International Peace Academy

Responding to Terrorism:
What Role for the United Nations?
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CONFERENCE REPORT

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Executive Summary

The International Peace Academy held a conference on *"Responding to Terrorism: What Role for the United Nations?"* on Oct. 25-26, 2002 in New York. In addition to the focus on possible UN initiatives, the conference specifically sought the insights and recommendations of experts from Latin America, Africa and Asia, parts of the world that have suffered greatly from terrorism but whose views and prescriptions are often overlooked or omitted from the debate.

The presentations made by the various panelists provoked lively exchanges. Participants offered incisive comments on the nature of modern terrorism, the links between religion and terrorism and the economic, social and cultural components of the appeal of terrorism to those who feel the system, both local and international, is rigged against them. The conference also considered how international laws on armed conflict and human rights could help combat terrorism; at the same time many affirmed that this struggle could not be at the expense of fundamental rights and freedoms. This would only help the terrorists who frequently take advantage of rights violations to heighten their appeal. The role of international banking and financial channels was seen as essential to choking off funds to terrorists but again had to be handled with care to avoid stifling legitimate investments, trade and charities which would only fuel resentments and grievances.

The conference identified several challenges where the UN needs to direct its resources and energies to fight terrorism.

First, the UN should exert its moral authority and send an unequivocal message that terrorism is never acceptable, even for the worthiest of causes. The Secretary-General should take a lead role in propagating this message.

Second, the UN's failure to define terrorism has hurt the organization and the fight against terror. This lack of a definition is much more than a battle over semantics and has real consequences. The lack of agreement on what constitutes "terrorism" exposes the UN to charges that it uses double-standards which undermines the very legitimacy and universality that are among the

UN's most precious assets. Several participants concluded that the General Assembly should forge a definition as an urgent priority.

Third, the Department of Public Information should design a campaign promoting tolerance and understanding among all cultures and religions. The well-intentioned "dialogue among civilizations" has had little discernible impact and a more concerted, focused and publicized effort is needed, one that reaches grass-roots societies beyond the narrow elites in the capitals. Again, the Secretary-General occupies a unique position to lead and sustain such an initiative and his role should be carefully planned.

Fourth, the UN should enhance its work in sustainable development, poverty reduction, improved governance and strengthening the rule of law. These are valuable programs in their own right but their role in reducing the appeal of terrorists and in addressing the lack of opportunities and grievances that terrorists exploit to gain recruits, financing and support needs to be recognized. An even more explicit appeal to governments to rule fairly, to represent all parts of the population and to give people hope in a future will diminish the attraction of extremist views and thus of terrorists.

Fifth, the UN needs to reassess its relationship with religions. The UN needs to become more comfortable dealing with religious issues and sponsoring and engaging in discussions about the role of religion in international affairs. Secularism does not have to mean being anti-religious, so that while the UN should remain a secular organization, it should not be seen as indifferent to religion.

Sixth, the fight against terrorism provides an opportunity to reconsider the boundaries of sovereignty, between the "essentially domestic matters" and those that are legitimately the concern of the UN. This boundary has shifted quite a bit since the UN's founding; issues like human rights and the environment have led the way. Now questions like the HIV/AIDS pandemic, the illegal arms trade and trafficking in humans require concerted efforts by the UN and the international community, including "intrusions" into how a state is addressing these questions within its borders. The state's role in education, whether the curriculum promotes tolerance and respect for other cultures and religions is a sensitive issue but one that is no longer purely in the domain of the state but is of concern to the entire world. Terrorism raises such new questions that in turn alter long-held assumptions about the relations among the UN, its agencies, its member-states and the principle of sovereignty as enshrined in the Charter. The Security Council's Counter-Terrorism Committee could be a crucial instrument to improve domestic capacity in the areas of governance, rule of law and respect for human rights while at the same time affirming these issues as legitimate concerns for the UN.

Seventh and last, terrorism challenges the fundamental principles of the United Nations. Will the UN rise to the challenge? Part of the answer depends on whether the UN can forge effective policies as a system, beyond the sum of its member-states parts and the national interests of its most powerful members. The fight against terrorism presents opportunities and the challenges for creative change within the entire UN system. It was the participants' hope that the UN would embrace both.

Modern Terrorism: An Overview

Despite its international reach, terrorism usually springs from local civil conflicts that reflect specific grievances. Terrorism is not a cultural phenomenon, rather it is a political one. Terrorists have exploited globalization to act internationally when this suits their goals; otherwise, the focus remains local. What has changed recently is terrorism's ability to spread ideologies quickly across borders thus "globalizing" what are still most often essentially local political conflicts. A strategic choice is made about whether to use the tactic of terror locally or to "go international." The speed at which terrorist organizations can act internationally, spread their ideologies and garner financial support from far-flung *diasporas* has dramatically accelerated; this is the most fundamental change in terrorism compared to the 1970s. Even the most anti-modernist puritanical movements have embraced modern technology, jet travel, global trading, finance and instant communications networks to conduct their campaigns. Another trend is the increasing professionalization of terrorists. The last few years have seen fewer attacks but their lethality has increased.

