Counterterrorism Policies and Strategies: Keys to Effective Interagency Cooperation and National Security

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"If I had a dollar for every time I have heard the words "better cooperation" in the context of countering terrorism, I would be a very rich man now!"

—Anonymous

Background

Reference to cooperation in the context that it does not work as well as it might is a point raised by many officials in many capitals during many meetings to discuss ways of improving the work of agencies in the campaign against terrorism, particularly transnational terrorism. It is a word often heard from many a podium when the "war on terrorism" is mentioned. It featured in the North Atlantic Treaty Organisation (NATO) statement of 12 September 2001, which pledged the organisation's commitment, "to undertake all efforts to combat the scourge of terrorism," adding, "we stand united in our belief that the ideals of partnership and *cooperation* will prevail."[142]

In a similar vein, on the same day, the United Nations Security Council unanimously adopted a resolution that "*calls* on all States to work together urgently to bring to justice" all those concerned with "these terrorist attacks" and "*calls* also the international community to redouble their efforts…by increased *cooperation* and full implementation of the relevant antiterrorist conventions and Security Council resolutions."[143] In these two cases, the reference to cooperation is at the international level. But true and effective multilateral cooperation, which will always be subject to national interests, needs to work first and foremost "at home." Then and only then are the multilateral efforts likely to make real progress.

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[142] North Atlantic Treaty Organisation – Chronology Update, Week 10–16 Sept 2001, http://www.nato.int.

[143] UN Security Council document S/RES/1368 (2001), 12 September 2001.

The security of a nation has always been and continues to be – quite correctly – a very sensitive national issue: it is one of the pillars of national sovereignty. It also is a matter of major political importance. After all, in most countries, the majority of the population – the law-abiding citizens – look to their government to provide a safe and secure environment in which they can go about their normal daily business. Most people in most countries would prefer to live in an environment in which business and enterprise can flourish, leading to a healthy economy, a reasonable standard of living, and a future for themselves and their families. They – the majority – would also prefer their societies be free from the threats posed by criminals, be they petty thieves or organised gangs, and more importantly, the threats posed by terrorists, domestic or otherwise.

It is the feeling of insecurity engendered by acts of terrorism that the terrorists exploit – terror itself being such a "cost-effective weapon." For example, following 9/11 there was a sharp reduction in air travel and long-range tourism. Fear of the unknown, the when and where and in what way the terrorists will next strike, plays upon all sectors of society and government. Governments themselves are very sensitive to the political implications of terrorist threats, as has been demonstrated by the result of the elections in Spain, which took place only a few days after the terrorist attacks in Madrid on 11 March 2004. Similarly, the attacks by Al Qaeda–related terrorist groups in Saudi Arabia have, since that of 12 May 2003, moved from attacking only "Westerners" in the Kingdom to attacking the very fabric of the state, with the 21 April 2004 attack on the "old" Public Security Centre. This has been followed by attacks against oil and petrochemical facilities at Yanbu (1 May 2004) and Khobar (29 May 2004). Besides the threat to the Saudi government, these attacks, along with others directed elsewhere at the oil industry, can affect the world price of oil, and with it the stability of the global economy.

There are many facets to combating terrorism, involving a variety of agencies, and these have to be well coordinated if nation-states are to provide their citizens and those of other countries with a safe and secure environment in which to live and in which their economies can flourish. Furthermore, combating transnational terrorism, "*terrorisme sans frontières*," of the type espoused by Usama bin Laden and associated with Al Qaeda and the evolving ideology, requires a comprehensive and concerted effort on the part of many countries. No one nation alone is going to defeat this scourge that currently threatens global peace and security, no matter how big and strong that country might be.

Once the dust had settled after the attacks in New York and Washington on 11 September 2001, many people, including relatives of the victims, government officials, journalists, and concerned citizens, began asking questions. How was it that there had been no warning signs?

