Kumar RAMAKRISHNA (Eds.), "The New Terrorism. Anatomy, Trends and Counter Strategies," Singapore 2002, here pp. 107 ff.

[20] See also Thaksin SHINAWATRA, "Thailand Confronts Separatist Violence in Its Muslim South," in: JIR, March 2004, pp. 20–25; Eric TEO Chu Cheow, "The Changing Face of Terrorism in Southeast Asia," in: *PacNet Newsletter*, No. 34, 14 August 2003; Shawn W. CRISPIN, "Strife Down South," in: *Far Eastern Economic Review* (FEER), 22 January 2004, pp. 12–14; idem/Jeremy WAGSTAFF, "The Terror War's Next Offensive," in: ibid., 28 August 2003, pp. 12–15 and Surin PITSUWAN, "Developing Thailand's South," in: ibid., 12 February 2004, p. 22.

security and cut off the flow of money to terrorists[21], it seems still questionable whether the present regional cooperation for countering terrorist threat in Southeast Asia is adequate and sufficient enough to prevent further terrible attacks such as those in Bali in 2002[22]:

Effective Regional Responses?: Initially, a troika of the Philippines, Indonesia and Malaysia has been formed for discussing common policies in the face of extremist threats in those countries. Broader cooperation has increased, for instance, between Indonesia and Malaysia, and first-meetings of ASEAN's military chiefs have been held. Counterterrorism is also high on the agendas of the ARF and CSCAP. But it seems still insufficient in the context of effective regional responses as well as in regard to address the root causes of discontent, which is not just limited to poverty, as new empirical studies of terrorism have revealed since the mid-1990s.

Funding: Like always, also new funding is needed to build new regional networks to address to economic disparity, good governance and human rights while at the same time the region needs to build an intelligence network aimed at cutting off funds used by terrorist groups. However, this need seems still insufficient not just in Southeast Asia, but also in the EU, which would have a significant positive impact on fighting international terrorism in Asia.

Inexperience: ASEAN states face still difficulties to arrest particularly leaders and not just mid- and low level members of Jemaah Islamiyah and Al Qaeda. It also illustrates the inexperience and problems by the major ASEAN states in dealing with these new forms of international terrorism.

Denying and Downplaying Threats and Responsibilities: As a recent U.S. investigation found out, a Malaysian was accused to be a major player in a vast network of trafficking in nuclear technology for Libya's secret nuclear program. The case was politically sensitive because the Malaysian Scomi Group is majority controlled by Prime Minister Abdullah Badawi's only son, Kamaluddin. While the Malaysian government has accused the U.S. President of unfairly singling out Malaysia's role in the secret network and insisting that it was a sole known case of Malaysian involvement, the investigation and cooperation continues. But it indicates the wider security problems and the need of tougher laws to stop the illicit spread of weapons technology in Malaysia as well as many other South East Asian countries.[23]

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[21] See David E. SANGER, IHT, 22 October 2003, p. 10 and Victor MALLET, *Financial Times* (FT), 22 October 2003, p. 8.

[22] See F. UMBACH, "EU–ASEAN Political and Security Dialogue at the Beginning of the 21st Century: Prospects for Interregional Cooperation on International Terrorism," 5th EU–Asean Think Tank Dialogue "Revitalizing ASEAN–EU Partnership to Meet Global Security and Economic Challenges," Singapore, 6 to 7 October 2003, forthcoming in: *Panorama* 2004; Dzirhan MAHADZIR, "Lack of Cooperation Hinders ASEAN Anti-Terrorism Efforts," in: *Asia-Pacific Defence Reporter* (A-PDR) December 2002/January 2003, pp. 28–29, and Dzirhan MAHADZIR, "ASEAN Anti-Terrorism Makes Slow Progress," in: ibid., September 2003, p. 19.

[23] See *Straits Times*, 13 February 2004 (Internet-version).

No Effective Asian Interpol: Those problems are compounded by the fact that there is no specific overall security institution existing in Asia that is comparable in its organizational efficiency to an institution such as Interpol in Europe.

Regional Dividing Lines: Furthermore, these difficulties are complicated by the fact that some countries are heavily affected by terrorism such as Indonesia, Thailand, Malaysia, Singapore, and the Philippines whereas others are thus far only a potential target for terrorists in the future. That explains the difficulty to promote joint regional agendas for combating terrorism when not all the grouping's members are affected in the same way by this security challenge.

Conflicting Goals: As past experiences have shown, gathering intelligence on the countries in which terrorist groups are locate can be compromised by strengthening the sharing of information activities in these countries by neighboring states. Moreover, repressive counter terrorist strategies can only serve to widen the gap between local people and authorities and push young Muslims toward Islamic militants such as in southern Thailand.

Overlooking Terrorist Challenges: In general, however, the ASEAN states have long overlooked the activities of Islamic groups like many European states. The biggest problem in Southeast Asia is, however, the leadership vacuum in organizing a joint antiterrorism strategy amongst members. They are often unable to agree specifically to which extent they should also coordinate their efforts and strategies closely with those of the United States and other non-subregional powers. Furthermore, terrorism's roots in Southeast Asia in particular are very diverse and resilient. Even the capture of key individual terrorist leaders such as the Indonesian Hambali, accused for conducting many terrorist attacks throughout the entire region, did not change very much in regard to the terrorist threats, albeit he provided new information and insights about the terrorist networks.[24]

The Southeast Asia Anti-Terror Center as an Example of the Inherent Problems: Symptomatic for the slow progress in finding regional solutions to address international terrorist threat is the creation of the Southeast Asia Anti-Terror Center. Its idea has been promulgated in early 2002.[25] The center has only become operational just in July 2003. Originally it was planned as a joint U.S.-Malaysian initiative. But neither the military nor the police has been involved in the center, which will focus just on studies of terrorist organizations and activities, giving instructions on border security and to analyze strategies dealing with the aftermath of a terrorist attack. Thus the center will only provide basic training in methods of identifying and tracking terrorist groups rather than being a center, in which a joint regional strategy can be formulated and intelligence efforts between regional nations can be coordinated. Meanwhile Malaysia is funding the center because of its fears to increase anti-U.S.-sentiment among the majority of the Muslim Malay population. But a totally Malaysian sponsored and organized facility is clearly limiting its usefulness and regional importance. It seems characteristically for the entire situation in ASEAN where each ASEAN country is looking after its own

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[24] See also Don GREENLEES, "Still a Force to be Feared," in: FEER 22 January 2004, pp. 14–17.
[25] See "Malaysia to Open Regional Anti-Terror Center," in: *New York Times* (Internet-Version), 29 June 2003.

territory and operations and passes on just selective intelligence to its neighboring countries. Therefore the center will not adequately assist the region for the time being in formulating a real joint strategy against terrorism. There is, hitherto, still little active input, participation and contribution from other ASEAN states.[26]

Domestic Dependencies on Ineffective and Corrupted Force Structures: Another problem is that ASEAN governments depend in fighting terrorism on its police forces and—to a less extent—on its immigration control agencies. But they are generally overworked, underpaid, undertrained and in some countries prone to corruption. Hence ASEAN counterterrorist forces not only have to monitor terrorists but also some of their own police and immigration officials—a fact that may deter regional information sharing by other regional countries.

On the positive side, however, this new field of security cooperation on the regional and interregional level between Asia and Europe opens a wide range of opportunities for the EU to assist and support funding as well as training of police forces and immigration officials—and thus promote interregional cooperation in antiterrorist strategies in its own strategic interest. An important interregional cooperation field between the EU and Japan as well as entire Asia in this respect is maritime security.

Responses to the Threat: Maritime Security

In the light of rising terrorist and piracy attacks worldwide, but particularly in Southeast Asia, the International Maritime Organization (IMO) has been giving high priority to review of existing international legal and technical measures to prevent and suppress terrorist attacks against ships and improve shipping security. The aim is to reduce the risk to passengers, crews and port personnel both onboard ships and in port areas and to vessels and their cargoes. As potential aerial and ground targets have been hardened, the vulnerability of the maritime domain to infiltration and strike has increased since September 11, 2001.[27]

Measures taken by the IMO include review of the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA Treaty) and encouragement of its wider ratification; accelerated introduction of a mandatory system of automatic identification fitted to all ships over 300 gross tons on international voyages; updated arrangements for seafarer identification; and amendments to the 1974 Safety of Life at Sea Convention (SOLAS), including the introduction of the International Ship and Port Facility Security Code (ISPS Code). This code includes requirements for ships and port facilities such as the provision of security plans and officers, onboard equipment and arrangements for monitoring and controlling access. Ships will have to carry an International Ship Security Certificate issued by an appropriate authority in the "flag state." Implementation of these measures is particularly challenging for

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[26] See also F. UMBACH, "EU–ASEAN Political and Security Dialogue at the Beginning of the 21st Century."

[27] See also "Terrorism at Sea and Means of Protection," in: *Asian Defence Journal* 10/03, pp. 62–64.

developing countries that lack the necessary administrative and legal capabilities. The U.S. places great importance securing the nation's transportation system from terrorist attack. Major U.S. initiatives with ships and their cargoes include[28]:

- The Container Security Initiative (CSI), which involves placing U.S. customs inspectors at major foreign seaports to prescreen high risk cargo containers before they are shipped to the United States;
- The Custom-Trade Partnership Against Terrorism (C-TPAT), which encourages shippers and carriers to more carefully account for their cargo and their past records; and
- The Advanced Cargo Manifest Rule that requires detailed manifest information to be submitted to U.S. Customs 24 hours prior to final vessel loading in a foreign port.

The CSI is based on a series of agreements between the U.S. and foreign governments and now extends to most foreign ports that are major sources of containers being shipped to American ports. Core elements of CSI include the establishment of new security criteria to identify high-risk containers and the introduction of new technology to screen containers and make containers more secure. CSI and the advanced cargo manifest requirement constitute onerous requirements that involve costly changes to previous procedures.

Measures adopted by APEC include the Enhancing Secure Trade in the APEC Region (STAR) initiative, the establishment of the APEC-Counterterrorism Task Force and the adoption of the APEC Counterterrorism Action Plan. The latter plan includes a container security regime based on CSI. The plan also calls for enhanced cooperation and fighting piracy in the region between APEC forums and organizations such as the IMO and the International Maritime Bureau.[29]

Furthermore, the recent agreement between the U.S. and Liberia in February 2004 allowing U.S. enforcement agencies to stop and search any vessel with a Liberian flag, suspecting that it is carrying weapons, materials and delivery systems, offers unprecedented oversight about the second-largest ship registry in the world, which has been used extensively by smugglers for many years.[30]

In the EU, the European Maritime Safety Agency (EMSA), which was originally created to deal with marine pollution and safety following the Erika disaster of December 1999, has recently updated and modified the agency's tasks. But the European Parliament has not widened the agency's responsibilities to include security issues such as combating terrorism, which will continue to be an area for governments.[31] In the light of the new terrorist challenges, this is clearly inadequate and is hindering more effective antiterrorist countermeasures within Europe as well as EU's international cooperation on antiterrorism with Asia and other regions of the world.

Moreover, EU states such as France, Germany, Italy, the Netherlands, Portugal, Spain, the United Kingdom together with Poland, Australia, Japan and the United States have initiated the Proliferation Security Initiative (PSI) for indicting shipments of WMD materials. Originally it was focused in particular on North Korea. But it is also directed against other proliferators. Meanwhile, the initiative has been expanded by Canada,

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[28]   See Sam Bateman, "Countering Maritime Terrorism," in: A-PDR October 2003, pp. 16–17 (17).
[29]   See Sam Bateman, ibid., pp. 16–17.
[30]   See "Terrorism and Weapons Proliferation on the High Seas," *Stratfor.biz*, 16 February 2004.
[31]   See Energy and Transport Digest (ed. by the EU, Brussels), No. 81, 6 February 2004.

Denmark, Norway, Singapore and Turkey. Although at least eight maritime exercises are planned until mid-2004, it remains to be seen how effective PSI will be in the future due to uncertainties of practicing interdiction, unresolved political issues as well as of international law.[32]

Interregional Security Cooperation on Terrorism

Interregional security cooperation between the EU and Asia is taking place on various levels such as the ASEAN Regional Forum (ARF), the Council for Security Cooperation in Asia-Pacific (CSCAP), in the framework of the Asia-Europe Meeting (ASEM) process and bilaterally between European and Asian states. International terrorism has already been mentioned in the Asia-Europe Cooperation Framework (AECF) of 2000, which marked the beginning of a formal security dialogue within ASEM, launched in 1996.[33] But it took another year before at the fourth Asia-Europe Meeting (ASEM IV) in Copenhagen in September 2002 both sides agreed to fight international terrorism more forcefully. Both sides stressed in the joint "Declaration on Cooperation against International Terrorism":

> "The fight against terrorism requires a comprehensive approach by the international community comprising political, economic, diplomatic, military, and legal means in accordance with our respective domestic laws, duly taking into account root causes of terrorism without acknowledging these as justifications for terrorist and/or criminal activities. . . .
> We acknowledge that terrorism, including its possible links with transnational organized crime such as money laundering, trafficking in illicit drugs, forms a part of a complex set of new security challenges. This calls for a multi-facetted approach to the problems we are facing."[34]

At that time, in a new era of uncertainty, there was still no existing mechanism within ASEM to address ad-hoc events and threats such as the Bali bombing. By establishing a new informal consultative mechanism enabling "ASEM Coordinators and Senior Officials to confer expeditiously on significant international events" and "to facilitate cooperation in the common fight against terrorism and transnational organized crime," both sides also agreed to hold an ASEM seminar on antiterrorism in China in 2003. The seminar was aimed to discuss perspectives for strengthening the UN's leading role and in particular ASEM's cooperation on counterterrorism as part of the "ASEM Copenhagen Cooperation Program on Fighting International Terrorism."[35] Another seminar on

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[32] See Mark VALENCIA, "Why Interdiction Could Fail," in: FEER, 28 August 2003 and Dan SMITH, "The Proliferation Security Initiative: A Challenge too Narrow," in: *Foreign Policy in Focus* (FPIF-Polica Report, October 2003 (here via Interent: http://www.fpip.org/papers/prolif2003_body.html; downloaded on 22 October 2003).

[33] See also Jörn DOSCH, "Changing Security Cultures in Europe and Southeast Asia: Implications for Inter-Regionalism," in: *Asia Europe Journal* 2003, pp. 483–501 (494 ff.).

[34] "The ASEM Copenhagen Declaration on Cooperation against Internationmal Terrorism," Fourth Asia-Europe Meeting (ASEM 4), Copenhagen, 23–24 September 2002 (via Internet: http://www.iias.nl/asem/offdocs/ASEM4 (CopenhagenDeclaration_InternationalTerrorism.pdf).

[35] "*ASEM Copenhagen Cooperation Programme on Fighting International Terrorism,*" Copenhagen, 23–24 September 2002 (via Internet – http://www.iias.nf/asem/events/summits/asem4/ASEM4 CooperationProgrammeonFightingTerrorism.pdf).

combating underground banking and supervising alternate remittance services in European and Asian countries, organized jointly by Germany and Malaysia, was held in Germany on October 30-31, 2003 within the context of the ASEM Anti-Money Laundering Initiative. With these steps, ASEM states have tried to overcome their institutional and capability weaknesses in interregional security and antiterrorist cooperation. However, any further progress on interregional security cooperation depends on the future intraregional integration processes on both sides.

Conclusions and Perspectives

In the past, counterterrorism priorities remained largely focused on the short-term perspective, and are often politically driven by domestic factors. But governments have the responsibility also to prepare mid- and long-term strategies that seek to decrease significantly the threat, while eliminating the real roots of growing discontent. Furthermore, more effective preventive counter-measures against terrorist threats are often hampered by inherent conflicting goals. The future trade for instance might not only be under threat from terrorism, but also from the measures that might be taken to combat it.

Moreover, future progress in the interregional political and security dialogue between the EU and Asia/Japan depends to a considerable extent on the intraregional integration and cooperation processes on both sides. But ASEAN's traditional nonintervention clause and the regional mistrust still existing in Asia (such as between Japan and PR China) are hindering both regional as well as interregional cooperation for more adequate international antiterrorist efforts. In the EU, too, antiterrorist cooperation has made some progress since September 11, 2001 but is hardly sufficient and efficient enough in fighting the new terrorist challenges. Both, within the EU as well as within national states (such as Germany), member states and federal states are still unwilling to give up sovereignty to the EU and the central government in order to improve coordination and capabilities of antiterrorist measures.

In this regard, both sides need to learn much more from the other side before their interregional cooperation on regional and international terrorist threats is becoming more effective. In this regard, both Japan and the EU still need to recognize much more than in the past the fact and the implications that security challenges outside their region may have a direct impact on their own security and stability.

Human Security Approach Towards Fighting the New Security Threats

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Introduction

Contrary to expectations that gave rise to the initial euphoria, the end of the Cold War has ushered in a world, which is no more secure. Reflecting upon the last decade, challenges to peace and security have become more numerous and unpredictable.

Even before the September 11, 2001 terrorist attacks on New York and Washington, sensing the need to cooperate on counter-terrorism efforts, National Institute for Research Advancement (NIRA), semi-governmental think tank based in Tōkyō with which I am affiliated, coorganized a roundtable discussion on terrorism in Tōkyō in October 2000 with Japanese and American terrorism and security experts from local and national governments, academia and the news media. This roundtable recommended U.S.-Japan intelligence cooperation, joint efforts to prevent proliferation of weapons of mass destruction (WMD) materials and to prevent and combat terrorism early, as well as to better prepare crisis and consequence management.

After 9.11, we organized the second roundtable in July 2002 in New York. During the course of this roundtable we conducted a "thought experiment" involving bioterrorist attacks. The American scenario depicted a hypothetical assault on an inter-city train on the East Coast of the U.S. on Christmas Eve and a parallel scenario, portrayed a similar attack on a Shinkansen, specifically the Bullet Train between Tōkyō and Ōsaka at the end of the New Years holidays in Japan. The scenarios helped us to highlight key points related to crisis and consequence management following a bioterrorism event. They also served to focus technical and policy discussions. Following the thought experiments discussions by participants were channeled into three broad categories: jurisdiction and infrastructure; medical preparedness; and psychosocial issues. The second roundtable suggested that Japan and the United States must place a high premium on self-reliance and independent policymaking as part of their respective national preparedness efforts, but that collaboration in certain key areas would certainly improve their capabilities to respond to bioterrorism.

Thus in these two roundtable discussions, while difference in the national preparedness levels were naturally pointed out, we agreed on the need for Japan-U.S. bilateral cooperation to better prepare ourselves against terrorism.

Today, capitalizing on the outcome of the two round-table discussions, I would like first to identify new security threats and second to introduce regional cooperation currently underway. Lastly I would like to conclude by suggesting a human security approach in interregional and international cooperation with respect to new security threats.

New Security Threats and Terrorism

What are new security threats? Since the end of the Cold War, the world has witnessed a series of security challenges different from interstate wars including preemptive strike, civil wars, terrorist attacks, ethnic strife and violence, illicit trade of narcotics and arms, illegal migration and proliferation of weapons of mass destruction. Security has been extended from territorial integrity to numerous concerns. These threats are often qualified as new threats but are not necessarily new. These concerns existed even during the Cold War but were not prominent, partly because these threats were suppressed or obscured by the Cold War divide and threat of interstate war, most significantly ultimate nuclear warfare between two superpowers. The metaphor of a glacier is used to characterize how the Cold War covered other security threats and how they emerged as the Cold War glacier melted.

Another aspect of new security challenges is that threats are increasingly linked beyond national borders as a consequence of the advance of globalization, with technological advances, goods, services, finance, people and information flow globally and instantaneously. This so-called globalization has made markets more open and lowered national borders for economic transactions. Also vital infrastructures such as transportation, information, energy and health care have become increasingly linked beyond national borders. These advances have made systems more efficient, but also more complex. At the same time, however, these interconnected systems become more vulnerable and fragile in proportion to their advances. Some local crises will not be limited to an isolated impact but may rather have impact of much larger scale and effects that may spread to catastrophic levels.

These advances have also made technology more accessible. Dual-use technology has progressed to the extent that they can be easily used in weapons, making them ever more powerful. Weapons of mass destruction, for example, have become smaller, cheaper and more readily available. The information revolution has made communication easier and global for actors with both good and bad intentions.

On the other hand, are existing institutions and policies sufficiently designed for these new threats? The fear exists that we will not be able to cope with new threats in an increasingly interrelated world. Mechanisms need to be enhanced and revised to accord with the new environment.

Under these new threats, human security began to be perceived as particularly vulnerable. The Commission on Human Security has defined new security challenges or human security as "to protect fundamental freedoms [of people] from critical and pervasive (widespread) threats."[1]

It suggests protection and empowerment as a way to realize human security. In order to protect people, the Commission recommends developing national and international norms, processes and institutions that address insecurities. Such protection must be comprehensive, not compartmentalized, and preventive, not reactive. It is also important to empower people so that they can act on their own behalf. This approach is valid for new threats including terrorism and should further be delineated.

Among new security threats, terrorism is the focus of this conference. Again terrorism is not new. By the 19th century, Joseph Conrad had described an indelible

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[1]   Commission on Human Security, *Human Security Now,* New York, 2003, p. 4.

portrait of the terrorist mind. In the 20th century, if our collective memory serves, terrorism did occur. Terrorists in the mid-20th century, however, tended to have political objectives. Many terrorist groups were supported and covertly controlled by governments.

In the late 20th to 21st century, the objectives or goals of terrorist attacks have changed from political to unlimited or retributive ones. Terrorists' aims become revisionist where they attempt to shift the status quo, making their motivation harder to identify. Religious fanaticism, ethnic chauvinism, anti-Semitism, anti-Americanism and poverty are often cited as motivations for or root causes of terrorism. However, the question still remains, what causes these motivations to mass terrorist violence?

The means by which terrorism is perpetrated have also changed. As noted above, technological advances have made instruments of terrorism easier to procure. It was hard to imagine the use of planes as giant cruise missiles on 9/11. Terrorism has become more brutal and indiscriminate with mass violence. This was manifested on 9/11 by many thousands of innocent fatalities who are not related to the ultimate goal of the terrorists. Terrorism has also become transnational in terms of financing, organization, training and weapons.

It is unrealistic to attempt to eliminate terrorism. At best, we should aim to reduce the threat of terrorism by addressing the root causes, by reducing access to means of attack and by hardening potential targets. In fighting terrorism, although national preparedness comes first and foremost, the above mentioned interconnectedness demands international, regional and bilateral cooperation. Weak links in the world can become easy targets for terrorists.

Regional Cooperation in Asia in Fighting against Terrorism

Terrorism has become of prime concern in Asia. According to the Global Terrorism Report by the U.S. Department of State published in April 2003, while the number of terrorist attacks declined in 2002 (as shown in figure 1), the number of incidents and casualties in Asia surpassed those of Latin America, which has topped the graph for a long time (as shown in figures 2 and 3). These figures show the regional shift of terrorism incidents from Europe and Latin America to Asia and the Middle East.

In the Asia-Pacific region while transnational crime has been a focus of security cooperation, the September 11, 2001 attacks and the attack in Bali on October 12, 2002, have alarmed the region and strengthened region-wide cooperation focusing on terrorism at regional institutions including the Association of Southeast Asian Nations (ASEAN), the ASEAN Post Ministerial Conference (ASEAN-PMC), the ASEAN Regional Forum (ARF), and Asia Pacific Economic Cooperation (APEC).

APEC, which originally was established for economic cooperation in 1989, has addressed terrorism issues from the vantage point of securing free and open trade and other economic activities. Following their announcement made in Shanghai in the wake of September 11 to cooperate in combating terror, APEC leaders stressed at Los Cabos, Mexico in October 2002 their determination to work together towards transport security including protection of cargo, ships engaged in international voyage, international aviation and people in transit. They also resolved to combat money laundering and to pre-

vent terrorists' access to the international financial system through better monitoring of remittance systems and better law enforcement and regulatory capabilities. At the 11th APEC Economic Leaders' Meeting held in Bangkok on October 20 and 21, 2003, leaders agreed "to dedicate APEC not only to advancing the prosperity of our economies, but also to the complementary mission of ensuring the security of our people." APEC leaders specifically committed to eliminate danger posed by the proliferation of weapons of mass destruction and to take specific actions to strengthen efforts to curb terrorist threats against mass transportation and confront the threat posed by terrorist acquisition and use of man-portable air defense systems (MANPADS) against international aviation. They also agreed to establish a regional trade and financial security initiative within the Asian Development Bank to support projects that enhance port security, combat terrorist finance, and achieve other counter-terrorism objectives.

ARF has established a mechanism of Inter-Sessional meetings to discuss cooperation on counterterrorism. ARF has enumerated the importance of information sharing, intelligence sharing, police cooperation, border control as well as early warning for regional cooperation. Much of this collaborative effort, due to the sensitivity of information involved, has been accomplished through a series of bilateral arrangements.

What is significant about the fight against terrorism in Asia is its focus on capacity building, namely, immigration control, aviation security, custom cooperation, export control, police and law enforcement, and terrorist financing. Another feature of cooperation in Asia is that member states endorse international agreements such as those at the United Nations and encourage countries in Asia to commit and implement these agreements.

In sub-regions, the focus of cooperation is different. In Northeast Asia, 9/11 has led to cooperation between the United States and its allies. Japan has expanded the scope of its cooperation with the United States by sending naval vessels to the Indian Sea to refuel vessels engaged in the fight against al Qaeda and the Taliban in Afghanistan. On the war against Iraq, Prime Minister Koizumi Junichirō expressed unswerving support for President Bush over the latter's decision to forcibly disarm Iraq of weapons of mass destruction. South Korea, despite its strong anti-American popular voice, sent troops to Iraq.

In Southeast Asia, which has a statistically significant Muslim population, the countries are alarmed by the links between al Qaeda and local Islamic extremist groups, such as the Jemaah Islamiyah. The terrorist bombing in Bali sent a strong message of a real danger posed by these terrorists. Malaysia established the Regional Counter-Terrorism Center in its Foreign Ministry in 2003 and has started to provide training to Southeast Asians by inviting German and American trainers. The fight against al Qaeda brought Southeast Asian governments closer than they had been in the past.

Asia has been known as void of regional cooperation on security, as countries do not share common threats but are afraid of each other. Ironically, threats posed by terrorists have served as a magnet to bring Asian countries together for security cooperation. The Bali Concord II adopted in Bali, Indonesia on October 7, 2003 proposed the ASEAN Security Community, which included joint work to counter terrorism, drug trafficking, trafficking in persons and other transnational crimes. In addition, the nuclear threat posed by North Korea has brought six countries to the negotiation table. This new mechanism of six-way talks may pave the way for security cooperation.

New Models for Cooperation

Terrorism, particularly international terrorism, cannot be solved unilaterally. Multilateral cooperation is essential to better prevent and manage incidents. While prime responsibility to fight terrorism may rest with each country, the international community needs to share information and discuss common vulnerabilities and best practices to make their linkage more robust.

At the global level, international cooperation on terrorism has been underway. The G8 countries have addressed related issues since the 1978 Bonn Statement on air-hijacking. The United Nations has been working as a catalyst to produce international counterterrorism agreements.

The Asia-Europe Meeting (ASEM) also issued the Copenhagen Declaration on Cooperation against International Terrorism in September 2002 and has resolved to enhance cooperation in the fight against terrorism.

Commitment to counterterrorism cooperation is unwavering. Both Europe and Asia are determined and prepared to fight against terrorism. Both Europe and Asia have a shared understanding about the complexity of this issue and the need to resolve the matter from all perspectives, including its root-causes. Fields of cooperation are diplomacy, development assistance, intelligence/information, law enforcement, finance, police and military.

Experiences of terrorism, however, differ by country, which may color their degree of commitment to countering terrorism. What has been achieved in terms of cooperation in Asia and in interregional cooperation has been limited to declarations and statements. They did have an announcement effect of regional commitment to counter terrorism. Cooperation, however, should not be limited to the realm of rhetoric. Cooperation has to be more substantive in fighting terrorism. The inter-regional cooperation between Asia and Europe, cooperation in the aforementioned fields, could play a particularly important role in reducing or hardening weak spots/links that can be easy targets for terrorists.

The world may not be able to eliminate terrorism, but should be able to reduce its threat. Military response, though important, should be the last resort in fighting against these threats, most notably terrorism. There are numerous means and instruments we can address from reducing underlying causes, justice and home affairs cooperation, conflict prevention, health care and education to name a few. As a new model for cooperation, I would like to suggest multi-layered cooperation in these fields at the bilateral, regional and global levels and with all actors engaged from civil society, states to regional and international institutions together with a comprehensive human security approach to new security threats should create an optimum policy mix in the fight against new security threats.
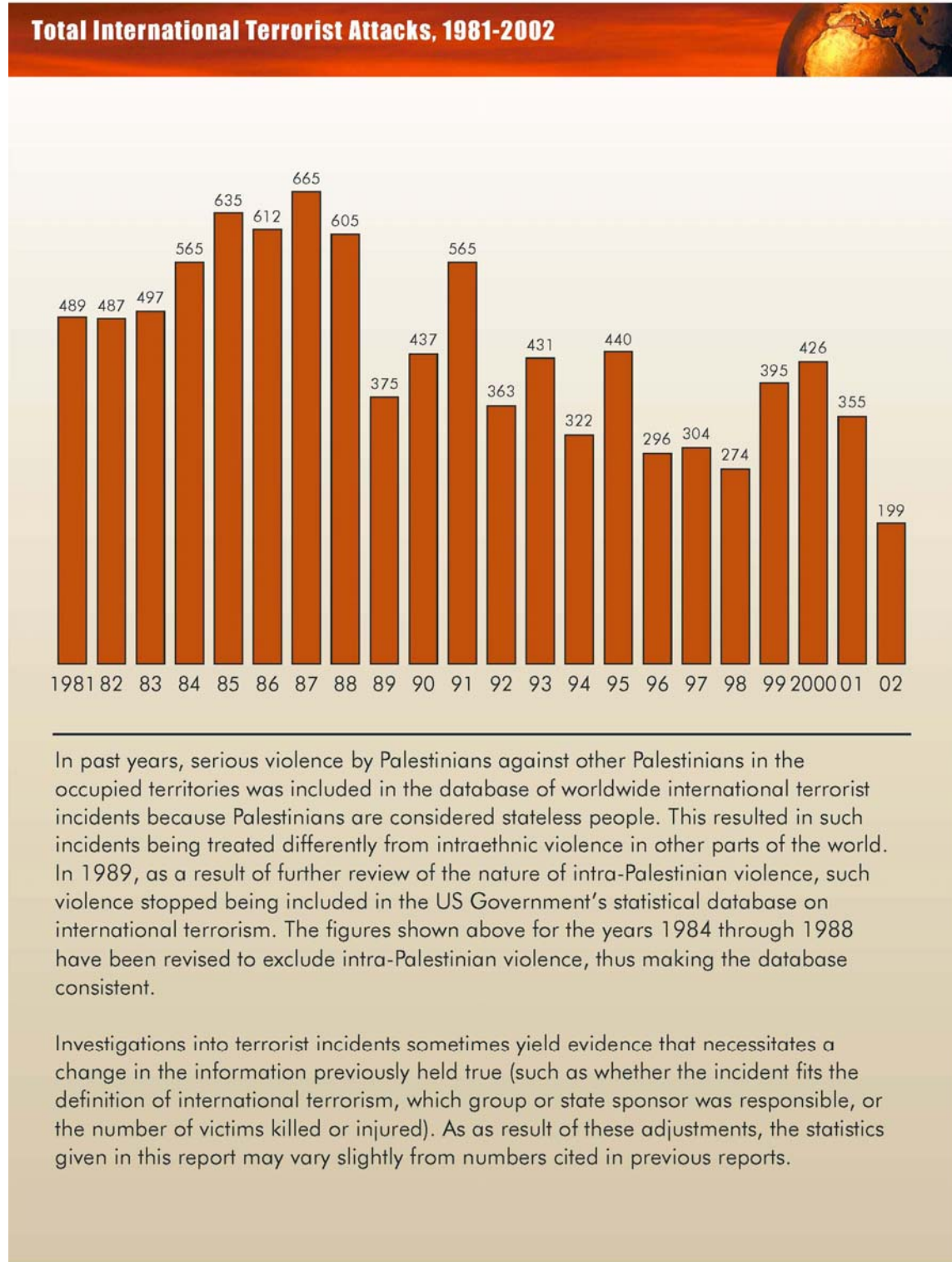
Figure 1

Appendix H
Statistical Review

Total International Terrorist Attacks, 1981-2002

In past years, serious violence by Palestinians against other Palestinians in the occupied territories was included in the database of worldwide international terrorist incidents because Palestinians are considered stateless people. This resulted in such incidents being treated differently from intraethnic violence in other parts of the world. In 1989, as a result of further review of the nature of intra-Palestinian violence, such violence stopped being included in the US Government's statistical database on international terrorism. The figures shown above for the years 1984 through 1988 have been revised to exclude intra-Palestinian violence, thus making the database consistent.

Investigations into terrorist incidents sometimes yield evidence that necessitates a change in the information previously held true (such as whether the incident fits the definition of international terrorism, which group or state sponsor was responsible, or the number of victims killed or injured). As as result of these adjustments, the statistics given in this report may vary slightly from numbers cited in previous reports.

Figure 2

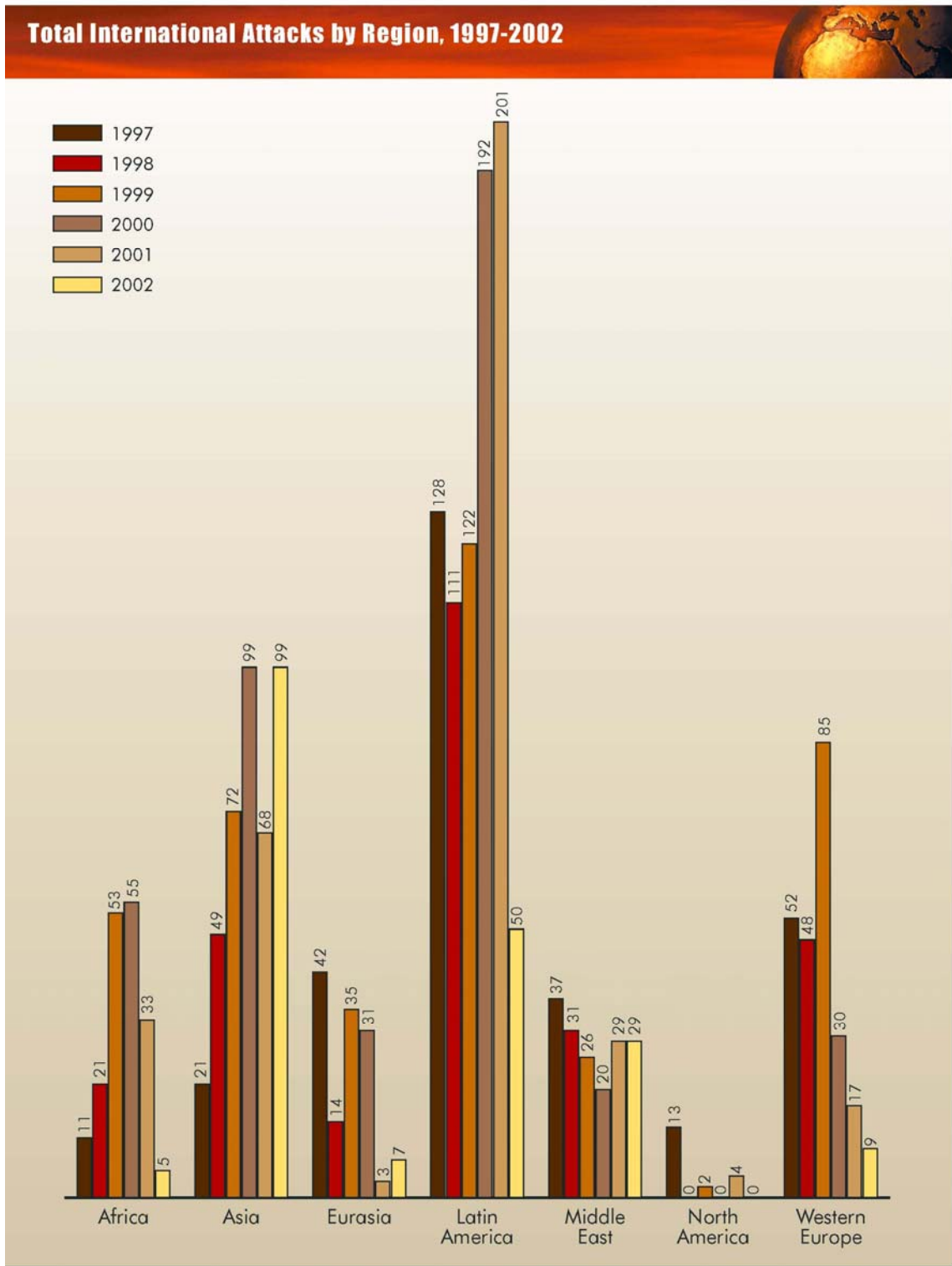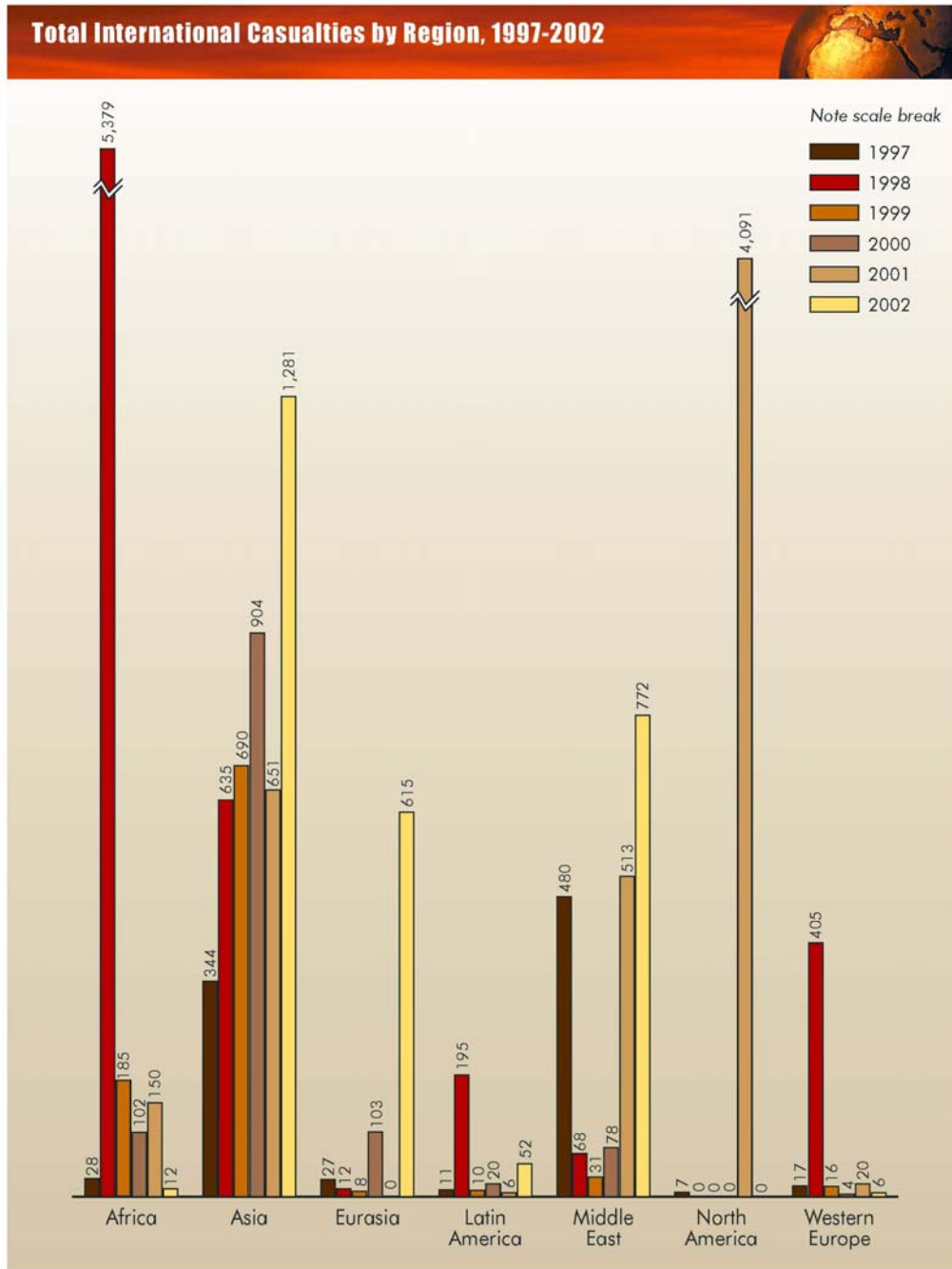Total International Attacks by Region, 1997-2002

Figure 3

Discussion of Session 1

In this session four major questions and remarks were discussed:

1. Opinion polls in Morocco found that a vast majority of people in this country showed understanding with what the terrorists did in New York. It was suggested to discuss the *underlying causes of terrorism*, because in making politics these causes have to be tackled.
2. Emphasis was laid on the necessity to implement policies for building up a *civil society* and guarantee *human security*. In order not to leave loopholes, appropriate policies have to be implemented from A to Z. Also, the security services' strategies have to be reviewed and changed, because terrorists already make use of these strategies.
3. It was furthermore asked, how an event like the *hostage taking by Chechen rebels* in a Moscow musical theater could be prevented in the future. It could happen everywhere in the world at any time.
4. One participant remarked that the presentations had a state-centered approach. What about *nonstate actors* (NGOs, civil society etc.) in relation to the fight against terrorism? What could be the role for the *Asia-Europe Meeting* (ASEM) in this context?