Were there really no scraps or snippets of information concerning the Mohammed Atta group, however small, that might have been known to members of the various agencies in the United States responsible in some way for counterterrorism? Snippets, which if shared with all the relevant parties, might have themselves triggered other peoples' memories and prompted a more inquiring or investigative process to have been initiated? What was known in Germany and other European countries about the patterns of behaviour of those young Muslim fanatics? Behaviour that might have alerted the various agencies to have initiated follow-up inquiries or to have shared the information with other agencies, possibly even in other countries that might have resulted in greater interest being taken in the individuals and their activities? The posing of these questions is purely a backdrop against which to examine the subject under discussion. It is not in any way suggesting that the 9/11 attacks might have been averted if more notice had been taken of those pieces of information, which have subsequently come to light, and had been acted upon differently. Nonetheless, questions of this nature have prompted many to realise that closer cooperation, coordination, and sharing of information between agencies is necessary if similar attacks are to be avoided in future.

Aim

The aim of this paper is to examine the various ways in which cooperation is and can be achieved between the various agencies responsible for the many different aspects of countering terrorism within states, and the part this cooperation plays in ensuring national security.

Discussion

Good coordination and cooperation between the different elements of states' armed forces, which invariably involves sharing information, should be second nature to the military members of the conference. But in many countries, similar levels of cooperation are not necessarily the norm between the judiciary, police, and other agencies charged with national security. During the latter years of the Cold War era, as communications systems and the ability to handle and manage information improved, NATO had an acronym – "C^3I" – which was its abbreviation for *Command, Control, Communications, and Intelligence.* The same acronym has a place in today's counterterrorism vocabulary, but it should now be redefined as *Cooperation, Communication, Coordina-*

tion, and [*the sharing of*] *Information*, and is relevant to the agencies responsible for combating terrorism.

For the purposes of this discussion, "agencies" that could have a role with regard to national security or homeland defence are (where they exist) the following:

- Police forces, local and federal or national
- Border guards or border services
- Coast guards (where appropriate and empowered)
- Customs services
- Immigration services (if not a function of any of the above)
- Consular offices
- Financial police
- Treasury or finance ministry elements responsible for measures to suppress the financing of terrorist activities
- Financial intelligence units or their national equivalent
- "Secret" or state security/intelligence-gathering services
- Judiciary agencies
- Armed forces, where they have a role in aid of the civil powers or in national security, for example, "military border guard" or Explosive Ordnance Disposal (EOD) units
- Operators of air and surface transport, utilities, and major industrial infrastructure (be they state or private sector)
- Emergency services, including fire and medical departments

How states have structured and organised their various agencies to combat terrorism depends on a variety of criteria. These include a state's constitution, heritage, judicial system, culture, ethnic composition, religions, geography, and governmental structures. Counterterrorism (CT) policy and strategies are matters for individual states. However, in the campaign against terrorism, there are some principles that are worthy of consideration.

First of all, a clear and thorough assessment of the threat is crucial. The current threat of transnational terrorism (TNT) is complex and difficult to deal with, due to the diversity and the loose affiliations of the many groups now involved. There is a wealth of information available about transnational terrorism, the individual groups, and many of the terrorist leaders. However the capabilities, spread, and the extent of the sympathy that exist for the intentions and goals of transnational terrorists are often underestimated. There are states that acknowledge, within the presence of their Muslim minority populations, a small number of extreme fundamentalists or fundamentalist groups. However, in some cases the existence of these elements is not seen as a threat to that particular country. But despite such countries acknowledging that these ex-

tremist elements may pose a threat elsewhere regionally, the countries are often not in a position to act (judicially) or are reluctant (politically) to deal with the known groups or individuals. During the past two years many countries have introduced CT legislation and measures to enforce their new laws. Prior to 9/11, such legislation did not exist in many states. These new laws are designed to deal with the suppression of terrorist financing, supporting terrorist groups and activities, and committing terrorist acts. In order to implement and enforce these laws, new procedures and specialist units have to be established. Despite the progress made to date, there is still much work to be done.

The threat can be present in many ways, but good knowledge of it is invariably reliant upon the quality of local human intelligence (HUMINT). How the intelligence is gathered is of secondary importance in this discussion. What really matters is that what intelligence is available is thoroughly analysed and shared, as appropriate, between all those agencies that may in some way be required to react or respond to the information. This requirement often poses limitations in many countries, depending on how the intelligence was obtained. If the information is derived from "undercover" agents or some other form of clandestine source, the handling agency may be reluctant to share it for fear of compromising the sources. In other instances, it is not unknown for agencies to be unwilling to respond to queries for information they might be expected to possess but do not actually have, for fear of demonstrating deficiencies in their organisation.