1.

On *causes* it was explained that the results of the opinion polls in Morocco were also confirmed in opinion polls in other Arab countries. But we have to ask what the motivation is for Al Qaeda. For terrorist actions two causes are stated very often: poverty and the Palestinian question. But Al Qaeda has produced videos already some years ago and the Palestinian question never plaid a role. The actual political motivation on Al Qaeda's side was first that the U.S. should withdraw from all Arab countries, specifically from Saudi Arabia. The Sharia should be introduced. And basically they wanted to overthrow the Saudi Arabian government. The Palestinian question may have been of importance for followers of Al Qaeda, but by Al Qaeda's members it was mentioned only lately. Al Qaeda is a threat rather of ideological totalitarian nature.

This does not mean that the international community has not to engage in Israel or not to take more political efforts to solve the Israeli-Palestinian crisis.

The other point, which is also very prominent in public debate about terrorist threats specifically in the Middle East, is the link to the poverty problem. This seems to be natural, but since the mid-1990s, a number of new analyses of global terrorist threats, structures and motivations have found that poverty is not the driving force for terrorist groups. The case of Al Qaeda is the perfect example. Fifteen out of nineteen attackers in the United States did not come from poor families. So the picture that we get today of the motivation and the causes of terrorism is much more complicated than thought before.

But one participant challenged the stated irrelevance of the Israel-Palestine conflict in this context, though not as a cause for the 9/11 attacks. There is a perception of the U.S. always taking sides with Israel in all sorts of international affairs and even with "critical behavior" by Israeli politics. When President Bush took over the office, he expressed his interest in two foreign policy issues, the Palestinian issue and the North Korean issue. In both cases within half a year or so the problems started to pile up. Therefore a very close relationship in the political overall context should be considered.

Another participant suggested to take the conflict as a conflict of competition and that the loosing parties, the Islamic religions, try to revolt against the power that over-whelmed them. In this case it had to be taken as a kind of war, a war about an ideology. But to wage war needs power and money, and this leads to interactions between terror-ists and criminals and sometimes states—in drugs cultivation, and drugs and weapons trafficking, etc.

One more point in the discussion dealing with underlying causes of terrorism was the limits and defensiveness in the Arab world to political, social and economic reforms. Last year the UN development program has published the "Arab Human Development Reports." The report gives a depressing picture of the region and the people. The number of 280 million people will increase to 450 million over the next twenty years. Especially depressing is the situation in the educational sector. Two figures might be sufficient in this context: 0.6 percent of the overall population have Internet access, and 1.2 percent have personal computers. No other region in the world has such a low share of the globalization processes. The implications for the future well being of the people, economic progress, poverty problems, or the demographic trends are disastrous. Arabic experts, not Westerners wrote the report. Therefore the governments of Arabian coun-tries cannot deny these reports as they did in the past, when they complained that they were basically written by Westerners not understanding Arabic culture. It is not very difficult to imagine that the Middle East will be the major area of conflict in the years to come. This has not only to do with interstate security, but much more with domestic security issues, with regional or global implications. If political and economic reforms will not be put on the agenda by their governments and their own societies, the inter-national community will certainly face many problems.

2.

The view was supported that *civil society* is an important actor in security issues, including international ones. It is difficult to think of any substantial civil society efforts in curbing down terrorism per se. But assisting to build up a civil society in countries suffering from post-conflict reconstruction or from fragile peace are very important activities for reducing new security threats including terrorism. Without having the power of civil society, countries will not be able to combat or reduce new threats. In this context the human security approach was again emphasized, because different actors are involved, people, community, civil society, state, and international or regional organi-zations.

For dealing with the underlying causes, which often are difficult to identify, the *concept of human security* was brought forward, because it claims to be a comprehensive approach. This does not negate the necessity of military preparedness. But military action should be at the end of the list for means, and empowerment and protection of individuals have to come first and foremost to help reducing the threat of terrorism. Not only the states, but also people are the object and subject of security. Simple protection would not enhance the security of people. People must develop their own strength and the capacity to protect themselves. Both empowerment and protection are necessary to build up security. Therefore protection from violent conflicts, protection from poverty, protection for good health, protection for and empowerment through good education, etc. have to be combined. It is not a question of choice, it has to be done in a comprehensive manner and that is what the report by the Commission on Human Security (available on the website of the Commission on Human Security) proposes. That report is not perfect, but at least gives a good basic description of what needs to be implemented to strengthen human security. Starting from this point Asia or Japan and Europe should discuss how the human security approach could be supplied to the security concerns shared between Japan, Europe and Asia.

The need for new strategies in dealing with terrorist organizations and groups, who hire, for example, scientists was confirmed. This was the reason why the West—the United States and Europe—addressed the loose nukes issue in the 1990s and do so until today, as well as the brain drain from Russia. This is not just constrained to nuclear expertise; it is going much further to chemical and biological weapons, etc. This area is a rather positive example for continuing multilateral cooperation. But it is not only skills in sciences, but organizational skills too. For example, we learned that groups like Aum Shinrikyō were hiring people from the police, from the secret services, from the armed forces, who had the organizational skills to make a general staff man to conduct those attacks. Without having these organizational skills we would not have to face the same threat.

3.

It was considered a mistake of the United States to give Russia a card blanche, because the roots of the Chechen terrorist cases are of a different nature compared to Al Qaeda. The Chechen case has much more to do with separatism, but of course by using terrorist means. Only a political solution can stop that ongoing escalation. Chechen terrorists will try to escalate the threat, because the main message of the hostage cases and the bombs during the last year in Moscow was to get back Western attention. After these terrorist attacks Western foreign ministers protested and criticized the Russian government, and expressed their concerns that the threats could spread. Since then nothing has happened. In the perception of the Chechen terrorists to escalate the threat by putting bombs in Western capitals might be the only possibility to get Western attention. This may just be a question of time. In this respect policy from the EU, as well as from the United States seems to be very shortsighted. This is a typical example of not addressing the causes, which in this are different from other terrorist attacks.

4.

Human security is very important in the *EU-Japan* or *EU-Asian security relation* context, because it is something opposed to military security. Europe through the OSCE and Japan/Asia through the ARF can strengthen security through economic cooperation and other nonmilitary means. This might be the most important part of EU-Japan security, as well as the EU-Japan action plan of 2001.

The European Union and all Asian nations agree to promote and include civil society more actively. But *ASEM* is very young. Differences exist between the European members and the Asian members of how to include civil society. Whereas the European Union is more active and more prepared to include civil society, some Asian members are less prepared. This is part of the problem of the ASEM process.

On the issue of *EU-Asian cooperation* another participant elaborated that the old members of the EU work on more or less the same legal basic organization and political set-up with the same values. The members joining the EU in May 2004 will gradually adapt. This is an example of countries cooperating, which have comparable systems. Japan has a similar system. But what about the other countries in Asia? Skeptics predict it will last in Asia as long as it lasted Europe, about 50 years to reach that level. It may not last that long. There are some countries that already have a significant level of cooperation in some areas, for instance Japan and Korea. But there is still much political mistrust between many of these countries, even though their systems may be similar and therefore open for cooperation. If you don't trust the other side in a basic concept, it is very difficult to overcome issues like to what extend to protect private data, etc. The necessity of establishing relations of trust, at least among a certain group of Asian countries, should not be underestimated and there should be more effort in this direction. To obtain trust it is necessary to talk about the past. Therefore the Friedrich-Ebert-Foundation in Tōkyō has organized seminars with participants from European and Asian countries **and** the United States on how to deal with the past. Japan tries to avoid the issue, but there is no running away from it. The United States were included because of the nuclear bomb issue and because they sent American citizens of Japanese descent into camps after Pearl Harbor.

These are all issues that have to be overcome in order to reestablish the trust that is necessary to make these countries cooperate. And it is evident in the case of North Korea and South Korea. When Japan sent Red Cross vessels or mine-sweepers to help in peace-cooperation issues, it always had to contact all countries in the area, saying that there is no bad intention. Germany had the same sort of problem, when it planned military maneuvers and exercises outside the country. But in the case of Germany NATO membership made the difference. Being part of a collective security organization meant that the Germans would not cause problems any more.

In the case of Japan, things are different. Japan cannot engage in collective security, because the constitution does not even allow having an army. Only by construction you can say that every sovereign state has the right to self-defense. But that excludes specifically collective defense.

Given the political culture in Germany and Japan, a cooperation between the EU and Japan might be easier compared to a cooperation between the EU and Asia, also because of the number of players involved. But bilateral cooperation is not enough. To a

global threat we have to answer with multilateral and interregional cooperation. Interregional cooperation is dependent to a large extend on intraregional cooperation, in other words, if the intraregional cooperation within Asia, such as the ARF, is not significantly effectively improving, this will also hamper the efforts for interregional cooperation between the EU and Asia.

National and European Countermeasures Against International Terrorism and International Crime Networks

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Let me first of all thank the Japanese-German Center Berlin, the Friedrich-Ebert-Foundation and the German Council on Foreign Relations for the kind invitation to contribute to this important symposium.

My lecture will begin with (1) a brief analysis of recent trends in international terrorism and organized crime. Furthermore it will underline the sheer necessity of international cooperation (2), give some details on national countermeasures (3) and then dwell on European (4) as well as countermeasures taken in the framework of the G8 (5). Due to time constraints my lecture will highlight only some of the countermeasures. More details are to be found in the written text, which will be made available to you.

1 Recent Trends in International Terrorism and Organized Crime

1.1 The Increasing Dominance of Religiously Motivated Terrorism

Worldwide there seems to be a decrease of terrorist acts, resulting in the lowest number of such acts at least since 1998 (1998: 274; 1999: 395; 2000: 426; 2001: 355; 2002: 199 terrorist acts). However, the number of victims remains relatively high, a fact which can only be explained by the increasing dominance of religiously motivated terrorism. Religious groups—far more than all others—are at least indifferent with regard to number and identity of their victims. Whilst most social-revolutionary groups went to great lengths to select the "right target," e.g. a high ranking political or economic leader and to avoid collateral damage among average civilians, religious groups do not differentiate. This is not only true for certain sectarian groups like Aum Shinrikyô in Japan, which consider the killing in itself as a holy act. It is unfortunately also true for many Islamistic groups who consider their victims just as necessary means for transporting their politico-religious message. This is why they strive to achieve control over weapons of mass destruction or at least radiological devices (dirty bombs).

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[1]   The views in this presentation are expressed by the author in his personal capacity and do not necessarily reflect the views of the German government.

1.2 Geographic Shift

This shift from a more traditional ideological (social-revolutionary) or ethno-national terrorism to religiously motivated forms coincides with a certain geographical shift from Europe and Latin America to Northern Africa, the Middle East and Asia.

We find most of the hot spots of Islamistic terrorism in countries with either Muslim majorities or countries with substantial Muslim minorities. There are serious indications that the spread of extremist/Islamist ideas through religious schools like the Ngukri-network in Indonesia or certain Madrasses in Pakistan, often financed from sources located on the Arabic peninsula, are "root-causes" (I am deliberately using this very problematic term) for terrorism. Of course it goes without saying that other forms of terrorism still exist in various parts of the world and that various motivations (ethno-national, social, revolutionary and religious) often overlap.

1.3 Globalization of Terrorism

Religiously motivated terrorism (or religion as a unifying factor for different groups) is certainly not limited to just one religion. However, at least for the time being, only terrorism motivated by Islamism reaches beyond national and regional borders and is thus a major threat for the world community. In fact terrorism has gone global. Al Qaeda, as the most striking example, is a truly global network, which cooperates more or less closely with national or regional groups like the GSFP in Algeria or the Jemaah Islamiyah, the Moro Islamic Liberation Front and Abu Sayyaf in Asia.

1.4 Asymmetric Warfare, Communication Strategy

September 11 has been a perfect example for asymmetric warfare. Attacks like the ones in Jakarta and Bali, but also in Riyadh and in Tunisia may be less dramatic and perfect. But they all had serious negative economic consequences for the targeted countries. Terrorists are thus able to inflict major damage to an enemy, which was and is, in terms of manpower, military equipment and financial resources, vastly superior. But it is not only the (rather tactical) asymmetry of means available to terrorists on the one and attacked states on the other hand. It is the asymmetry of warfare in a more strategic sense. Unlike in earlier conflicts aiming at independence or at the overthrow of a regime, terrorism is not any more conceived as an inevitable (because of military weakness) "prelude" to guerilla warfare and finally open war aimed at achieving a political objective against the will of an adversary. Modern terrorism rather tries to jump directly from terrorism to the last stage of defeating the enemy, by increasing the financial and psychological burden for the attacked countries, economies and societies. Soft targets like tourists, expatriate communities and international traffic are nowadays prime targets for terrorists. In fact, for the terrorists the victims have no particular importance any more, except as part of a communication strategy proliferated by the media.

1.5 Inseparability of Internal and External Security

September 11 and the many terrorist attacks committed later on taught us another terrible lesson. No country on our globe is immune against the scourge of modern terrorism. Even a favorable geographic security environment, a mighty army and perfect relations with neighbors cannot protect our citizens and cities from major terrorist attacks. The security of any country is not any more almost exclusively in the hands of governments, but increasingly in those of nonstate actors. While state-sponsored terrorism still exists, albeit on a much lower level than in the 1960s and 1970s, it is more and more the threat by nonstate actors negatively affecting our security, both on state and on individual levels.

1.6 The Role of International Organized Crime

Dealing with both terrorism and organized crime in one lecture seems to be a bit odd, at least at first glance. Aren't these completely different phenomena? Aren't Usama Bin Laden and Al Capone the icons for completely different crimes? The one driven by religious and perhaps political zeal, the other by greed?

Surprisingly they have more in common than one might think! Both are—unlike for example war lords or guerilla movements—not linked to a certain territory, the ratio for their use of force is primarily psychological and they both attack noncombatants. On a more practical note we often witness former terrorist or guerilla groups mutating into organized crime. One very pertinent example is the FARC in Columbia, being a synonym for narcoterrorism. In the early stages criminal activities are normally just a source of income for a terrorist group. But as a rule sooner or later greed, i.e. a predominantly economic motivation supersedes the political goals and converts a terrorist group into a criminal gang. Furthermore violent nonstate actors often cooperate, for mutual benefit. Terrorists protect narcotraffickers, organized crime provides terrorists with counterfeit documents, warlords give a share from crime related income to terrorists to buy them in etc. Besides Latin America Afghanistan is a pertinent case indeed. 80% of the Heroin used in Europe comes from Afghan poppy fields; the enormous profits gained by refining and smuggling it are shared by many outside Afghanistan, but also by Afghan warlords. The result is an extremely volatile security situation in parts of Afghanistan and an increased risk also for peacekeepers, police and DDR advisers as well as development workers there. Since both our countries are lead nations in Afghanistan—Japan for DDR, Germany for police building, this threat is very substantial.

2 Lessons to be Learned

We, our countries, our governments, our societies thus face a double challenge: Internal and external security have become inseparable and nonstate actors, not least terrorists and organized crime, have become a major threat for international peace and security. Two years after September 11 there are a few old and new lessons to be learned:

- Terrorism and organized crime need an international, if not global response—for many years to come.
- Terrorism and organized crime need a firm response, based on the rule of law, all the while respecting civil rights and fundamental freedoms.
- Combating terrorism and organized require a comprehensive, multifaceted and systematic approach by the international community, comprising political, diplomatic, legal, economic, if necessary military means.
- Prevention, anti- and counter-terrorism have to play hand in hand; the prevention of terrorist financing and the fight against money laundering are two sides of the same coin.

3 National Countermeasures

Coping with new security challenges like those triggered by international terrorism and organized crime requires permanent adapting and reorganizing of government structures.

Germany's response could be described with five key words: more coordination and streamlining instead of new institutions, more money, more manpower, more law, and more projects. All together more than 100 measures were taken and projects started in order to prevent terrorism, to increase international cooperation, to destroy terrorist networks and to protect the population and critical infrastructures including resilience and crisis management.

3.1 Coordination Instead of New Institutions

Unlike in the United States no major institution building in terms of establishing new ministries or agencies has taken place in Germany. However, there have been some major reorganization and streamlining in a number of ministries and agencies. And there are a few exceptions to the rule of no new institutions to which I will refer at a later stage. But let me add a few introductory remarks to make you familiar with the German security systems. As you all know Germany is a federal state, which leads to a vertical separation of powers:

On Federal level (Bund) combating terrorism and organized crime is a cross cutting issue involving at least ten federal ministries including the Federal Chancellery, the army, three intelligence services and a number of other agencies, like the Federal Criminal Police Office with its financial intelligence unit, the Public Prosecutor General, the Federal Border Police, the Federal Custom Service including the customs criminal office, furthermore the federal financial supervisory authority and a number of others.

Länder-level: The enormous diversity within the Federal Government is further complicated by the constitutional division of competencies between the 16 Bundesländer (Federal States) and the Federal Republic. Police matters fall in principle into the competence of the federal states, judicial issues in most cases. Most of the Länder have their own intelligence services.

There is one more complicating issue, a lesson drawn from a not too distant past. It is the separation of intelligence on the one and police/judiciary on the other hand: German law provides for a clear-cut separation of the work of intelligence services and of police/judicial services. There are for example no joint databases or automatic data links between, let us say, the federal intelligence service and the federal criminal police office with regard to personal data.

After all there is a tremendous need for effective coordination between Bund and Länder, between all the ministries, agencies and services involved and between the competent divisions in those ministries and agencies.

There are a number of fora and mechanisms, which partly existed before September 11, partly were set up in the aftermath:

- The "Bundessicherheitsrat" (federal security council) is a pre 9/11 cabinet committee consisting of Federal Chancellery, Foreign Office and the Ministry of Defence, Justice, Interior, Economics, Development and Finance. It has been convened immediately on September 11, and in the following days. However, it is lacking sufficient administrative structures and is not sufficiently interlinked neither vertically (different action levels) nor horizontally (with the corresponding hierarchy levels of the involved ministries) to cope with permanent, multi-faceted security problems like international terrorism or organized crime.
- "Sicherheitslage" (security situation): The task of this forum, which comprises of high-ranking representatives of the Foreign office, Federal Ministries of Defence, Interior, Justice as well as the Federal Chancellery, the German intelligence services and the Federal Criminal Police Office, is to analyze actual and potential dangers for the Federal Republic of Germany, to coordinate activities among the different authorities and to discuss/initiate possible action. It convenes in regular intervals, normally weekly or biweekly.
- National task forces, information boards: The federal office of the protection of the constitution, the federal intelligence service and the military counter intelligence service are responsible for investigating the preliminary stages of terrorist activities and/or organized crime at home and abroad. Police investigates usually at the request of state attorneys (federal criminal police (BKA) at the request of the Federal General Attorney) in order to prepare possible legal action. The information—related cooperation between the police and the intelligence services both on Länder and Federal level and between these levels is regulated by statute/law. In order to guarantee an effective coordination, national cooperation task forces have been set up in the various fields of terrorism. Furthermore, two so called "information boards" have been established after 9/11 as a special form of cooperation. It serves to pool and evaluate police and intelligence service findings, related to specific cases in the first, beyond specific cases—e.g. Islamist terrorism in general—in the second. Also between Bund and Länder a number of institutionalized working groups (both in the areas of police and justice) exist. The law governing the federal criminal police office assigns central coordination duties to the federal police office, which supports and coordinates the police forces of the federal Länder in preventing and prosecuting criminal offences that are of national, international or otherwise major importance. It also collects and analyzes the necessary information related to those criminal offences, essentially based on the federal criminal police reporting service.

3.2 More Money, More Manpower

Immediately after September 11 the government announced a first counter terrorism package, mainly providing money and manpower to existing government structures. The changes in penal law and the law of associations will be dealt with further down. So back to money and manpower: An additional budget for security measures for the year 2002 of approximately 1.5 billion euro was adopted by the end of 2001. This additional budget has been financed by a 2% increase on tobacco taxes and a 1% increase on insurance taxes. With this additional budget a total of more then 2300 positions have been created in a number of ministries (including the foreign office), in the intelligence services the federal criminal police office, the federal border guard and others. Zero point seven billion euro were allocated for defense in order to enhance the German army's capabilities to respond to new threats posed by terrorism. Hundred million euro were provided for the foreign office and the ministry for economic cooperation aimed at tackling the roots of terrorism, providing additional aid for war and terrorism affected countries and improving the dialogue of civilizations, particularly the dialogue with Islam. I will come back later to the dialogue program, which has also a prominent role in winning the hearts and minds of Muslims, thus preventing them from supporting extremist or terrorist goals and groups.

3.3 More Law, More Projects

The second Counter terrorism package adopted in November 2001 basically aimed at adopting new German law. With the so called Terrorismusbekämpfungsgesetz (counter terrorism act) a large number of laws have been amended

- Providing security authorities with the additional legal powers
- Improving information exchange
- Preventing the entry of terrorists into Germany
- Improving identity checks related to visa procedures
- Improving information gathering on extremists living in Germany
- Plus a number of practical measures like improved security checks for employees in sensitive facilities, incorporating biometric characteristics in identity cards and so on.

3.3.1 Administrative and Penal Law

To give you a few examples: In the Vereinsgesetz (organization or association law) the so-called religion privilege has been discarded. It is now possible for our Ministry of the Interior to ban an organization, which uses the cover of religion to pursue extremist goals, commit crimes or support terrorist organizations in other countries. On this legal basis our Ministry of the Interior was able to outlaw and disband an Islamist association known as the Caliphate state. Another amendment in the second counter-terrorism package allows the ban of organizations supporting violence as a political means, in other words fundraising organizations, even if their membership consists of foreigners and money is collected for activities outside Germany. Recently the internationally active organization Hizb ut Tahrir has been banned and its financial assets were seized under the same new law.

The penal code has been amended in order to penalize the membership in terrorist organizations, which are neither based in nor otherwise related to Germany. So unlike before German prosecutors or police have not to prove that a terrorist organization targets German citizens or wants to overthrow the German constitutional order. We are now able to prosecute a non-German citizen who belongs to a terrorist organization with no roots in or links to Germany.

3.3.2 Immigration, Visa, Border Control

The amendment of the federal border guard act does not only provide for the employment of sky-marshals on board of German airplanes, but also allows the border guards to stop and interrogate persons and to screen their travel documents extensively. Other new measures in that area include a better information exchange, the prohibition of the entry of terrorist offenders into Germany and necessary security measures with regard to identification.

The Ausländergesetz (aliens act) has been changed in order to insure that certain categories of people do not longer stand a chance to get a visa or resident permit. Aliens who pose a danger to the liberal democratic bases of Germany, who are themselves engaged or who encourage others to engage in violence in order to reach their political objectives or who belong to an organization that sustains international terrorism will be banned from receiving visas or resident permits. Changes in the aliens act also allow for a more intensive cooperation between agencies abroad and security authorities.

The Asylverfahrensgesetz (asylum procedure act) has been amended in order to give a new legal basis for speech recording. With the analysis of recorded speech it will be possible to determine the region of origin of an asylum seeker. Fingerprints and other biometric information gained during an asylum procedure will be stored for ten years. The automatic comparison of fingerprints of asylum seekers and fingerprints contained in databases of the federal criminal police office is now possible.

An amendment of alien central registry act made it possible to get more data from the alien central registry. The already visa registry was turned into a visa-decision-registry with an enhanced access for police authorities.

Due to amendments in the passport act and the identity cards act improved possibilities for computer based identification of persons have been introduced. Besides the traditional photo and signature of the bearer additional biometric characteristics will be added to passports and identity cards.

3.3.3 Prevention of Terrorist Financing and Money Laundering

Terrorist financing and money laundering are closely related areas. It goes without saying that even before September 11, Germany—as an active member of the Financial Action Task Force on Money Laundering (FATF)—undertook manifold efforts to prevent money laundering. 9/11 however gave another impetus to quickly adopt the necessary legal measures. In that framework powers of existing authorities like the Federal Financial Services Authority (FFSA) were extended. As mentioned before a new central financial intelligence unit has been established. Furthermore I would like to mention the measures taken within the framework of the fourth financial market promotion act.

The tightening of checks on the ownership of banks and insurance companies aims at preventing the acquisition of financial institutions or services by terrorists or organized crime. Furthermore credit institutions are required to set up adequate internal systems to protect against money laundering and financial fraud both in wholesale and especially in retail business using electronic data processing. This is to allow business transactions to be screened for risk groups and conspicuous features. Credit card companies, moneychangers and other nonbank financial actors have to apply for a license and are subject to ongoing supervision by the federal financial services authority. With the installation of a bank account information exchange at the FFSA banks are required to place information on all accounts and deposits held in Germany, account holders and other beneficiaries. The automatic retrieval of account data is now possible, allowing examining within hours whether a terrorist or OC suspect has accounts in Germany.

To make anti-money-laundering measures more effective, a central Financial Intelligence Unit (FIU) has been set up at the Federal Criminal Police Office (Bundeskriminalamt). The core tasks of this unit will be to receive all notifications of suspected money laundering or terrorism financing, to analyze and evaluate suspicious transaction notifications before passing them to investigating authorities and to provide a single contact point to ensure international cooperation.

3.4 Other

I could go on with many other issues, like the establishment of a national control center for dealing with renegade aircraft, measures on ship-, port- and container security, protection of critical infrastructures like nuclear power plants or the increase of the national stockpile of anti-smallpox vaccine. Also the establishment of the Deutsche Notfallvorsorge-Informationssystem (emergency preparedness information system), collecting, linking and analyzing information on major disasters in order to assist in crisis management and resilience operations could be mentioned. But I would not like to overburden your patience.

4 European Measures

The EU and its member states are important and stable elements of the global coalition against terrorism forged after September 11. Already on September 21, 2001, the European Council "decided that the fight against terrorism will, more than ever, be a priority objective of the European Union." The Council furthermore vowed to strengthen the coalition of the international community to combat terrorism and requested to speed up certain measures and operations already envisaged on September 21, such as an arrest warrant. Finally in the presidency conclusions of the EU-Summit in Seville (June 2002) the contribution of the EU common foreign and security policy encountering the terrorist threat has been highlighted, reinforcing the Council's decision of September 2001 to fight terrorism through "a coordinated and interdisciplinary approach embracing all Union policies."

The EU action plan of September 21, 2001, a living, permanently updated document, consists of roughly 70 measures in the areas of justice and interior, foreign relations, traffic and transport, and financial policies. Quite a number of these recommendations are related to the implementation and follow up to Security Council resolutions, to the conclusion of a UN general convention on international terrorism and to the signing, ratification and implementation of sectorial conventions by the EU and by third states. I will come back to these issues later.

4.1 Implementation and Follow Up on Security Council Resolutions

4.1.1 Security Council Resolution 1373 of September 28, 2001

Resolution 1373 requires that states

- Prevent and suppress the financing of terrorist acts
- Bring to justice any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts
- Cooperate closely and render assistance to each other in connection with criminal investigations and criminal proceedings and exchange early warning information on the commission of terrorist acts
- Prevent the movement of terrorists by effective border controls and controls of issuance of identity papers and travel documents.

EU member states would probably be unable to live up to the obligations under resolution 1373 if acting unilaterally. This lacking ability is based on legal (member states have not any longer legal competencies over the flow of goods and assets across the EU external borders) and factual reasons. There is a free flow of persons, goods, services and finances within the EU. Most EU member states are members of the Schengen system so that there are hardly any border controls within the EU anymore. Most are also part of the euro currency system so that no exchange of money is needed anymore when travelling, let us say, from Germany through Belgium to France and onward to Spain. That is why joint action is so urgently required.

In a common position of December 27, 2001 (2001/930/GASP) the European Council decided, therefore, to punish the financing of terrorism and to freeze the funds of terrorists and their supporters. Further elements of this common position are related to

- Bringing terrorists and their supporters to justice and considering terrorist acts as serious crimes,
- Close cooperation and assistance with regard to investigations,
- Efficient border controls and controls of the issuance of identity papers and travel documents for preventing counterfeiting, forgery or fraudulent use of identity papers.

In another common position of December 27, the European Council decided to set up a list of persons and organizations involved in terrorist acts. A specific body—the so-called Clearing House—was established and mandated to examine proposals for the listing of terrorist persons and organizations. The Clearing House convenes on working

level, uniting mostly members of ministries of foreign affairs, justice and interior. It recommends the listing of terrorist organizations and individuals to the European Council, which then takes the final decision for listing. This decision is then implemented by a European Community (EC) regulation, which is directly and immediately binding for all EU members. In other words: After a council decision and a EC regulation all EU members have to ensure that all accounts of listed terrorists are frozen and that other measures provided for in SC Res 1373 and CP 930 are undertaken.

In the meantime more than sixty terrorist persons and organizations, only some of them based or active in Europe have been listed.

Unfortunately, there is yet no globally binding definition of terrorism or terrorist acts. There is no national German one either. Therefore the EU adopted on June 13, 2002 a justice and home affairs council framework decision on combating terrorism. Article 1 of this framework decision contains a number of offences such as

- Attack on a person's life, which may cause death;
- Kidnapping or hostage taking;
- Causing extensive damage to a government or public facility;
- Seizure of aircraft, ships etc.;
- Possession, supply or use of weapons, explosives, or CBN weapons were considered as terrorist offences if committed with the aim of:
  - Seriously intimidating a population or
  - Unduly compelling a government or international organization to perform or abstain from performing any act or
  - Seriously destabilizing or destroying the fundamental political, constitutional, economic or social structures of a country or an international organization.

With this the EU has a common definition of terrorist acts, building partly on the twelve sectorial conventions and being compatible with the draft comprehensive convention on international terrorism, being currently negotiated in the UN General Assembly.

4.1.2 Security Council Sanctions Regime against Al Qaeda and the Taliban (SC Res 1267, 1333, 1390, 1455)

As you all know this sanctions regime requires UN members to
- Freeze the funds and other financial assets or economic resources
- Prevent the entry into or the transit through their territories
- Prevent all indirect supply, sale and transfer of arms and related material and equipment to persons and organizations related to Usama bin Laden, Al Qaeda and the Taliban.

Unlike under SC resolution 1373, it is the Security Council, which decides (through a committee established under resolution 1267) on the listing. Therefore, EU members (with the exception of those being permanent or nonpermanent members of the Security Council) are not directly involved in the decision making. However, they are obliged to implement the aforementioned resolutions and ensure that all necessary measures are taken against individuals and/or organizations listed by the Security Council. With council common positions 154 of 26 February 2001 and 27 May 2002 (2002/402/ GASP) as well as EC regulation 881 of 27 May 2002 and later amendments the Euro-

pean Union implemented the sanctions regime against the Taliban and Al Qaeda. These documents define in quite some detail the meaning of funds, financial assets and economic resources. Subsequent regulations ensured an update whenever the SC had amended its list. The EC regulations are immediately and directly binding for all EU members. Furthermore, EC regulation 881 stipulates that member states will provide for an efficient, proportionate and deterring punishment of any violations of the sanctions regime. As a footnote, I may add that German law considers violations of sanctions regimes as crimes entailing prison terms of at least two years.

4.2 Treaties

4.2.1 Comprehensive Convention on International Terrorism

EU members strongly favor the early conclusion of a UN general convention on international terrorism. We believe that the draft presented by India, negotiated for quite some time in the 6th committee and the ad hoc committee established by the General Assembly is a very valuable instrument, particularly since it contains a generic, viable definition of a terrorist act. The EU has undertaken a number of démarches in the capitals of certain countries. The main objective was to urge these countries to accept the definition provided in the Indian draft without far-reaching exemption clauses. Unfortunately not much headway was made. Negotiations on the comprehensive convention are monitored by COTER, the EU Council working group on terrorism.

4.2.2 The UN Sectorial Conventions

The EU believes the sectorial approach in the negotiations and conclusion of UN antiterrorism conventions has been successful and continues to strive for the early adoption by consensus of the draft Convention on the Suppression of Acts of Nuclear Terrorism. The comprehensive convention is of a complementary nature, not designed to replace the sectorial conventions.

The speeding up of the signing, ratification and rapid implementation of all twelve existing sectorial conventions is a declared objective of the EU. And the performance of EU members in that context is not bad at all! Eight of the 15 present member states have ratified all 12 conventions, 3 (including Germany) are parties to 11, and 1 to 10 of the conventions. Only 3 member states are slightly lagging behind with membership in only 5 to 6 conventions. Furthermore the EU has undertaken démarches with third states, using troika-démarches, ministerial meetings and statements like those in the General Assembly to encourage others to ratify and implement the 12 conventions as soon as possible.

4.2.3 The European Convention on the Suppression of Terrorism

The European Convention on the Suppression of Terrorism is one of the oldest regional instruments in an area. Done in Strasbourg on 27 January 1977 this convention stipulates that, for the purposes of extradition, none of a number of defined terrorist offences should be regarded as a political offence. It further requires contracting states to take measures in order to establish jurisdiction over such offences and either extradite

involved persons or prosecute them. State parties to the Convention are members of the Council of Europe, an international organization consisting of 45 member states from Iceland to Turkey, from the Russian Federation to Portugal, thus encompassing present and future EU members, associated countries and others.

On 8 November 2001 the Committee of Ministers of the Council of Europe agreed to take steps to increase the effectiveness of the existing national instruments within the Council of Europe. For that purpose a Multidisciplinary Group on International Action against Terrorism (GMT) was established, which elaborated an amending protocol to the 1977 convention. This amendment followed a number of guiding principles, namely to be pragmatic, to avoid overlapping with the work in other fora and to ensure reaching of consensus. Like to convention itself the amending protocol does not oblige parties to criminalize the offences defined therein, but rather extended the list of offences to be the depolitisized considerably. It now covers all offences described in the relevant UN-anti-terrorist-conventions and protocols. It furthermore introduces a simplified amendment procedure, which will allow new offences to be added to the list in the future as well as a general amendment procedure so that future revisions do not necessarily have to be in the form of an amending protocol.

The amending protocol was adopted by the Committee of Ministers on 13 February 2003 and open for signature at the 112th Ministerial Session of the Committee of Ministers in Strasbourg on 15 May 2003. It was signed by 13 members on that day.

The Council of Europe presently discusses whether to begin negotiations on a comprehensive convention to combat terrorism, a problematic undertaking in my view.

4.3 Assistance

It is an objective of the EU to identify specific actions to assist third countries in implementing their commitments under UNSCR 1373. In this context I should like to mention that 1373 calls on states for becoming parties to the conventions and protocols relating to terrorism. To this end, the Commission has established a strategy for providing projects on technical assistance to a number of third countries facilitating the implementation of UNSCR 1373 and other relevant international obligations. When identifying pilot countries, the following criteria are used: relevance to the fight against terrorism, significance to EU foreign policy, technical assistance needs, readiness to cooperate, and existence of an EU comparative advantage. Indonesia, Pakistan and the Philippines have been identified as the first priorities. The EU has also supported the Palestinian Authority in its efforts to counter terrorist activities from the territories under its control.

In addition to that there are numerous bilateral projects sponsored by individual EU member states. Germany, for example, has provided roughly 700.000 euro for counter terrorism activities this year.

4.4 Other

There are many other issues where European states cooperate closely with each other. I could refer to the Convention on the establishment of the European Police Office and the work of Europol based on that convention. We could discuss new functions for the

Schengen Information System in the fight against terrorism and about the European judicial network, which has considerably improved the judicial cooperation in criminal matters among European Union members. Other examples are the European arrest warrant adopted through a Council framework decision (2002/584/JHA of 13 June 2002) which replaces the traditional extradition system. Finally I could refer to the Council decision of 28 February 2002 setting up Eurojust, an EU body having competence for promoting coordination between the competent authorities of various member states in the fields of investigations and prosecutions and facilitating the implementation of international mutual legal assistance and of extradition requests. And certainly one could mention the probably many hundreds of bilateral treaties concluded by EU members with third states in the fields of combating terrorism, police and judicial cooperation, extradition and so on.

5 Countermeasures in the G8

The G8 has a long tradition of dealing with both international terrorism and organized crime. The so-called Roma (for terrorism) and Lyon (for international crime) Groups discuss since 1996 major issues and projects in order to prevent and combat both terrorism and organized crime. The unique structure of the Roma- and Lyon Groups, comprising diplomats as well as specialists from intelligence and law enforcement services, from police and judiciary, allows to jump-start practical projects like a child pornography databank, which are then transferred to the relevant international organizations. In addition to that, and perhaps even more important, G8 leaders—heads of state, foreign ministers, ministers of justice and interior—build political will to combat both terrorism and organized crime. Germany and Japan have always cooperated very closely in the G8, sharing often the same approach, the same analysis and the same aims. The G8 has adopted an "G8 action plan on building international political will and capacity to combat terrorism" in Evian, end of June 2003. This lead to the establishment of the Counter Terrorism Assistance Group, coordinating and directing G8 members assistance to third states. Furthermore heads of state agreed on a number of measures regarding transport security and the control of manpads. They reaffirmed the global partnership against the spread of weapons and materials of mass destruction, launched in the Canadian village of Kananaskis in summer 2002. The G8 ministers of justice and home affairs met on 5 May 2003, evaluated the terrorist threat and made an important decision on the use of biometric technologies. They decided to convene a high-level working group and to ensure that the work underway within ICAO about biometrics will be taken into due consideration. In the field of organized crime ministers reaffirmed their concern of the growing use of the internet to sexually exploited children. They not only reiterated their resolve to fight against child pornography, but also urged to accelerate work on the creation of an international image data base that can be used to identify victims and persons suspected of paedophile acts. Other issues like improving the effectiveness of procedures for tracing, freezing, seizing and confiscating crime-related assets, the sharing of DNA-information between states and special investigative techniques were discussed as well. The G8 foreign ministers dealt extensively with the situation in Afghanistan, another hot spot in the fight against both terrorism and organ-

ized crime. Ministers reiterated that the Bonn process was to be brought to a successful conclusion, in spirit and in substance, fully and without delay. They reaffirmed their support to the Afghan transitional administration in its fight against poppy growing and opium production and stressed the need to step up demobilization of all countries concerned by the development of drug trafficking from Afghanistan. Thus the G8 is a major catalyst and driving motor for the combat against terrorism and international crime.

6 Conclusion

Germany, the European Commission and Japan are not only members of the G8. Also in Afghanistan they have joined forces in order to combat terrorism and international crime, particularly poppy growing and drug trafficking. Both our countries and the EU intensively share information, agree on threat analysis and above all join our forces to successfully combat two major evils of our time: terrorism and organized crime. I am sure that we will win, if we keep united and cooperate closely.

Japanese Countermeasures Against International Terrorism

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1   Global Threat of Terrorism

Two years have passed since the terrorist attacks of September 11 in the U.S., and global efforts against terrorism have made certain progress. However, many terrorist incidents are still taking place.