Judicial proceedings against individuals charged with activities associated with terrorism can be another reason for those "in the know" to withhold information that might be crucial to fully assessing the threat. This in turn involves both national legislation and also concerns the rights of the individual. Due consideration must be taken of these important issues. In some states, evidence is only admissible in a court of law if it is presented as a result of a police or judicial investigation, such that it can be subject to cross-examination by the defence. In such cases, evidence that is based on intelligence reports is inadmissible. How these matters are managed and how to overcome such obstacles to effective law enforcement will have to be adjusted in the light of the threat posed and the attitude of the terrorists and their supporters, as compared to common criminals. There are still many countries that face a dilemma concerning individuals who are known to be connected to or have associated with terrorist groups but that have not actually committed a terrorist act. Even though they represent a danger to the state, these states are reluctant to seriously deal with the individuals. It is in this area of a state's overall response to countering terrorism that there need to be a good working relationship between legislators and law enforcement. The latter should be expected to advise the legislators on the practicalities of implementing the law and its effect on the CT effort as a whole.

Once the threat is clearly understood by all concerned, the next step is to ensure the available resources are structured to deal with the threat. Is the aim clear? What is expected of the different agencies? What are they intended to achieve? In most countries, the threat posed by transnational terrorism has crept up on us. Most countries have for many years had strategies and structures in place to deal with internal security, whether the terrorism to defend against was "home grown" or from external sources. Agencies have been established and organised in order to deal with the perceived threat within the borders of the individual state. The mix of agencies can be any combination drawn from the list above. Each will have a specific role to play and will answer to the government ministry or equivalent, which is ultimately responsible for its performance. It is also important when deciding on the role and shape of the different agencies to try and avoid overlap. Sometimes this is unavoidable, but every attempt should be made to identify areas where this occurs and to clarify responsibilities. Failure to do this can result in confusion and/or blurred responsibilities "falling between desks."

In many countries, agencies have had to, or still need to, adapt to meet the threat posed by TNT. Such changes can themselves be quite painful for the agencies, especially if it entails a major shift in the *modus operandi*. There is a saying that "you cannot teach an old dog new tricks." Bureaucratically based agencies often resent change and have demonstrated a marked ability to react negatively to it. In such situations where information is power, there is often the concern that the *raison d'être* of the agency can be challenged if it has to relinquish or share its information with other agencies. The existence of agencies often depends on the results they achieve. Results in combating TNT are invariably difficult to measure. There have been a number of occasions since 9/11 when attempts by terrorists to carry out attacks have been foiled. This has sometimes been due to good undercover work and the sharing of intelligence. But, for these very reasons, it is difficult to measure or quantify, and this too can ultimately have a bearing on the attitudes of those involved and the perception of the agency compared with other ones. An apparent lack of results can be seen as a threat to the existence of an agency.

Political reservations can also affect how a country tackles terrorism. The reservations can be at odds with the practical steps that have to be taken. Conflicts of interest can occur when governments are oversensitive to the presence and attitudes of minority communities that are sympathetic to the aspirations of or the cause espoused by the terrorists or the terrorist ideology. The outcome of such an approach can be quite counterproductive. Combating TNT is a tough business that calls for tough measures and difficult political decisions.

This medley of factors, by no means exhaustive, which can have an effect on the development of an effective national CT policy, is intended to serve as part of the backdrop that will govern how the different agencies work together. Good CT measures are not a major scientific subject. They must be based on common sense. There are many ways of achieving the same end, some of which have proved the test of time and others, which are more innovative and can be described as "groundbreaking." Practice has shown that success is more often achieved if the approach chosen is simple and straightforward. The more complex a policy and the resulting procedures, the more difficult it will be to implement. Hence rule number one: keep it simple!