The great concern of the international community at the moment is the situation in Iraq. Last weekend, an American helicopter crashed in Iraq, killing 13 U.S. soldiers. It is suspected that the helicopter was shot down by a portable air-defense missile. The incident was right after the series of bomb attacks, which took place in Baghdad, targeting the Al Rasheed Hotel, the Red Cross center (ICRC), and several Iraqi police stations. It is said that Islamic extremists and terrorists are gathering in Iraq to launch terrorist attacks on people who are dedicated to the reconstruction of Iraq. Not only in Iraq, but also in Southeast Asia, bomb attacks killed 12 people and injured about 150 people at the JW Marriott Hotel in Jakarta, Indonesia, in August. Japan condemns all of these terrorist attacks in the strongest terms and expresses its deepest sympathy and condolences to the victims and their families of these horrendous terrorist acts. They cannot be justified on any grounds. These recent attacks clearly show, leaving no room for argument, that the threat of international terrorism remains extremely serious worldwide.

Another concern, which demonstrates high threat of terrorism, is a series of statements issued by Al Qaeda leaders, especially the one by Usama bin Laden.

On October 18, Al Jazeera, a major Arabic-language TV station based in Qatar, broadcasted a statement issued by Usama bin Laden. That statement indicts that Usama bin Laden is still alive, and he calls on all Muslims to participate in jihad against the U.S. in the context of the situation in Iraq.

International efforts with respect to the fight against terrorism by Al Qaeda have so far borne important fruit. It is said that approximately two thirds of Al Qaeda's top leaders have been killed or captured, and more than 8,000 Al Qaeda operatives or associates have been detained in more than 100 countries. But we are faced with continuous challenges by terrorism. We must sustain our efforts in the fight against terrorism. The current situation within and surrounding Afghanistan, especially the security situation, still remains grim. Although efforts to find and detain key Al Qaeda and Taliban leaders have made progress, there are still some leaders, including Usama bin Laden, Ayman al-Zawahiri and Omal, who have managed to evade international pursuit.

Furthermore, Al Qaeda seems to be recruiting new members while retaining a dangerously high degree of mobility around the world. At the same time, terrorist attacks by Al Qaeda and related Islamic extremist organizations have taken place in the Middle East, Africa, Russia, South Asia, and Southeast Asia. It is believed that a soft

coalition has been forged between Al Qaeda and local Islamic extremist organizations. Terrorists have taken advantage of globalization in transferring money, goods, and their ideology.

2 Terrorist Threat in Asia

Due to its geographical, historical and cultural links with Asia, Japan has a particular interest in the security and stability of this region, especially in Southeast Asian countries where a series of terrorist attacks have taken place. The economic ties and flow of people between Japan and Southeast Asia are stronger and more active than those between Japan and, for example, the Middle East or Africa. The burgeoning Islamic extremism in this region therefore poses a serious threat to our nation and its interests as well.

We can roughly divide Southeast Asian terrorist groups into two categories. One is those who do not remain in one country and act on a regional level. The other is those who remain and act mainly within one country.

Concerning the former, Jemaah Islamiyah is a typical example. Jemaah Islamiyah is a major terrorist group in Southeast Asia, and it is suspected of involvement in the Bali bombing and bombing against Marriott Hotel in Jakarta. It is also suspected of having strong ties with Al Qaeda and their activities are thought to have radicalized after they gained financial and technical support from Al Qaeda. In August, Riduan Isamuddin, known as Hambali, who is suspected of being Al Qaeda's top operative in Asia and one of the top leaders of Jemaah Islamiyah, was captured in Thailand. He is thought to be the liaison between Jemaah Islamiyah and Al Qaeda. This arrest was an outcome of joint efforts by concerned countries and Japan highly values those concerted efforts. Although the arrest of Hambali is a great achievement in the fight against terrorism, the threat of terrorism in this region remains high. The Bali bombing was a milestone in the fight against terrorism, as it announced to the world the seriousness of the threat in Southeast Asia and showed that terrorist groups might easily target economic or entertainment establishments.

As for the domestic terrorist groups, in the southern parts of the Philippines, the Moro Islamic Liberation Front (MILF), the Abu Sayyaf Group and the New People's Army (NPA) are active, and there have been bombing incidents in Mindanao. Compared to Al Qaeda and its related groups, there is a wider window of opportunity for a government to negotiate with these terrorist groups.

Not only Southeast Asia, but in South Asia region, as demonstrated by the bombing in Mumbai on August 25, which killed 52 people, terrorism remains a great threat to security and stability in this region. Japan sincerely hopes that the international community will cooperate to eradicate terrorism from South Asia.

3 Terrorism in Japan

Japan is suffering from its indigenous terrorist groups too. I have to mention the Japanese Red Army, which perpetrated various terrorist attacks all over the world in the 1970s and 1980s, such as terrorist attacks at the Lod Airport massacre in Tel Aviv in 1972. Additionally, Japanese people have been victims of horrendous terrorist activities within Japan. For instance, in 1995, Aum Shinrikyō, a religious cult, committed chemical terrorism, by dispersing sarin gas in the subway in the heart of Tōkyō, killing 12 people and injuring about 8,000 people. As a result of police investigation, a huge facility of Aum Shinrikyō located near the foot of Mt. Fuji was found. Now, most of the members of the cult who committed crimes were arrested, tried, and sentenced. The group is placed under surveillance of the Public Security Intelligence Agency in accordance with the Act Pertaining to Control Organizations that Commit Indiscriminate Murder, which was enacted after the sarin gas attack.

4 Counter-Terrorism Measures by the Japanese Government

What are the counter-terrorism measures by Japanese government? As we review the global, regional, and domestic threat of terrorism, it is unacceptable to turn a blind eye to this threat or to consider it as a lower priority compared with other policy objectives, in view of the extremely negative impact that terrorism has on the politics and the economies of states, as well as on the security of innocent people. We must be determined in our fight against terrorism.

In countering terrorism, I believe, the following three points are essential: firstly, to deny safe haven to terrorists, secondly, to deny means for terrorist activities to terrorists, and thirdly, to overcome vulnerabilities to terrorist activities.

From the perspective of the first point, it is important to conclude all of the counter-terrorism conventions and protocols, which oblige their parties to punish those engaged in terrorist activities by their domestic law or by extraditing them to other parties concerned. Having concluded the International Convention for the Suppression of the Financing of Terrorism last year, Japan is now a party to all the twelve existing conventions and protocols relating counter-terrorism. Actually, the number of countries, which concluded, for example, the International Convention for the Suppression of the Financing of Terrorism immediately after the terrorist attacks of September 11 were only four. Now, the number of party states to this convention has increased to as many as 92. This statistic reflects the remarkable effort by the international community. However, in order to carry out effective counter-terrorism measures against terrorists, who act transnationally and enhance the level of cooperation to further narrow a safe haven for terrorists, it is imperative for all states in the world to conclude all the twelve counter-terrorism conventions and protocols as soon as possible. In this regard, Japan held a seminar for Asian countries in October 2003 in Tōkyō, with participation of an expert from the Council of the European Union, to share the experiences of Japan and other countries to conclude and implement counter-terrorism conventions, focusing on the convention on the suppression of financing of terrorism.

From the perspective of the second point, it is essential to cut off the fund for terrorists and to prevent that weapons fall into hands of terrorists. In taking measures against terrorist financing, it is of great importance to conclude the International Convention for the Suppression of the Financing of Terrorism as well as to implement fully the UN Security Council Resolution 1373, which requires all states to freeze the fund to be used for terrorist purposes. So far, Japan has frozen assets of 403 individuals and entities in total, including those associated with Taliban or Al Qaeda in accordance with UNSCR 1267, 1333, and 1390, and non-Taliban or non-Al-Qaeda one such as Hamas and Palestinian Islamic Jihad (PIJ) in accordance with UNSCR 1390. Thus, 173 countries, including Japan, have issued orders to freeze the assets of terrorists and terror networks are reported to have lost access to nearly 200 million U.S.$ around the world.

Concerning the third point, which is to overcome vulnerabilities to terrorist attacks, it is important to enhance protection of critical infrastructure such as nuclear facilities and transportation facilities. I admit, however, that this is easier said than done to a certain extent. As is the case with the recent terrorist bombings worldwide, when terrorists are targeting so-called "soft targets," it is difficult to predict in advance where and by whom an attack will take place, and so the scope of necessary counter-measures becomes broader. Although it is becoming more difficult to counter such terrorist attacks, we must strengthen our efforts to prevent them.

5 International Counter-Terrorism Cooperation by the Japanese Government and Cooperation between Japan and Europe

I would like to elaborate international counter-terrorism cooperation by the Japanese Government and the cooperation between Japan and Europe. Since September 11, 2001, the international community has strengthened its efforts to fight against terrorism, and much progress has been made to this date. On the military front, the U.S. and other international forces have been conducting military operations against Al Qaeda and Taliban in Afghanistan and the adjacent areas. In order to support this international effort, Japan enacted the Special Measures Law on Anti-Terrorism and it has been engaged in refueling activities to the vessels in maritime interdiction operation. As the continuation of the anti-terrorism activities is still on high demand, Japan extended the law last month, so that Japan can continue its activities as refueling assistance to the operation.

The fight against terrorism is not limited to military front. Multiple cooperation in a wide range of fields by the international community is required to prevent terrorism by terrorist organizations such as Al Qaeda, which act freely and transnationally. Furthermore, to prevent terrorism, not only cooperation between governments, but cooperation among private sectors and individual citizens is necessary. Japan and Germany are both victims of terrorism. As for Japan, ten Japanese people were killed by the massacre launched by Islamic extremists in Luxor, Egypt, in 1997. Japanese experts engaged in development assistance were abducted by Uzbekistan Islamic Movement, an Al Qaeda related organization, in Kyrgyzstan, in 1999. Concerning Germany, fourteen Germans were reported to be killed in the bombing in the Island of Djerba, Tunisia, in April 2002. In the terrorist attacks of September 11, approximately 3,000 people from

about eighty countries, including Japan and many European countries, were killed. To make Japan, Europe and other parts of the world terrorism free region, I believe that Japan and European countries, including Germany, still have to play a leading role in preventing and eradicating international terrorism. From such perspective, counter-terrorism cooperation in the international framework such as UN and G8 is very important. Also, to prevent developing countries from becoming a safe haven for terrorists, it is necessary for Japan and Europe to cooperate in building capacity of these countries to fight against terrorism. In this respect, Japan holds seminars and receives trainees mainly from Asian countries in six fields: immigration, export control, aviation security, law enforcement, customs cooperation, and maritime security. Lastly, as indicated in the Joint Declaration on Terrorism issued by Japan and the EU in December 2001, Japan and the EU should strengthen consultation, cooperation and coordination in fighting terrorism. In this respect, I will make the most of my visit this time by having exchanges of views with the German counterparts for furthering the cooperation between Japan and Germany.

6 Conclusion

The international community must be united in the fight against terrorism.

Therefore, I highly appreciate that this kind of meeting is timely held. This symposium will greatly contribute to generating and strengthening a common will to combat terrorism among the international community. We must reject any attempt to regard the war on terror as the war between West and Islam.

I hope this symposium will be an occasion to develop further understanding and cooperation between Japan and Germany.

Discussion of Session 2

The discussion in this session focused on the following topics:

1. How does Germany evaluate the home and security situation, the coordination among the various organizations vis-à-vis the newly created Homeland Security Department in the U.S.?
2. Is Al Qaeda the first terrorist group with a global network, or was the Japanese Aum Shinrikyō the first transnational or global terror group?
3. Situation of civil defense, catastrophe reaction forces and consequences management (especially in Germany)
4. The U.S. demand for biometric data in passports and ID cards as tools to combat terrorism
5. Exchange of information with the U.S.
6. Role of terrorist fractions or splinter groups in Southeast Asia
7. Long-term strategy of terrorist groups and the relations with organized crime
8. Future military strategy and targets of terrorist groups
9. Will there be communication and/or negotiation with terrorists in the future?
10. What is done in fighting the ideology of terrorists?
11. German-Japanese cooperation in measures of counter-terrorism, especially in Afghanistan

1.

A very large part of the 170,000 employees of the U.S. Homeland Security are border and immigration officials. In Germany the Federal Frontier Guards (Bundesgrenzschutz) belong to the Ministry of the Interior, as do some of the more important services. This is true for the Coast Guard, the Federal Office of Criminal Investigation (Bundeskriminalamt), and for the Federal Intelligence Service (Bundesnachrichtendienst). To some extent Germany has had far more of these institutions within the architecture of the Ministry of the Interior. There is less need for a new supra-structure. A second point is that Germany would run into constitutional obstacles, if it would try to go as far as the United States did. The Federal Government would restrict competencies lying with the Federal States (Bundesländer), something they would not give up so easily.

There are fewer problems with information exchange and coordination in Germany than in the U.S. This is probably a result of the U.S. being so much larger, and the larger the services are the more problems you have with information exchange and coordination. But in Germany there are ongoing deliberations whether or not one should for example combine the Federal Customs Administration with the Federal Frontier Guards. The split responsibilities might hamper the detection of suspected terrorists or investigation. However, for the time being cooperation both on federal level and on Länder level is quite satisfactory, and new institutions or a new combination of existing

institutions will probably not be built within the coming years. This might of course change if there should be a major terrorist attack.

The European perspective on Homeland Security: The Homeland Security Department should be or become at least the natural counterpart in the U.S. for the Commission's Directorate General for Home Affairs. Therefore this department is of great interest for the EU. It is the biggest reorganization of the American administration since the establishment of the Pentagon in the early 50s. But as it was only established in the beginning of this year, it is not realistic to expect it fully operating in such a short period of time.

2.

There were different views on how to define a *global* terrorist group. The view that Al Qaeda is the first terrorist group with a global network was challenged by pointing to the Japanese Aum Shinrikyō group, which was not just a Japanese group. It has cells around the world including Germany, Russia and the U.S.

Against this view it was argued, criteria for global organization would be that their objectives, targets are worldwide. Aum Shinrikyō had the potential of being global. Al Qaeda certainly is. As mentioned before, membership in Aum Shinrikyō was not only Japanese, and financing, support activities, acquiring of material, weapons, etc. were also definitely transnational. However, with regards to terrorist acts they were clearly limited to acts within Japan, and that is why they cannot be qualified as global or transnational. But as their organization already was international, if they had continued longer there might have be a good chance for them to become global.

The underlying motivation for Aum Shinrikyō's terrorist acts is still not fully understood. Since the top-leader Asahara Shoko made no comments, no references, no explanations during the course of the legal trial (although at an earlier stage he made extraneous remarks), the majority of the Japanese people cannot understand what was the real motivation of the attacks of Aum Shinrikyō. Apparently their motivation is different from that of the Islamic extremists. The Japanese government has now put this organization under inspection. A decision has not yet been taken that it should be dissolved. Maybe some progress will be made in the coming years.

3.

During the 1990s Germany reduced the defense budget and *civil defense* is no longer existing. The disaster control services' budget declined significantly. But these measures are urgently needed today, especially for the worst case scenarios: terrorist attacks using weapons of mass destruction. Large-scale training for these kind of attacks have been held in London and Paris recently, and have been performed in almost every big U.S. city since the mid-1990s. By bringing together and coordinating the different services and forces and doing training together with hospitals, fire fighters, etc. you

acquire much experience. Germany gained some experience in civil defense and coordination of services during the cold war. But now everything has to be built up again. A study group working for the Ministry of Defense published a report, which certainly was very sensitive with regards to the question whether the German armed forces can be used in such terrible cases, because only they have the necessary equipment.

But participants pointed out some efforts, too. An information center on exchanging and analyzing information on consequence management has been established. Information is available very quickly on a 24 hours basis; it allows, for example, information exchange on the outbreak of certain unknown diseases or of a chemical attack. Furthermore there have been exercises and there are exercises planned both on Federal level and on Länder level. However, on the Federal level only virtual exercises might have been implemented, the so-called Stabsrahmenübungen. There is close coordination both with EU and NATO, both on civilian and army level. The EU and the NATO each have a database on available tools, means, etc. to deal with terrorist attacks with nonconventional weapons. On the G7 plus Mexico level and the World Health Organization cooperation was established on how to deal with nonconventional attacks, especially with biological weapons. The Federal Republic stored approximately one hundred million doses of small pox vaccines. This is enough for the whole German population plus a small share with neighboring countries. In addition, there is a European network of warning, if there is an outbreak of a disease somewhere in Europe. A system to share assets of consequence management, like detection tanks (the so-called Spürpanzer), protection equipment, etc. is in operation. Despite all these efforts of coordination, information, sharing databases, etc., the situation in consequence management is certainly not perfect.

4.

The U.S. will require machine-readable passports with facial recognition (digitalized photograph) and finger prints, from everybody travelling without a visa under the visa waver program from 26 October 2004.

Since the Americans like the British do not have ID cards, it was suggested to establish a law, which requires an ID card like the German one; this was seen as one of the most effective measures to combat terrorism. Residents in Germany furthermore have to deregister when they move from one place to another and to register in the new place. The data processing is computerized. Therefore in Germany, with the exception of people living in Germany illegally, complete control over the population exists, contrary to the United States. But with reference to remarks by Tom Rich (Secretary for Homeland Security) the proposal to introduce an ID card in the U.S. was qualified as not realistic. Homeland Security people might personally like it, but it is a taboo in the United States and is regarded a major impact upon freedom. Machine readable documents and travel documents with biometric data might help to some extend. But they help only with those people who want to come into the United States from now on. It does not help with those being already within the borders of the United States.

The European Commission is also working on including biometric identifiers in the visas of third countries' nationals who wish to travel to the EU. Furthermore

biometric identifiers will be required in the residence permit for third countries' nationals who wish to settle within the EU, including Americans. Also the Commission is working on including biometric identifiers in passports of EU nationals, which will be implemented at the member state level. These proposals are now prepared for the discussion in the Council.

Another topic was the ongoing discussion on the global level, both in the G8 and in the International Civil Aviation Organization (ICAO), about which biometric standards should be applied and how to do so. In travel documents a global standard must be applied to biometrics, both in choice and in terms of reading them. It is not certain, whether ICAO will be able to come up with a biometric standard, which could be implemented in a short time by all 191 UN members. If this is not possible, there will be either major backlogs in international air travel or the introduction of biometrics in machine-readable documents has to be postponed. Biometrics will come, but it will take time. On a national basis Germany has a pilot project with Nigeria. Under this program Nigerian applicants for visas for Germany have to provide their fingerprints. A huge amount of preparation is necessary: Technical equipment is needed in the Embassy. The amount of data being transferred from the German Embassy in Lagos to Germany has not duplicated, not tripled, but is ten times more now. Special communication lines are needed. But seventeen percent of those applying for a visa in Nigeria have police records in Germany under different names. Given this experience, it makes sense to introduce biometric standards both in visas and in residence permits, but also in travel documents.

5.

Probably the area of fighting terrorism was the only one, which was not under public debate in the recently difficult relationship between Germany and the U.S. This was true for high- and low-level visits, but also for *information exchange*. It has been good and is still good. The information exchanged is extensive, and in general very good and pertinent. There is a certain imbalance, because the U.S. services are much larger and the information exceeds the information from the German side. It is very likely that every now and then Germany might not receive a piece of information or might receive it a little bit later than the British partners. Yet even the British services do not get all the information. But in principle the situation is quite satisfactory, though to some extend a bit selective.

6.

In *Southeast Asia there are two types of terrorism*: local terrorism and international terrorism. Knowledge about coordination between international terrorists and local terrorists is limited. But we know that there are some personal links between the different terrorist groups. Although these personal links are very limited in number, their

impact is quite important with regard to ideology or money flows. Furthermore there is the important question about links between individual local terrorists in Southeast Asia and the governments of Southeast Asian countries. There are also indications for links between individual local terrorists, but still the situation is not very clear.

In most South Asian and Southeast Asian countries there exist a number of local or at best regional groups, with a local or regional agenda, often in the context of ethnic strife, which might also be a religious strife. Very often the conflicts begin with riots after some problems for example between a Christian merchant and a Muslim customer or vice versa. It might be deteriorated by migration policies, by the lack of land and other resources. This is particularly the case in Indonesia where at least ten to fifteen extremist parties and groups are active, some of them just extremists; some are violent in terms of ethnic strife, others in terrorism. Often it is very difficult to make a clear-cut distinction.

In Bangladesh quite a number of groups with limited means and limited scope of actions can be found.

In the Philippines there are the Moro Islamic Liberation Front, the Abu Sayyaf Group and the New People's Army. Often groups are falling apart, splinter groups are established either with a different agenda or because some of the actors are not accepting leadership anymore or not accepting peace preparations by larger groups.

Nevertheless, some groups go beyond that local or regional nature. In Indonesia this was the Ngukri network, the religious school built by Omar Bashir in the 1970s in the relatively small Indonesian city of Ngukri. Most if not all of the perpetrators of Kuta Beach, but also Hambali[1] went through this religious school. Hambali has relations to a Pakistani businessman who was behind the attempt to blow up twelve U.S. airliners over the Pacific. There are certain networks, which bring together people from different areas, having maybe the same religious background, but otherwise not very much in common. If then a person like Hambali, who played a central role, comes in and does the liaison work between the Indonesian network and Al Qaeda (additionally Hambali also traveled to the Philippines), then an interregional approach appears. Especially in the Philippines, Indonesia and southern Malaysia much training and financing travel activities have been going on. There are splinter groups, larger groups are falling apart, but on the other hand there are networks and cooperation, which ensure that they still have enough means to commit terrorist acts. Al Qaeda may be a kind of ideological leader, it provides incentives and still seems to provide a network in terms of financing, weapons, etc. But they obviously leave much freedom to local and regional groups for decision about whom to attack, how and when. There is much space left for their own agenda, for their own initiatives, for committing acts on their own.

7.

One should think that international terrorism, especially religiously motivated terrorism, and organized crime would hate each other. Organized crime needs an existing state that is weak and corrupt with corrupt police forces and freedom to act, but no change in the system. Organized crime usually operates quietly, whereas terrorists usually want to

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[1]   Riduan Isamuddin (=Hambali), Indonesian terrorist, Al Qaeda and JI leader

change the social, political or religious system. Nevertheless, both have something in common: Terrorist organizations need money, need protection, need counterfeited documents, cars, etc. They make use of organized crime to smuggle people into other countries. This can be described as tactical cooperation. Beyond that there is also a kind of overlapping between terrorist organizations and organized crime. Sometimes it is hard to distinguish what is crime and what is terrorism.

There is only limited information on global long-term strategies of Al Qaeda and other terrorist groups. Yet certain points are visible.

One aim is to overthrow the infidel regimes on the Arabic peninsula. They see these governments as corrupt, anti-religious and not really Islamic. The second aim is probably to get out the Westerners, the Americans, the crusaders. The third is to destroy Israel. The fourth is to ensure that all Muslims can live under Islamic rule. And that goes very far. There are maps drawn by the Hamas showing Europe around 2150, where the whole area is shown green and Islamic. It can be said that there are long-term targets, which go well beyond the area of predominantly Muslim population to Muslim minorities. It is a global approach. Using means of economic destruction, of course, runs counter to the interest of organized crime in the long run and to some extend it even runs counter to the interest of these religious groups, because they want to have at least Muslims living in wealth. But what they have understood is that they can cause real havoc by attacking soft targets—like tourists, international communication and traffic, expatriate communities, investors—, which cannot be protected sufficiently. Much damage can be done and can weaken attacked states and societies to an extend, which one could probably not achieve by attacking diplomats or even military installations. This is why creating economic destruction is at least in the short- and mid-term a very important tactics, strategy, and tool for religious terrorists, probably also for other terrorists, but certainly for religious terrorists.

8.

Future military strategy and targets of terrorist groups: Prediction is very hard, although it was not that hard to predict that planes could be used as a sort of missiles. Terrorists need to escalate; otherwise the efficiency of their terrorist acts decreases. It can be assumed that terrorist groups will continue to try to employ weapons of mass destruction and/or dirty bombs, or radiological dispersion devices. Another issue is probably a target, which is even more terrifying than flying a plane into a skyscraper. This could be a nuclear power plant or a chemical plant, something that is destroying a whole city or region for quite some time. A radiological dispersion device in southern New York would not destroy the city, but it could paralyze southern Manhattan for half a year or one year with a huge economic loss. It can be assumed that the terrorists will find new and more horrible things, they have to.

In terms of ideology, big news are unlikely. The Al Qaeda network and related groups will call for fighting against the crusaders. The war scenario in Iraq helps to recruit people, helps to show that they are strong and united. They will use regional conflicts as many as possible to recruit and to strengthen their position. This is easy to predict, but it is hard to say, what comes next.

9.

One of the participants asked about measures of negotiation. But the answer didn't express much hope about the possibilities. Governments always object to discuss or negotiate with terrorists. But in reality they almost always did so in the past. But one cannot negotiate with religiously motivated terrorists about territory, about the change of a law, or the like. If the groups have a more local or regional agenda, being more involved in perhaps organized crime and certain territorial or ethnical issues, like the Moro Islamic Liberation Front mentioned before, negotiations can make sense. But with Al Qaeda or related groups the possibility to negotiate is very limited.

10.

Winning the *war of ideas, hearts and minds* was described as an essential part in the fight against terrorism. But there has not been much success in this area yet. An EU group mandated by the foreign ministers, the "Extreme Fundamentalism and Terrorism Group" calls for an enhanced dialogue with the Muslims, especially with the Arabic world, on economic progress, freedom of media, spreading of tolerance. Their report has been submitted on the 5th of May, and it has been discussed by the foreign ministers before Thessaloniki. It will be used in the Barcelona process and Mediterranean Forum (Foromed). But compared to the money being spent on military and other purposes, necessary as that may be, the situation is very unsatisfactory. There is not enough done to build up conditions that prevent people from becoming terrorists.

11.

There are many consultations and dialogues on diplomatic levels about finding international countermeasures against terrorism. However, the velocity of the threat of terrorism might be much faster than the velocity of the promotion of the international cooperation. It is important to foster the exchange of experiences and information and also businesslike tactics as well as strengthening the policy-oriented dialogues. *Germany and Japan* maintain very good coordination for the *reconstruction process in Afghanistan*. Germany hosted the first stage, the Petersberg Conference, and Tōkyō convened the International Conference on Reconstruction Assistance to Afghanistan. The major problem with Afghanistan is, briefly, to prevent a vicious circle of a shrinking reconstruction assistance and an increase in the security threat. The security threat is growing, particularly in the last months. Germany and Japan are now coordinating the security efforts. The lead role on disarmament, demobilization and reintegration plays Japan, police building is Germany's task. The aim is to have a police of 62,000 people (50,000 police, 12,000 border police). There are about 150,000 people in Afghanistan saying "we are the police," and they have some sort of a uniform and some weapons.

About 40,000 of the old police forces can be taken over, and about 20,000 have to be newly recruited, remaining 100,000 saying that they are the police. Either they are demobilized and reintegrated under the Japanese lead or they will turn their weapons against the new police and become criminals. It is, indeed, a substantial undertaking and a clear need for operation.

Terrorism and New Security Challenges
Implications for European-Japanese Security Cooperation

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There is general agreement among observers of international relations today that the security situation of Western countries is fundamentally different from the security situation, which characterized the second half of the past century. The threat posed to Europe and the NATO allies by the Warsaw Pact, the threat of massive conventional attack combined with the risk of nuclear escalation, this threat is gone. The Cold War and the division of Europe are history. We no longer try to guarantee our security following concepts of nuclear deterrence such as flexible response. The time of security through the threat of mutual assured destruction is past.

Instead, if we look around us, we cannot but state that Europe has never been so prosperous, so secure or so free as it is now. We live, by and large, in a period of peace and stability unprecedented in European history. That, at least, was the general feeling at the beginning of the new century, only three years ago.

Then came the attacks of September 11, 2001. Since then, the security perception of Western societies has changed once again dramatically. New threats have emerged, which, taken together, could amount to a challenge comparable to the one we had to face before. It is the challenge created by the combination of three phenomena, international terrorism, the proliferation of weapons of mass destruction, and the destabilizing effects of state failure on the international system. Large-scale aggression on our states has become improbable. Instead, a new combination of threats may emerge, which is more diverse, less visible and less predictable.

Terrorism is, of course, not a new phenomenon. Western societies, including Germany, have experienced terrorism in the relative recent past. In some countries, these traditional forms of terrorism, like the IRA in Ireland or ETA in Spain, continue to pose a significant threat to these nations.

Since "Nine Eleven" we are nevertheless convinced to be faced with a totally new dimension of terrorism. What are its essential features?

This new form of terrorism is international. It threatens not just one country but has a truly global reach. The places of attack span the globe, from New York and Washington, to Bali, Djerba, Mombasa, Moscow and Yemen. No Western country is safe from these attacks, because they are all targeted, in particular in places, which are highly symbolic for the Western way of life.

This new international terrorism lacks the constraints of traditional terrorist organizations. These usually wish to win political support in the country of the attack. They therefore exercise some restraint and ultimately may be ready to abandon violence for negotiation. The new terrorist movements seem willing to use unlimited violence and cause massive casualties. For this reason, the idea of obtaining weapons of mass destruction is attractive to them, as it is not for traditional terrorist organizations. The

attack with a poisonous gas in the subway in Japan is a first example of this combination of terrorism with weapons of mass destruction.

The new transnational terrorist networks, like Al Qaeda and Jemaah Islamiyah in Southeast Asia, or Hizbollah in the Near East are establishing networks of worldwide cells and supporters. These networks have a multinational membership, a decentralized, nonhierarchical structure and a transnational ideology. Traditional terrorists normally fight a national struggle against a particular government and recruit mostly co-nationals. Their activities are restricted to a certain country or region. They may attack international targets like tourists, foreign companies or embassies, but in most cases they commit terrorist acts against their own fellow citizens. In contrast, the new international terrorist networks have by definition no permanent home, they shift their headquarters and training camps from one country to another, they maintain cells in various states, their members travel and transfer money around the world.

It is significant for these networks that to a large degree they depend on the use of areas of lawlessness provided for by failed or failing states. Obviously, Al Qaeda uses Islamic or Arab countries as the main areas for recruitment. A potential reservoir are Islamic fighters from local conflicts like Chechnya, Bosnia or Kashmir. Also experienced terrorists from local conflicts like in Egypt, Yemen, Algeria, Philippines and Indonesia are drawn into these networks. But we cannot overlook that the frustration and marginalization of the young, male Islamic population in European countries also provide a breeding ground for future terrorists.

The new networks need places for training camps where they are able to train and educate their members in operations as well as in ideology. For that purpose, "no-go"-areas are perfect, i.e. areas which are not under the control of the respective state's authorities. These networks therefore search for areas controlled by warlords or criminal groups like in Afghanistan, Philippines, Georgia, and Somalia or for areas, which are already used by local terrorists like in Lebanon, Pakistan and Algeria.

These networks have to ensure that their members travel easily around the globe, in particular to send recruits to training camps or attackers to their target country and for smuggling arms, explosives and propaganda material from one place to another. They therefore have to rely on corrupt border officials and make use of borders with limited or no state control like in the Caucasia, Central Asia, Somalia, Sudan, the Balkans and the Philippines.

They need failed or failing states as safe havens where its members, particularly its leaders and key operators, can act and live freely without fearing of being discovered and arrested by the state's authorities because of corruption or political sympathy. Some of them also used liberal Western democracies.

These networks need appropriate means for communication in order to send messages to its members, its supporters and the outside world. This involves modern technology like satellite phones and the internet as well as traditional means of secret communication like messengers or coded letters. For this purpose, these networks need states, which still offer some kind of infrastructure. Again weak states are prime candidates.

These networks also need secure and stable access to resources. Various sources of income are used simultaneously: legal activities like fundraising by charities and criminal and black market activities like drug dealing and arms trafficking. Then, on the one hand, areas in failed states controlled by warlords or criminals offer good business opportunities; on the other hand, charity and other legal work can be conducted in weak

states with no stringent control. For the purpose of money transfer, money laundering, the smuggling of cash, offshore banking, shell firms and charities are used. The networks will therefore look for states with weak or unregulated banking systems, which can be found in many parts of the world.

It is finally characteristic of these networks that they rely largely on private sponsorship. State sponsorship for terrorism has been declining since the early 1990s. So, the support of Diaspora communities, religious leaders, rich private persons and charities are used. This support can mainly be found in weak states where supporters can be mobilized ideologically and are still able to raise substantial amounts of money, e.g. in particular the Gulf States.

This description of the symbiosis of international terrorism with the spreading phenomenon of state failure does, however, not provide for a full explanation of the causes of international terrorism. It is therefore necessary to examine in more depth the motivation of the members of these networks.

It is not difficult to find possible political explanations for the fact, that much of the Islamic, especially Arab world, is today characterized by intense and widespread anti-Western feeling. The Israeli-Palestinian conflict springs to mind as a particularly obvious contributing long-term factor. It is used as a rallying point for resentment against alleged western "double standards" and moreover, it serves to deflect attention from the political, social and economic problems of the region.

The reason behind this troubled relationship between the West and the Islamic world may lie deeper than this. Muslims, according to this interpretation, see their belief as more complete than Christianity or Judaism. Political and cultural achievements of Islamic societies over a long historical period seemed to be superior to those of the West. The modern period of Western expansion, the dynamism of the industrial revolution and colonialism as well as the later establishment of the state of Israel came therefore as a shock to the Arab world, particularly as the Muslim societies lost their former ability to absorb, transform and further develop the achievements of other cultures and to adapt to new challenges by social and economic innovation. The blame for this state of affairs is sought in the West.

In any event, the fact remains that major sections of the Muslim world seem to have reached the conclusion that the west is essentially anti-Islamic and threatening. As the Muslim world feels degraded to a powerless bystander, a deep feeling of humiliation is caused. Western concern for human rights and good governance is denounced as being applied selectively, according to "double standards" and for purely selfish reasons.

Modernization is experienced as a foreign and deeply threatening phenomenon imposed by forces against which one is powerless. Muslim societies characterized by strongly held religious beliefs react strongly against the perceived secular concept of modernization and its consequent disregard for traditional values and customs. If the political system is seen as monopolized by the beneficiaries of modernization, the result is a sense of alienation, frustration and injustice, often exacerbated by poverty and unemployment. For people who feel this way, religious fundamentalism may offer the comfort of a renewed feeling of secure and traditional identity and community.

There are specific linkages between the socio-economic deficiencies of Arab countries and the growth of Islamic fundamentalism, which can further the creation of terrorist constituencies. In these countries, the state is widely perceived as having abdi-

cated its role as provider of essential services. This vacuum is filled by religious institutions. Radical and well-endowed Islamic movements use this opportunity to excercise their influence and mobilize support.

More specifically, fundamentalist movements, often backed by external financing, try to take advantage of existing educational deficiencies and promote mosque schools as an alternative institution of education. Some of these madrasahs increasingly instil extreme Wahhabi and Salafi doctrines, thus providing fertile ground for the continued radicalization of Islam.

Many Arab states are affected by high levels of corruption and clientelism, by ineffective governance and the abuse of laws by the elite. Furthermore, these states lag behind when it comes to the political development of participatory government. Several Muslim regimes have added Islamic rhetoric to their policies but have not shown any real willingness to share power with Islamic movements. To the contrary, members of Islamic political movements are regularly victims of grave human rights violations. These repressive measures add to radicalization. The fact that the West often favors stability rather then democracy only exacerbates the tendency of the anti-Western trend of radicalized, extreme fundamentalism.

Most of the conflicts of these parts of the world are territorially, ideologically and politically influenced. But often the religious factor will interact with these other elements, so that the conflicts, like in Afghanistan, are exacerbated by violent religious extremism of a fundamentalist nature. The religious factor has effectively fed into a spiralling chain of violence, so that the element of extreme fundamentalism and fundamentalist terrorism has become more and more prominent.

There is also an internal European dimension to the relationship between extreme fundamentalism and terrorism. Within Europe, millions of immigrants of Muslim origin are confronted with the difficulties of adaptation. They are in large part afflicted with a sense of rootlessness and loss of identity. For them, fundamentalism may seem to provide a ready solution. According to fundamentalist interpretation, you are being underpaid, marginalized, kept down, humiliated simply because you are a Muslim. This fundamentalist explanation can facilitate recruitment for violent, in some cases for global terrorist action.

It is thus a complex set of cultural, economic, societal and religious factors, which are at the root of the motivation of the members of the new internationalist terrorist networks.

If these factors to a large extent forming the young generation in Islamic countries, interacting with state failure, are combined with recent trends in the proliferation of weapons of mass destruction, a threat emerges, which can be called the single most important threat to peace and security among nations.

The international treaty regimes and export control arrangements have slowed the spread of WMD and their delivery means. We are now, however, entering a new and dangerous period, that raises the possibility of a WMD arms race especially in the Middle East. If you look at the pattern of proliferation emanating from North Korea or at the possible repercussions of the nuclear arms race in South Asia the risks become apparent. The most frightening scenario is one in which terrorist groups acquire weapons of mass destruction. It can not be put aside as totally inconceivable. There was evidence that the Taliban tried to recruit nuclear scientists.

The more proliferation continues, the greater the risk will become. In this event, a small group would be able to inflict damage on a scale previously possible only for states and armies. In such a case, deterrence would fail. Advances in the biological sciences may increase the potency of biological weapons in the next years. Attacks through chemical and radiological materials, the so-called "dirty bomb" attack, are also a serious possibility

It emerges from this analysis that the threat emanating from international terrorism combined with state failure and the risk of proliferation is based on a multitude of complex causes. Therefore, efforts to counter this threat cannot be limited to measures of hard security like increasing the cooperation of intelligence services, intensifying the international cooperation of police and as a last resort the stabilizing interventions of military forces in failed states.

What is necessary is a truly comprehensive policy directed at the causes of Islamist extremist fundamentalism.

It is therefore clear, that resolution of the Arab-Israeli conflict must be a strategic priority for the West. Without this, there will be little chance of dealing with the other problems in the Middle East affecting the relationship between the Muslim world and the West.

The issue of state failure will become one of the major security concerns for the next decades. Efforts in nation-building, as they are now going on in Afghanistan and in Iraq, will therefore become a key task for the international community in general and in particular for Western institutions.

A comprehensive long-term strategy is necessary that deals with all major aspects of the threat using a broad spectrum of instruments. Here, strengthening the security sector, the police and the armed forces, improving and stabilizing public services as well as reforming gradually the political system, in particular fostering the rule of law, seem to be the key tasks for the beginning.

The development of a stronger international society, well functioning international institutions and a rule-based international order should be our objective. One of the core elements of the international system is the transatlantic relationship. This is not only in our bilateral interest but strengthens the international community as a whole. Strengthening the United Nations, equipping it to fulfill its responsibilities and to act effectively must be a Western priority. We have an interest in further developing existing institutions such as the World Trade Organization and in supporting new ones such as the International Criminal Court.

Looking at the deeper causes of the new threat it becomes clear that the best protection for our security is a world of well-governed democratic states. Spreading good governance, dealing with corruption and the abuse of power, establishing the rule of law and protecting human rights are the best means of strengthening the international order. Trade and development policies can be powerful means for promoting reform. Contributing to better governance through assistance programs, conditionality and targeted trade measures should be important elements in the comprehensive strategy. Preemptive engagement in these fields can avoid more serious problems in the future. Conflict prevention and threat prevention cannot start too early.

There are few, if any, of these problems, any Western country can deal with on its own. This shows not only the necessity to further develop the European Union in order to be able to fully use the European potential. The threats described are common threats for all Western countries and it is clear that Japan is a Western country in the sense of "Western" as used in this analysis, describing not a geographic location but a set of values constituting the foundation of a society and a state.

We need to pursue our common objectives both through multilateral cooperation as for example in the framework of the G8 and through partnership with other key actors and regions.

A good example is the division of labor agreed upon by the major Western powers in sharing the burden of nation building in Afghanistan where Germany has special responsibility for the reconstruction of the police and Japan particular responsibility for disarmament, demobilization and reintegration of former Afghan fighters. Nation-building in the framework of the so-called Bonn Process can thus be seen as a kind of a model for a comprehensive, long-term strategy to build a democratic, well governed, law-abiding and economically progressing system in a former failed state including the adoption of a new constitution, the conduct of free and fair elections, administrative reconstruction, establishment of new armed forces and the reconstruction of the police including border police, economic rehabilitation and, last but not least, the fight against the production and the trafficking of drugs with the creation of economic alternatives for the rural society.

Germany and Japan should use this model as an example for cooperation also in other parts of the world from which the threat of international terrorism is emanating.