The next point, in deciding upon the structure(s) necessary to combat the threat, is to look at what is already in place and working, and how they can be adapted to meet the new challenges. Far too often, new organisations designed to share information and expertise have to be established, especially after terrorists have pulled off a successful attack. The perceived need for such new organisations invariably lies in the requirement for politicians to "be seen to be doing something." However, a new organisation needs resources. If it is to be effective, invariably, the result is the denuding of resources that are critical to the agencies or contributing countries, in the case of regional actions. In combating transnational terrorism, the people involved in the different agencies require certain skills and experience that are usually in great demand and short supply, for example, very specific language skills and/or detailed knowledge of cultures, religions, and "local" politics. Such high-value human resource assets are vital to states' ability to combat terrorism. Agencies can ill-afford to deploy them to other organisations. Notwithstanding the above, there does need to be a point in all states where the information that can be shared comes together from all the agencies involved in the CT effort. How this sort of centre is staffed will depend very much on the intensity of the threat to that state and the availability of resources.

Care should also be taken "not to reinvent the wheel!" Too often, rather than looking carefully to see what is already in place and either making it work better or adapting it to meet the newly perceived threat, a whole new structure is put in place. As discussed above, this only causes unnecessary disruption and turbulence at a time when "cool heads" and a "steady hand on the tiller" are what are really necessary and will prove most effective, both in the short and the long term.

It is perhaps appropriate at this juncture to look in general terms at some different approaches that have been or are still being employed; measures that have built on their individual or collective success. There are many ways of achieving the required result, and these have to be tailored to suit an individual state's criteria.

Rather than laying down formalised channels for sharing vital information, which certain agencies will avoid for some of the reasons stated above, it is better to rely on well-established informal relationships that exist and are known to work, often on the basis of trust. This peer-to-peer approach, often on the basis of initial meetings at conferences, seminars, or training courses, has proved very effective. This has been particularly true with respect to the dissemination of vital information, which has enabled a number of quite specific terrorist attacks to have been thwarted or foiled.

Exchanging liaison officers (LOs), a more formal approach in the same vein, allows for the development of the trust factor and provide the means for a rapid sharing of information. With well-motivated and well-informed liaison officers, a two-way exchange is often achieved, benefiting both the organisation to which the LO is attached as well as his own.

At the other end of the scale is the establishment of comprehensive "all-singing-and all-dancing" joint information and/or operations centres in which most, if not all, of the agencies available to a state for the purpose of combating terrorism are represented. Such centres have their merits, because individual experts from each of the agencies have the opportunity to work together in an environment of mutual trust and understanding. However, such centres are expensive in terms of people and equipment, and are vulnerable to attack or being neutralised in the event of a major incident. Their role as a nerve centre can become compromised or even be made redundant at a vital moment.

Agencies, particularly in the more economically advanced countries, have developed highly sophisticated information and data processing systems to manage the flow, analysis, and reporting of intelligence and information relating to the terrorist threat. However, it is often the case that agencies' systems are incompatible and unable to communicate with one another. In this day and age of hackers, computer viruses, and other means of electronic attack, such communications deficiencies may be an advantage for, and reduce the vulnerability of, national data systems. Thus the human interface remains of the utmost importance.

In addition, many of the information systems have technical limitations of their own. When dealing with individuals or entities, they require numerous identifiers to ensure that the persons concerned can be recognised quickly and accurately, and not mistaken for another person. Without sufficient identifiers, the systems are ineffective, and in this case cannot be replaced by the intervention of human resources.

Actual communications systems are another area of contention, which can reduce the effectiveness of interagency cooperation. Many front line operators or "first responders," as some of them are called in some countries, have been known to complain that they are unable to speak to operators from other agencies with which they have to coordi-

nate their operations. Due consideration therefore has to be given to the provision of sufficient channels or links to meet the operational intercommunication called for in a national CT strategy. Those of different agencies that need to talk to one another must be able so to do, but the facility must never be so extensive that anyone and everyone can "jump in on the net." Too much information can be just as counterproductive as too little. There is still merit in maintaining an effective "need-to-know" system with regard to whom and how information is shared. Good and well-planned management of information-sharing requirements are a crucial prerequisite of effective counterterrorism policies.