Operationally this implies that Japan further develops its relationship with the major multilateral Western institutions, particularly the EU and NATO. It is in these frameworks that many of the operational policies will be conducted. In particular, the Common Foreign and Security Policy of the EU will be developed further to serve as the main instrument for military and civilian measures directed at stabilizing the international order. It is universally suited to combine external trade and development policies, with political dialogue, justice and home affairs, social policies, cultural dialogue and civil society cooperation. It would involve a broad range of partners in the Islamic world, not only the governments, the military, the intelligence services and the police but also business organizations, NGOs, religious groups, schools, universities and the media.

It is therefore important to hold this colloquium looking at terrorism and the New Security Challenges in a German-Japanese framework. Both our countries are deeply involved in countering the new threats. They pursue parallel interests. The more we cooperate, the more likely it becomes that together we will be eventually successful.

Terrorism and New Security Challenges
Japan and International Cooperation in Combating Terrorism

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The war on terrorism is far from over. Following the Iraq war, a new generation of terrorists has developed in various parts of the world. The reality of terrorism imposes many difficult tasks; this paper refers to the publicity of terrorists and of the counter-terrorism community. Secondly, it critically reviews Japan's antiterrorism stance and policy before and after the 9/11 attacks. Thirdly, confirming the different approach between Japan and Germany, it proposes to expand counterterrorism cooperation between both nations. And finally, the paper considers how the 9/11 attacks affected the minds of other terrorists.

Publicity: Global Terrorist vs. Counterterrorism Community

Terrorism is something beyond mere political violence. Its success and failure predominantly involves psychological tactics. How one terrorizes another, or, in other words, how people do not fear the threat, is a constant struggle between terrorists and the anti-terrorist community. Ultimately, it is effective publicity that affects the triumph of the struggle; accordingly, both sides cannot help using it.

From a terrorist's point of view, as stated by many researchers of terrorism, publicity is a universal means (or sometimes an end in itself) of all terrorist organizations. The purpose of publicity is not only to convey their messages to supporters and sympathizers, but to recruit new members as well. If threatening publicity causes overreaction from the mass media, it can unsettle their target society. Democratic free societies in particular are often confused by such a threat; some oppose or complain about the government's policy in fear of terrorism. In November 2003, "would-be" Al Qaeda activists warned of terrorist acts in central Tōkyō, these statements had a moderate impact on Japanese society, despite the uncertainty of their authenticity.

Without publicity or media-coverage, terrorism would not materialize in people's minds; at most, it is only during the actual terrorist bombing when people feel insecure, which does not last long. Publicity is a necessary condition for sustaining the "terror process." From a global religious terrorist network such as Al Qaeda to regional ethnic terrorists such as ETA, Real-IRA, LTTE, there is no exception.

Recent messages from Usama bin Laden and Ayman al-Zawahiri's broadcast via satellite television are typical examples of effective publicity. Their statements were issued at intervals and their choice of words seems to be improving in order to make their message better understandable, even to non-Muslims. Compared with the declarations of a holy war in 1996 and 1998, recent statements are becoming, to my mind, more straightforward. By exploiting anti-American sentiment currently prevalent around the

world, they now choose more familiar rhetoric such as the "merchant of death" to denounce the U.S.A.'s profit-making during the occupation of Iraq.

The contrastive situation—Saddam Hussein was captured while bin Laden and Zawahiri remain at large—may highlight fame for some (or notoriety for many). They may increasingly be portrayed as heroes in large constituencies in the Muslim world. Michael Howard, a British war historian, may indeed be right when he wrote: "If bin Laden will be assassinated, he will become a martyr. If he will be put on trial, he will provide his propaganda. If he will continue to escape, he will become a Robin Hood."[1] In any case bin Laden enjoys special status because he was able to launch a spectacular attack on U.S. soil, and, he continues to survive the American-led war, which nobody has ever done before.

When we compare the publicity efforts of the counterterrorism community with that of terrorists, has the former succeeded in manipulating world opinion and people's emotions using publicity? Publicity is an indispensable tactic in countering terrorist propaganda for us as well. Publicity refers to public affairs (domestic) and public diplomacy (international). Its purpose is to gather support and understanding for counterterrorism, isolate terrorists from their environs, and rebuild norms to delegitimatize all kind of terrorism.

The situation appeared to deteriorate in 2003. The international antiterrorism norm, built by the United Nations in the 1990s, had broken down. And yet international society has still not constructed an alternative. All nations condemn terrorism itself, but the content of terrorism and who terrorists are tends to vary among people and nations. Such disagreement resurfaced at various talks and echoed discussions of the Cold War era.

In the late 1990s, Afghanistan and bin Laden's terror network had already been a matter of concern among the international antiterrorism community, which includes major countries such as Russia, China, India, Iran, and the United States. Through the 9/11 attacks and until the breakdown of the Taliban regime in 2001, the world was apparently united in its fight against the common enemy, although diverging opinions were held regarding the use of military force. But the war in Iraq split the coalition and decidedly ignited anti-U.S. sentiment around the world; the U.S. image deteriorated dramatically.[2]

The coalition forces may have won the military battles in Afghanistan and Iraq, but the war on terrorism as a whole has fluctuated between good news and bad. Many terrorists were arrested and further terrorist acts were prevented by international investigative/intelligent cooperation. On the other hand, Iraq has become a new "central front" for foreign and domestic terrorists. It is well known that the members of the so-called "Afghan Alumnus," who had fought against the Soviet troops in 1980s, developed the network and were behind the acts of terrorism in the Middle East, Africa, and East Asia in the 1990s. An analogy here is the likelihood that Iraqi graduates may wander the globe in the next decades if the CPA (Coalition Provisional Authority) and international community fail to pacify the region and stop waves of terrorist acts as soon as possible.

The situation is not expected to improve in the short term because among the younger generation there are those who are attracted to Al Qaeda's way of thinking. It is thought that it was not the core members of Al Qaeda that carried out many of the terrorist

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[1]   Michael HOWARD: "What's in a Name?" *Foreign Affairs* (January/February, 2002), p. 11.
[2]   This situation is seriously acknowledged by some American antiterrorism communities; for example, see, Peter G. PETERSON: "Public Diplomacy and the War on Terrorism." *Foreign Affairs*, September/October, 2002.

acts in 2003, but rather indigenous radical sympathizers of Al Qaeda ideology. It can be said that in the Muslim world the second generation grows out of despair and frustration. International society, above all the Arab establishment, has so far failed to present fascinating alternatives to the younger generation to counter their culture of hate. The world is still divided on what constitutes terrorism, and thus it is unable to find an opportunity to repair and rebuild an international antiterrorism norm, which is the precondition to adopting and strengthening new counterterrorism measures.

Terrorism and Antiterrorism in Japan

Is Japan ready to fight against international terrorism? Can Japan truly contribute to rebuilding an international antiterrorism norm? Japan is now slowly changing its perspective toward terrorism; however, these efforts will not suffice. In this section, let me introduce the case of Japan before we consider our international cooperation.

Before September 11, Japan failed to recognize the grave situation of international terrorism, even though it had experienced the world's first WMD terrorist attack by the Aum Shinrikyō and was affected by terrorism of Islam extremism. Finally, the 9/11 attacks and the anthrax-letters incident in the United States became a turning point for Japan's attitude toward antiterrorism. Since then, every antiterrorism-related agency has tackled the issue almost continuously. Japan rushed into ratifying the Convention for the Suppression of Terrorist Bombings in 2001, and the Convention for the Suppression of the Financing of Terrorism in 2002. Nonetheless, Japan should have signed these conventions before 9/11 because as a member of the G-8 Japan had called other nations to become a member of these terrorism-related conventions as soon as possible.

As both policy-makers and mass media witnessed the rapid deployment of U.S. forces their thoughts returned to the trauma that followed the Gulf war in 1991; at that time, despite the fact that Japan had paid no less than $ 13 billion to support the multinational forces, its efforts were not acknowledged by Kuwait and the international community, Japan felt defeated. After the 9/11 attacks, the greater public of Japan was driven by the something-should-be-done syndrome, not cash but military contribution if possible. The government, among other things, passed a new law enabling the Self-Defense Forces to dispatch troops to the Indian Ocean to provide logistical support to the U.S. navy.

However, this law only applied to the situation of war in Afghanistan with a specified duration (two-years), and while many regarded this measure as the most important antiterrorism policy, many Japanese see terrorism as a problem of "temporary" crisis management. In fact, the issue has been continuing at least since the United States bombed facilities in Afghanistan and Sudan in retaliation of Al Qaeda bombing the U.S. embassies in Kenya and Tanzania in 1998. Since then, Japan has not prepared for the coming age of terrorism.

As stated above, Japan does not regard terrorism as a constant national security issue but one of temporary crisis management. When reflecting back on Japan's history of antiterrorism both in the domestic arena and abroad, I call this national characteristic "incident-response."

Whenever Japan faced hijackings, kidnapping and hostage-taking incidents since

the 1970s, the Japanese tended to think that the solution came about when the crisis was over. Once a crisis ended, Japan showed indifference to the terrorist groups to which the perpetrators belonged. The end of the crisis does not mean the real solution. The final solution is to inactivate terrorist groups.

During any crisis such as hostage-taking incidents, Japan has repeatedly demanded "peaceful solutions." The expression "peaceful solution" implies that crises must be solved by persuasion and not by coercive force. This motto not only seems to create misunderstanding to terrorists but also blurs the final goal. The important issue is how to drive terrorist groups into a corner once incidents have occurred. Japan did not obtain information about the groups by cooperating with other foreign governments; much less did it crack down on terrorists. Japan did not take action against MRTA, or the Islamic Movement of Uzbekistan, all of which have attacked Japanese people and interests abroad in recent years.

Japan is historically not immune to terrorism, in the past it has constantly faced terrorism and encountered terrorist acts; accordingly, Japan's "incident-response" attitude is not rational and it is for this reason why it is worthy of further investigation (but unfortunately it is not a topic of this paper).

Japan has faced three kinds of terrorism:

1) Right wing terrorism: Xenophobic assassinations in the middle of the 19th century; antigovernment attempted coup d'etat such as 2/26 and 5/15 attacks before WW2; antisocialism and/or antiestablishment attacks in the post-War period. Currently there are many groups that are active, some of which are gang-related.
2) Left wing terrorism: This is relatively new and appeared after WW2. The Japan-Trotskyite association was organized in 1957 and became a pioneer of radical left wing groups. Thereafter it repeatedly changed factional alignments and gave way to more radical splinter groups. The Japanese Red Army was one of the most notorious international organizations. But Shigenobu Fusako, a leader of the JRA, was finally arrested in Ōsaka in 2001, and as a result the group was dissolved. However, the following domestic groups remain very active even today: *Chūkaku-ha* (Revolution-ary Communist Alliance National Committee: 5000 strength, founded in 1963), *Kakumaru-ha* (Japan Revolutionary Communist Alliance Revolutionary Marxist Section: 4700, founded in 1963), and *Kakurōkyō* (Revolutionary Laborers' Associa-tion: 600: established in 1969, with Socialist party origins). They have killed and injured each other (even members of their own group) and have committed numerous terrorist acts against government employees, civil servants and public facilities.
3) Religious terrorism; Aum Shinrikyō was the only religious terrorist organization in Japan. This doomsday cult began to dominate our concerns in the late 1990s. In contrast to right wing and left wing groups, Aum was a truly international organization. According to a government's report, it currently has 1,650 followers and 28 facilities across Japan, while numbers of followers abroad are dwindling.

The above is a brief outline of Japan's rich experience in dealing with terrorism. Unfortunately, many of these experiences were not considered acts of terrorism in the Japanese sense. Government and mass media did not label these actors and their deeds as terrorists or acts of terrorism. Japan missed the opportunity to learn from its own experience. Japan paid little attention to the global activities of these groups and its

implications, in spite of what was happening with the JRA and Aum. The overriding Japanese impression was that "terrorism was just a foreign event, terrorists were foreigners."

Unfinished Business

Japan's counterterrorism challenge still remains unaccomplished; it lacks an antiterrorism principle, a definition of terrorism, and a system to designate terrorist groups.

First of all, the establishment of a working principle for general use of antiterrorism is indispensable to address such a permanent issue as terrorism. For example, the U.S. Department of State's four principles against international terrorism are well known: (1) make no concessions to terrorists and strike no deals, (2) bring terrorists to justice for their crimes, (3) isolate and apply pressure on states that sponsor terrorism to force them to change their behavior, (4) bolster the counterterrorist capabilities of those countries that work with the United States and require assistance. We do not have to copy these principles; nonetheless Japan should proclaim its own guidelines. It was only when Japan was involved in hostage-taking incidents the government did repeatedly insist on a "peaceful solution," and more recently added "no surrender to terrorists." But everyone, regardless of the occurrence of an event, should easily remember a working principle, my idea is *Umanai, Irenai, Shiensasenai* (which means do not bring forth international terrorists in Japan, forbid members of foreign terrorists to enter Japan, and ban all Japanese support of foreign terrorists).

Secondly, the definition of terrorism is another foundation no matter what Japan takes as its antiterrorism policy. Since international institutions such as the United Nations have yet to reach consensus on a universal definition of terrorism, definitions must be left for each country to decide. To be sure, no single definition can cover all kinds of past and future terrorist activities. While some definitions are so vague they cannot distinguish a violent act, some are too descriptive. It is often said that efforts to define terrorism are useless. But in order to make a comprehensive antiterrorism policy, definitions of terrorism, terrorist organizations, foreign terrorism, and domestic terrorism are necessary.

Thirdly, a designation of foreign terrorist organizations that threaten our national security and safety is also required for the prevention of terrorist acts. By passing such a law, members of designated groups would not be permitted to enter Japan or could be easily deported, and people in Japan would be prohibited against supporting these groups. Some government officials agree with introducing a comprehensive law, while others remain skeptic; the latter group believe that a lead agency should be established, or question whether Japan has enough relevant information for a designation system. On the contrary, in order to operate the laws effectively, Japan must collect and analyze terrorism-related information and seek exchanges with allied and friendly countries, which I believe can only assist in policy-making.

In addition, Japanese people in general lack basic knowledge of terrorist organizations around the world, despite the fact that many travel abroad for business and tourism. If the designation list with detailed information is made available to the public, Japanese people will pay more attention to the groups than they do currently.

These three basic measures will serve Japan's antiterrorism publicity. It is necessary for Japan to express clearly to its citizens and to the international community how Japan is dealing with the terrorism issue.

There is another reason why Japan should seek to create a principle and a definition. Currently Japan is facing how it should solve the issue of abduction by North Korea.[3]

After the first summit meeting in September 2002 when Kim Jong-Il admitted the abduction, only five victims were returned. But since then negotiations regarding the rest of the victims and further information have ground to halt, the association for the victims' families and their support groups began to pressure the Japanese government to declare that the abduction by North Korea was a "terrorist act," hoping thereby to introduce economic sanctions. The Japanese Prime Minister and other cabinet ministers stated the following during a parliamentary session and when questioned in public: "Generally speaking, it can be said that abduction is an act of terrorism because it causes serious threat to people's lives and safety." Perhaps they were trying to placate the angry victims' families, but they were entering dangerous territory. If we are indifferent to the minute usage of the word "terrorism" Japan will encounter difficulties when it faces other terrorist situations. Considering the North Korean issue, we should examine whether one nation's criminal deed should really be included into terrorist acts.

Since 9/11, terrorism has been at the top of the international security agenda; that is to say, we must be careful when using the word terrorism simply because it is not a mere pejorative. The North Korean issue tells us that it is high time to define terrorism in a broader perspective and to provide the countermeasures in a comprehensive antiterrorism law outlining criteria for terrorist acts.

Japan-Germany Counterterrorism Cooperation

The question now arises: How does Japan cooperate substantially with Germany or other European countries?

Japan's counter-terrorism policy is, in many points, quite different from that of Germany, despite the fact that both are liberal democratic nations. In Japan, freedom of association is given priority to public security in the Code; therefore, in contrast to Germany, it is almost impossible to dissolve particular groups. The only tool that can be used is the Subversive Activities Prevention Act of 1952, in which the authority can order them to dissolve. But this has never been applied to any individual group. The provision is interpreted rigidly; it can be applied to a group only "when there are enough reasons that the group will keep a clear danger of carrying out violent subversive activities repeatedly and continuously in the future." Here "enough reasons" and "clear danger" have been interpreted as "it is with almost 100% certainty that the group will repeat violent activities"; neither "it is possible to do so" nor "it is likely to do so." In any case it is almost impossible to collect enough evidence to meet the interpretation. This law should be used as Japan's trump card (the "treasured sword" in Japanese), but currently it

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[3]   This was carried out by the North Korea mainly in the late 1970s and in early 1980s; for more than 20 years, North Korea had not demanded anything political from the Japanese government, nor demanded ransom from their families. In addition, it had not been an agenda in Japanese politics, although police continue their investigation.

is too rusty to even draw. Even Aum Shinrikyō escaped it.

In addition, Germany has sometimes taken a hard line such as the Mogadishu rescue operation, while Japan adopted, if anything, a soft-approach of appeasement, especially in the 1970s.

With regard to the 9/11 attacks, the problem was more pressing in Germany than in Japan. The hijackers, living in Hamburg, used Germany as a major planning area. In Japan, so far, no Al Qaeda cells have been located. No one related to the 9/11 attacks was arrested in Japan. Germany introduced 1st and 2nd antiterrorism packages while Japan still has no comprehensive antiterrorism law. As political scientist Peter Katzenstein wrote in his comparative article on Japanese and German attitudes toward terrorism: Japan sees international counter-terrorism as an "international contribution"; hence, it saw the 9/11 attacks as a "big event."[4]

But at the same time Japan and Germany experienced the same kind of terrorism—especially by left wing factions at home and abroad; thus, both nations were in the position to exchange information regarding their counterterrorism experience. Above all, Japan and Germany are members of the G-8, which should lead worldwide antiterrorism policy. Thus, it is important to find common goals and call other nations to support and join the measures, and recommend new initiatives to the world.

First, Japan and Germany should assist in the capacity building of other countries' prevention and response measures to terrorism using WMD (weapons of mass destruction), which is currently the top priority of antiterrorism measures. The importance of Consequence Management is now well recognized in major countries. Last September the Japanese Ministry of Foreign Affairs held a conference in Tōkyō on CBRN (chemical, biological, radiological, and nuclear) terrorism and its response, inviting Asia-Pacific countries to attend. In the case of a Japan-Europe conference, we should not only focus on the practical know-how of Consequence Management, but also on the Russian problem, where the country holds a huge stockpile of nuclear, chemical, biological and radiological weapons under relatively loose control. Over the past decade, Japan failed to recognize the Russian "loose nukes" as its own national security issue, much less, a potential source of WMD terrorism. But since the 2002 G-8 Kananaskisu (Canada) Summit, Japan's understanding of the strategic importance has deepened. The control and disarmament of CBRN weapons in the Former Soviet Union is a vital issue for both Japan and the European nations. Coordination among G-8 countries must be strengthened.

Secondly, Japan and Germany should study and enhance the effectiveness of public diplomacy, which is one of the most important tools, and assist the dire efforts of the United States. The aim is to reduce the number of supporters and sympathizers of terrorists. Of course, it is impossible to eradicate terrorist organizations or true believers, but it is possible in the long run to reduce the number of supporters and sympathizers if public diplomacy efforts catch their hearts and imagination. It is a real concern that many regard Usama bin Laden as a hero, rather than as a vicious terrorist. This "terrorism-heroism" truism should be wiped out as an illusion and we must establish and expand a new international norm to delegitimize terrorism regardless of causes and motives. Now that it has become difficult for the Bush administration to reinstate the norm, Germany and Japan should appeal to the international public and reiterate the values of nonviolence, tolerance, democracy and freedom.

Thirdly, with a more strategic approach, Japan and Germany should engage to help

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[4]   Peter J. KATZENSTEIN: "Same War, Different Views: Germany, Japan, and the War on Terrorism." *Current History*, December 2002, p. 427.

solve terrorism-related problems located in the Eurasian rimland: East Asia, South Asia, Southwest Asia and South Europe. We should do so not only because of the geographical reality between Japan and Germany, but because the rimland is a source and a breeding ground of international terrorism, where major powers like China, Indonesia, India, Pakistan, Iran, Turkey, and the Former Yugoslavia stretch around Russia and Central Asia, another hotbed of terrorism. The balanced and friendly relations among these pivotal powers are a key in suppressing global terrorism. Japan and Germany, each located in a wing of this vulnerable zone, should promote and coordinate antiterrorism diplomacy.

It is important to strengthen bilateral cooperation promoting the above points. Japan and Germany signed a seven pillars cooperation at the foreign ministers' meeting in October 2000. In the coming meeting counterterrorism should be added to the bilateral area of cooperation.

Conclusion

Terrorists know the importance of publicity; hence, they manipulate it skillfully. An antiterrorism community should see beyond the image-strategy and quickly draw up a plan for countering the publicity of terrorists. But it will take some time; there is no quick remedy. Although Japan implemented many measures after the 9/11 attacks, these efforts do not suffice and Japan must have the capacity to reduce terrorist supporters by international cooperation.

Finally, let us look at the prospect of terrorism. On this point, similar to the problem of publicity, it is important to assess the psychological impact of the 9/11 attacks on future terrorist behavior.

As Dr. Brigitte L. Nacos, a terrorism expert from Columbia University, pointed out in her article[5], 9/11 might well become the most attractive model for terrorists in the near future. It is worth noting that some terrorists are learning from the past ceases and they try to aggravate them. In this sense they are "rational-actors," despite their fanaticism.

Many terrorist incidents have occurred after September 11; however, none were as impressive in the minds of the world's audience as the 9/11 attacks. Mass casualty terrorism in 2002 such as the Bali bombing (killing 202 foreigners) or the Moscow theater hostage incident (129 out of 820 hostages died from the chemical agent used during the rescue operation) had a huge impact on the counterterrorism community. But in general these events have had a lesser impact in the minds of the people than the 9/11 attacks.

As a rule, terrorists are generally very proud of themselves. Terrorists want as many people as possible to watch and listen to them. For them it is intolerable to be ignored by the mass media and the public. If the 9/11 attacks have set the benchmark for future terrorist acts, WMD may be the best choice for a more spectacular event. No doubt any attacks using WMD would cause fear and panic, they would destroy and disrupt parts of the targeted society; as a result, it shocks government and attracts maximum attention of the mass media. WMD terrorism, especially the type using radiological, chemical and biological agents, is apparently easier for some terrorists than hijacking four or more airplanes simultaneously.

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[5]   Brigitte L. Nacos: "The Terrorist Calculus Behind 9-11: A Model for Future Terrorism?" *Studies in Conflict and Terrorism*, 26 (1), 2003, p. 14.

We cannot crack down on the way of the terrorists' thinking; we can only suppress their activities. As the world ushers in a new grim season, we must regulate the transfer of weapons more tightly than ever, and we must defend various social infrastructures more firmly than we ever imagined in the past.

Discussion of Session 3

This session's discussion focused on the following points:

1. How to bring back the U.S. into the multilateral game
2. The Japan-U.S. relations
3. Dialogue and diplomacy versus military action
4. Role of the UN and other international organizations
5. Funding for the reconstruction in Iraq and Afghanistan

1.

It was clearly pointed out that to bring back the U.S. into a multilateral framework would not change the situation in Iraq. The terrorist attacks would not stop, because they are conducted as part of a strategy, which is intended to undermine all kinds of civilian effort.

Another participant expressed his doubts about the existence of a political consensus within the EU. This became clear in the Iraq case, when it was impossible to counterbalance U.S. unilateralism.

Against this pessimistic view the case of Iran was stated, where even those EU partners were in unison, who were on different sides in the Iraq question. It very much depends on the respective case. As far as relations with the U.S. are concerned it is important to define *incentives for the U.S.* to cooperate. In Afghanistan the United States pursued a different policy. They used the multilateral framework to achieve not only victory but also post-victory strategy. So one of the incentives is an experience as in Afghanistan. Incentives can be the promise of success and actual success. Concrete projects need to be proposed—in Somalia, in Venezuela—, wherever, whatever we are able to define together. It should be proposed to do these projects together with the U.S. to show that the multilateral approach is the more successful one. This is not only something for Japan and Germany, but for Japan and the EU.

2.

What Japan is most scared of is not terrorist threat, but the deterioration of the relationship between Japan and the United States. Japan is the most important ally of the U.S. in Asia and the U.S. applies much pressure on Japan to be loyal, as the case of Afghanistan has shown. Japanese ships did not sail to the Indian Ocean because the Japanese thought that this is an adequate reaction, they were sent because the U.S. asked the Japanese government to do so. The same is true in the case of Iraq.

Also in the case of Iraq the present administration might have no other choice than supporting the U.S. mission. But for countermeasures against international terrorism and weapons of mass destruction it is not enough to cooperate and strengthen the Japan-U.S. relations. Instead this problem has to be discussed more strategically and under the perspective of Japanese priorities. Unfortunately, there is no strategic discussion taking place in Japan. But after North Korea's Taep'o-dong-2 missile in 1998 Japan is gradually moving to a more independent defense policy.

The North Korean issue actually links the question to the exercise of terrorism on Japanese soil, because in any possible conflict Japan might be taken hostage by terrorist actions whose origin cannot possibly be proven.

3.

One participant warned that the *possibilities of dialogue*, of winning the hearts and minds should not be over-estimated. EU and Germany have had and still have such a critical dialogue with Iran. When it came to security issues and questions were asked about Iranian nuclear ambitions and the Iranians did say that they do not have any such programs, the European side was satisfied, because they were not willing to compromise the economic interests. That has changed. But what is going to happen, if Iran is not willing, as it has promised, to sign the additional Protocol, if it does not allow inspections as Iraq has done it in the 1990s? Then the issue of sanctions will come up. And it is not certain that the EU will have a joint position. It is not sure either, if Germany would go along with sanctions. Excuses, and sometimes even good excuses, probably can be found, not to impose sanctions.

A basic problem with dialogue is to find a *suitable dialogue partner*. Are the political systems, the authoritarian regimes in the Arabic countries willing to compromise their domestic security from their point of view, to introduce a more democratic system, to introduce market reforms, to allow their citizens to use the Internet, to translate more than 300 books per year into the Arabic languages in 22 countries? A realistic perspective would be that these regimes will not change over night, it might be a mid- and long-term process.

Having a critical dialogue is a good thing, but a counterpart is needed. And there are limits, when the other side is not willing.

The existence of a clear-cut alternative of either military and police repression or diplomatic means was rejected. The situation was described as very fluid, but the objective should always be to prefer preemptive diplomacy to preemptive military strikes. This was illustrated along the axis of evil.

Iraq. After the first Gulf War military action was necessary, because Kuwait was invaded. But then, so the participant pointed out, diplomatic action was successful. This could have been seen from the findings of those looking for weapons of mass destruction in Iraq. Over the years Saddam Hussein has been almost suffocated. In the end his regime was hardly able to survive and could not develop or pursue a program of weapons of mass destruction. Considering the no fly zones in the north and in the south the dictator couldn't even move freely in his own country. Had there been a little bit more

time—months, or a year or two—presumably a regime change would have taken place without 20,000 people dying during the war. Iraq is a case, where skillful diplomacy could have achieved very much. Although the military threat over one decade has been absolutely necessary for this achievement.

Iran. It is difficult to predict how the Iranian regime will act in the future. But there was successful diplomacy between the three European foreign ministers and the Iranian government, when they managed to turn the conflict about weapon's inspections. In the beginning either side only seemed to have the option of escalation. Now after the EU-Iran negotiations both sides have other options: The Iranians agreed to cooperate, leading in the end to renounce anything they might have done in pursuing a nuclear weapons program. And Europe now has an option to cooperate in a very different way.

North Korea. The diplomatic initiative taken by the Chinese is also an example of what diplomacy can achieve. There is a multilateral forum now (not withstanding whatever reasons the Chinese might have had in providing it) in a multilateral setting, which was very difficult to join for the North Koreans. In the end, with several ins and outs and much pressure from the Chinese, they joined. So there are possibilities to achieve something by preemptive diplomacy.

In this outline of ways of diplomacy, so the participant continued, another aspect in the case of Iran serves as a good example. Over decades Europeans and Iran maintained a kind of low-level dialogue. Iran is now very different from the rest of the region, a country with an extremely high level of education, where seventy percent of the university students are female. They study natural sciences, engineering, subjects that in the past were not imaginable for female students. (Emphasis on technological engineering is something that started in Iran almost two decades ago. In the Arabic world by and large the last 50 years from an educational and technological point of view have been wasted.) A large part of the country can be defined as a modern civil society by Western standards. It is a country with an almost perfect democracy (participation of the large majority of the people, a government elected by the people). "Almost" means that there is always the veto power of the clerics, which makes Iran the problematic country that it is. If you take away the clerics, everybody would be happy. By cooperating on this low level with Iran over a long period Europe really has achieved something. It is now a kind of race to the end. Who will win, the modernizers who are able to renounce a nuclear weapons program, or the hardliners from the past?

4.

One view of the *UN* was that with all its sub-organizations it serves quite well the purpose for which it was established. There wasn't seen any need for new multilateral groups and centers. Nonetheless, the UN needs to be reformed, adapted to circumstances. And there should be a permanent EU Security Council membership. There were skeptical views, especially on the role of the UN as a military authority. Multilateralism was seen as an organizing principle, not as a solution per se, depending on capacities and joint political will.

In East Asia after some struggles there is a stronger ASEAN plus three, which is ASEAN plus Japan, South Korea and China. The ARF is becoming more active. And with the Bangkok summit APEC all of a sudden, and to the surprise of many observers, has shown quite vitality and is becoming a new multilateral structure. The countries in the region see the need to establish new multilateral groups in the UN. A dialogue with these new institutions should be established, to find out what they are doing, what can be done together. And there should be established formal ties and cooperation structures.

5.

One participant suggested that a bigger German contribution at the *Madrid Donors Conference* might have been helpful to bring the U.S. back to the multilateral table. This was refuted, because a superpower like the U.S. cannot be enticed by paying money.

At this conference U.S. $33 billion were offered. This was compared to the case of Afghanistan: Afghanistan is a country ravaged by twenty-three years of civil war, where nothing is left, no roads, schools, hospitals, not even a functioning administration. Everything had and has to be rebuilt from scratch. International aid agencies were able to move almost freely in the country. At the Tôkyô Donor Conference the amount of little more than U.S. $5 billion over a period of five years was donated. But that proved to be too much, because this huge task was too much for the international groups and agencies; the money available could not be spent.

Iraq is totally unsafe for international aid agencies. Out of security reasons it is not even possible to define sufficient projects. There is no way to spend the U.S. $33 billion. Of course the U.S. tried to get as much money as possible. To put pressure on the partners is legitimate, and it is also legitimate for the partners of the U.S. to make their point.

The reconstruction of Iraq should be in four steps: There should be an Iraqi administration as soon as possible, the UN should take care of the reconstruction, Islamic countries should be brought into the coalition forces, and there should be transparency in the reconstruction effort, which is not yet the case.

Final Remarks

To understand these complex new security threats it was suggested to realize *follow-up conferences,* including the mass media, because mass media do not fully understand this complicated terrorism and counter-terrorism issue.

Japan and Germany are respected in many parts of the world and thus have a responsibility to be honest brokers between the Muslim countries and the Western and Asian countries. It is important to continue this kind of dialogue. This is an extremely urgent matter. A failure of states connected to the problem of international terrorism and to the danger of proliferation of weapons of mass destruction is an imminent threat. By

looking for methods to solve this problem and find countermeasures it is likely to use police or military forces for short-term solutions. But those are not sufficient. For one thing, they are too costly. Germany is now extending its engagement in Afghanistan; an entity in Kundus in the north of the country is going to be set up. The German government provides 77 million euro for the military part and about 7 million for the civilian part. Looking at the immensity of the threat that we are facing, military means and short-term means will not be enough; long-term solutions are needed.

It is very difficult to sit together and find solutions that all parties can share. The Germans sit together with their Japanese friends, and look at the same problems but do not agree yet on the way to tackle it. They also sit together with their American friends and again agree about the problems, but cannot yet agree about what they think is the right way to solve them. To overcome this situation is a major task for the near future.

Policy Recommendations

Symposium "Global Terrorist Threats: New Security Challenges – Implications for European-Japanese Security Cooperation"

Berlin, November 5/6, 2003

The symposium provided a forum for security experts and representatives of policy-making bodies from Germany, Japan and the European Union to exchange views on the new challenges, trends, priorities and perspectives in fighting global and regional terrorist threats. These new trends are

- an increasing dominance of religiously motivated terrorism,
- a geographic shift away from Europe and Latin America to Northern Africa, the Middle East and Asia,
- globalization of terrorism,
- escalating warfare strategies, which might make use of weapons of mass destruction,
- inseparability of internal and external security,
- new networks with internationally organized crime and making use of failed states as operational basis,
- increasing relevance of nonstate actors.

The participants *recommended* the following:

1) to include cooperation in the field of counterterrorism in a revised German-Japanese Agenda (Germany and Japan in the 21st century – 7 Pillars of Cooperation). Participants welcomed and encouraged cooperation by the two countries already under way in Afghanistan,

2) EU-Japan cooperation in the fight against terrorism is based on joint statements and declarations, e.g. the "EU-Japan Joint Declaration on Terrorism" of December 8, 2001. Furthermore the "Joint Action Plan for EU-Japan Cooperation" adopted at the Summit in 2001 provides a sound basis for enhanced cooperation. Emphasis should be put on the implementation of the relevant parts of the Action Plan that deal with the fight against terrorism. Exchange of information and best practices (e.g. observers at national emergency exercises) should be enhanced,

3) in the light of the first ever global European Security Concept of the EU to be adopted in December 2003 by the European Council, which has identified international terrorism, weapons of mass destruction, failed states and organized crime as the major security threats in the 21st century, to further enhance interregional cooperation between Asia and Europe in the framework of track one—e.g. ASEM (Asia-Europe Meeting), ARF (ASEAN Regional Forum)—and track two level—e.g. CSCAP (Council for Security Cooperation in the Asia Pacific)—in order to strengthen capacity building,

4) Germany, the European Commission and Japan have already established a close cooperation in the framework of the G8. They should deepen their effort,
5) Germany, Japan and the EU should continue to promote and support early signing, ratification and rapid implementation of all relevant UN counterterrorism conventions,
6) the fight against terrorist threats cannot rely on hard security instruments solely. A comprehensive approach for ensuring security including human security is needed, which should help to identify and deal with the deeper roots of these new challenges such as state failure and growing disparities in income and knowledge. Germany and Japan should strive to identify clear priority areas,
7) cooperation in the field of new forms of terrorism, such as cyber terrorism, should be intensified,
8) a follow-up project on security threats in 2004, e.g. regarding the security environment in Northeast Asia should be planned.

Berlin, November 6, 2003
Japanese-German Center Berlin (JDZB)
Friedrich-Ebert Foundation (FES)
German Council on Foreign Relations (DGAP)

Program for the Symposium

Global Terrorist Threats: New Security Challenges
Implications for European-Japanese Security Cooperation

November 5–6, 2003 at the Japanese-German Center Berlin

Wednesday, November 5

Opening	Angelika VIETS (JDZB)
	Dr. Uwe OPTENHÖGEL (FES)
	Prof. Dr. Eberhard SANDSCHNEIDER (DGAP)

Session 1:	**International Cooperation and New Models in Fighting the New Security Threats**
Chair:	Dr. Axel BERKOFSKY (European Institute for Asian Studies)
Speakers:	Frank UMBACH (DGAP)
	Dr. FUKUSHIMA Akiko (NIRA)
	Diederick PAALMAN (European Commission)
Discussion	

Session 2:	**National Countermeasures against International Terrorism and International Crime Networks**
Chair:	Ullrich KLÖCKNER (German Embassy, Tôkyô)
Speakers:	Ambassador Dr. Georg WITSCHEL (Federal Foreign Office)
	Ambassador HORIMURA Takahiko (Ministry of Foreign Affairs)
Discussion	

Session 3:	**Terrorism and New Security Challenges**
Chair:	Prof. Dr. Kurt W. RADTKE (Leiden University, Waseda University)
Speakers:	MinDir Dr. Volker STANZEL (Federal Foreign Office)
	Prof. MIYASAKA Naofumi (National Defense Academy)
Discussion	

Thursday, November 6

Round-table with speakers and participants (Policy Recommendations offered)

Keynote-speech: Prof. Gert WEISSKIRCHEN (German Parliament, Spokesman of the SPD-Fraction on Foreign Affairs)

Abbreviations

AECF	Asia-Europe Cooperation Framework
APEC	Asia-Pacific [Ministerial Conference of] Economic Cooperation (ASEAN member states + Australia, Canada, Chile, China, Hong Kong, Japan, Mexico, New Zealand, Papua New Guinea, South Korea, Taiwan, U.S.A.)
ARF	ASEAN Regional Forum
ASEAN	Association of South-East Asian Nations (Brunei, Indonesien, Malaysia, Philippinen, Singapur, Thailand, Myanmar, Vietnam und Laos); s.a. EAEC
ASEAN-PMC	ASEAN Post Ministerial Conference
ASEM	Asia-Europe Meeting
BKA	Bundeskriminalamt (German federal criminal police)
CBN	chemical, biological, nuclear
CBRN	chemical, biological, radiological, and nuclear
COTER	EU Council working group on terrorism
CPA	Coalition Provisional Authority (Office of Reconstruction and Humanitarian Assistance)
CSCAP	Council for Security Cooperation in the Asia Pacific
CSI	Container Security Initiative
C-TPAT	Custom-Trade Partnership Against Terrorism
DGAP	Deutsche Gesellschaft für auswärtige Politik/German Council on Foreign Relations
DDR	disarmament, demobilization and reintegration
EAEC	East Asian Economic Council/Caucus (ASEAN member states + China, Hongkong, Japan, Nordkorea, Südkorea, Taiwan, Vietnam)
EAPC	Euro-Atlantic Partnership Council
EMSA	European Maritime Safety Agency
ETA	Euskadi Ta Askatasuna (Basque Homeland and Liberty)
FARC	Revolutionary Armed Forces of Colombia
FATF	Financial Action Task Force on Money Laundering (responsible for mandatory tightening, naming, "shaming," and blacklisting lax or unduly secretive banking practices worldwide (33 member states)
FES	Friedrich-Ebert-Stiftung/Friedrich-Ebert-Foundation

FFSA	Federal Financial Services Authority (Germany)
FIU	Financial Intelligence Unit (Germany)
FRAC	Forzas Armadas Revolucionarias de Colombia
GMT	Groupe Multidisciplinaire Sur l'action Internationale Contre Le Terrorisme/ Multidisciplinary Group on International Action against Terrorism
ICAO	International Civil Aviation Organization
ICRC	International Committee of Red Cross
IMO	International Maritime Organization
IMU	Islamic Movement of Uzbekistan
IRA	Irish Republican Army
ISPS Code	International Ship and Port Facility Security Code
JDZB	Japanisch-Deutsches Zentrum Berlin/Japanese-German Center Berlin
JRA	Japanese Red Army
KAS	Konrad-Adenauer-Stiftung/Konrad-Adenauer-Foundation
LTTE	Liberation Tigers of Tamil Eelam; Sri Lanka, founded in 1976
MANPADS	man-portable air defense systems
MILF	Moro Islamic Liberation Front (Philippines)
MRTA	Movimiento Revolucionario Túpac Amaru (Tupac Amaru Revolutionary Movement, Peru)
NATO	North Atlantic Treaty Organization
NGO	Nongovernmental Organization(s)
NIRA	National Institute for Research Advancement (Japan)
NPA	New People's Army (Philippines)
OC	organized crime
OSCE	Organization for Security and Cooperation in Europe
PIJ	Palestinian Islamic Jihad
PSI	Proliferation Security Initiative
RDD	radiolocial dispersion devices (a combination of conventional explosives and radioactive material)

RIRA	Real ($\rightarrow$) IRA, formed in early 1998 as clandestine armed wing of the 32-County Sovereignty Movement, a "political pressure group" dedicated to removing British forces from Northern Ireland and unifying Ireland.
SC	Security Council
SOLAS	Safety of Life at Sea Convention
STAR	Enhancing Secure Trade in the APEC Region
SUA Treaty	Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation
UNSCR	UN Security Council Resolution
VWP	Visa Waiver Program (Countries participating are:Andorra, Argentina, Australia, Austria, Belgium, Bermuda, Brunei, Canada, Denmark, Finland, France, Germany, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Portugal, San Marino, Singapore, Slovenia, Spain, Sweden, Switzerland, United Kingdom, and Uruguay)
WMD	weapons of mass destruction