In developing and implementing effective CT policies and strategies, the importance of the "human factor" is crucial. Mention has been made of the importance of sharing information between peers. This aspect of CT work is not confined to national interagency cooperation. It is equally important in the international arena, particularly with respect to bilateral arrangements. The importance of exchanging liaison officers has also been mentioned. This method of facilitating the sharing of information works as well intrastate as it does interstate. However, the effectiveness of both these methods of exchanging information relies heavily on the human factor. In the majority of cases, agencies tend to provide LOs who are knowledgeable, competent, and have the ability to operate in another working environment. Such an environment may be very different from the one to which they are accustomed. Provided these "human" criteria can be met, there is another aspect which, for a variety of understandable reasons, is often overlooked or ignored – continuity. In most countries, particularly when dealing with a subject as complex as TNT, maintaining the continuity of people in such important posts is crucial to the long-term results. The terrorist groups have no time constraints and no deadlines to meet. They have all the time in the world. Too often in the developed world, the officials involved in the CT business have career paths to be followed and they have to move on to other appointments, at the expense of perhaps effectively countering the terrorists. In other circumstances, politics takes over and people are changed, despite their institutional knowledge and expertise, because they are deemed, no matter how committed to the task in hand, to be of the wrong political persuasion. Loss of continuity has an adverse effect, often quite seriously, on both the internal workings of an agency and more importantly, on interagency cooperation. There is nothing worse than one group of dedicated individuals finding new faces across the table every time they attend interagency meetings.

Regular interagency meetings are another means of establishing good cooperation and developing means of communication between the various agencies involved in combating terrorism. However, if the meetings are too frequent, their value becomes questionable. If they are too infrequent, then too much may have happened in the interim period, which

has to be handled through other channels, once again detracting the value of the meetings. It thus becomes a fine judgement as to how often the meetings should be held. Provided the agendas are correctly focused and clearly defined and realistic targets are set and met, interagency meetings can be useful instruments in the overall CT strategy. However, the importance, once again, of continuity of the people involved has to be emphasised if such a programme of meetings is to be effective.

In many countries, many of the agencies involved in combating terrorism have some form of situation reporting centre (or SITCEN), which provides a focal point for its operations. These may be combined with other functions of the agency. The centres in turn will have national reporting channels. Interagency cooperation, which will be crucial in the event of major terrorist incidents coming to light or actually happening, will require careful coordination and good communications and procedures. Consequently, it is extremely important that whatever interagency structures and procedures are established, they are rehearsed on a regular basis. Only with realistic exercises will all the systems be tested and deficiencies and lacunae identified, prior to a real incident.

Summary and Conclusions

In conclusion, this summary contains some of the key aspects to be considered when drafting a national CT policy and developing good interagency cooperation and coordination.

- Good interagency cooperation and coordination are crucial elements in combating terrorism, especially transnational terrorism.
- Effective interagency cooperation depends on the timely and accurate sharing of intelligence and information, and requires a reliable means of communication.
- Most states have a variety of communication facilities available to their different agencies involved in the CT effort, but these are often incompatible.
- Joint facilities, which bring all the different agencies together under one roof, if a permanent setup, require significant human and technical resources. Many countries have difficulty in providing sufficient resources to combat terrorism. Consequently, what resources are available have to be assigned to other aspects of the campaign.
- The exchange of liaison officers between agencies can provide a relatively cost-effective option from which both sides benefit – the LO's parent agency and that agency to which he is attached.

- As resources are invariably a critical factor, there is considerable merit in looking to adapt those structures/agencies that already exist or even making them more effective, rather than believing that the response always lies in setting up new agencies or organisations. It is important to avoid duplication of effort.
- It is important in establishing the requirement not to reinvent the wheel. The aim and results to be achieved are paramount in deciding the shape and size of the relevant agencies.
- A clear understanding of the threat is also a crucial factor in determining the organisation of the various agencies established to combat it.
- There needs to be good and effective cooperation between those officials responsible for drafting legislation and the officials responsible for enforcing the law. This is particularly important when dealing with the threat posed by TNT.
- Simplicity is the keynote of success. The more simple and straightforward the structures of the agencies and the methods by which they cooperate, the greater the chance of success in countering transnational terrorism.