The more than 200 terrorist groups located in the Global South are using the Global North to raise money, establish cells and conduct training exercises. These groups often use the protections of the liberal democracies to shield their activities. They move and hold their money in the modern banking sector, while exploiting "charities" and other legitimate fund-raising channels to hide their activities. The Global North faces a demanding challenge of balancing its traditional respect for civil liberties with the duty to protect its residents from harm.

Since September 11, 2001, counter-terrorism has seen a huge change; information sharing has increased. States are cracking down on the international financial networks used by terrorists. Fund-raising among *diaspora* communities is much more tightly monitored. Extradition of terrorist suspects is swifter. Joint-training in counter-terrorism and initiatives to harmonize disparate judicial systems also have mushroomed. Technical lessons learned from fighting organized crime have proved useful in the struggle against terrorism. Several conference participants noted, however, that it took the attacks of September 11 in the United States to bring home to much of the Global North the previously "obscure conflicts" of the south. These could no longer be ignored or consigned as of "marginal interest" to what passed as *realpolitik* before September 11.

There is no single "big answer" on how to respond to terrorism. Every response has drawbacks. For example, the use of force may be appropriate in certain cases but it is also problematic since its use can create new resentments, grievances and even the next generation of terrorists. Some states will exploit the legitimate desire to fight terrorism to crack down on legitimate opposition, ethnic minorities or others who are seen as "problems."

Participants noted that terrorism is a method of the weak and is the ultimate form of asymmetric warfare. People who have prospects, hope and choices do not usually become terrorists. Human insecurity, broadly understood, provides the enabling conditions for terrorism to flourish. Yet terrorism remains rare, only a small number of people are actively engaged in it and terrorism has rarely succeeded. More research is needed to understand why terrorism has not been tried in places that would seem to provide all the ingredients for it to flourish. Participants observed that change has frequently occurred without resorting to terrorism.

The vexing definition problem arose several times during the conference. Participants agreed that some consensus on the definition of terrorism is necessary to provide moral clarity, eliminate the chance that double-standards would be applied and create conditions for real unity in the fight against terrorism. The UN has a key role to play here; at the least the UN should take the lead in condemning the deliberate killing of civilians. It was suggested that the Secretary-General has tremendous moral authority and could shape the public discourse on the illegitimacy of terrorism as a tactic, regardless of the legitimacy of the cause.

The UN should also address the absence of the rule of law and effective governance in states, often enabling terrorists to flourish. States that lack legitimacy and control over the economy and other traditional levers of power provide the space and oxygen for terrorist groups to flourish. Thus state sponsorship of terrorism can be either active and involve acts of commission, or passive and involve acts of omission. In either case, the UN faces a dilemma: member-states enjoy legitimacy in the UN system even though they may be hosting, tolerating and/or supporting terrorists. States also resent what they deem as interference in their internal affairs; they don't welcome outsiders opining on human rights, governance, rule of law and corruption within their borders. The UN has lowered the barriers of sovereignty in all these areas over the past few years but the fight against terrorism will require a further realignment of the fluid border between internal matters and those of universal concern. Many at the conference saw the need for increasing involvement, even intrusion, into how states behave.

While there is no simple causality between poverty and terrorism, the UN and the international financial institutions must address chronic poverty and underdevelopment not only because this is the right thing to do but it will also limit terrorists' ability to seek support from those who remain mired in hopeless poverty. Participants recognized that these are very long-term responses but that made it even more important to start and maintain focused and rigorous programs that yield real, tangible, visible results.

By focusing on the rule of law, upholding human rights, working for greater freedom and supporting social and economic progress, the UN would be fulfilling the fundamental principles found in its own Charter while simultaneously occupying its proper place in the struggle against terrorism. Public diplomacy, with the UN in the lead, is also crucial in the effort to make terrorism absolutely unacceptable. A coherent and consistent public information campaign forged by the Department of Public Information with the Secretary-General as lead advocate exploits one of the UN's greatest strengths: its embodiment of universal moral authority. The experts' consensus at the meeting was that the UN had not been fulfilling all its potential in the anti-terrorism struggle but now there was an opportunity to have an impact.

Religion and Terrorism

While conference participants agreed that the act of terrorism is a crime, the phenomenon itself is much larger, encompassing politics, ideology and religion. One formulation offered at the conference was that terrorism is essentially political and expresses the "outward manifestation of the convinced rage of the empowered dispossessed." This includes three separate elements: a feeling of injustice, a group that has the capacity to do something about this injustice and the conviction that what they do is meaningful. The key challenge is to convince such groups that terrorism is an illegitimate response to injustice.

This leads to the question of why terrorism is so prevalent among Muslims today, prevalent but not exclusive. One analyst proposed that the "West" through the lens of 800 years of history dating from the Crusades, is seen by many as the source of everything wrong in the Moslem world. The West as Satan filled with spies, military invaders, economic exploiters and cultural corrupters fuels this vision of a cataclysmic struggle to preserve an entire way of life and belief system that is under assault.

On the ideological level, some scholars maintain that Osama Bin Laden and other extremists have stripped Islam from its ethical and moral moorings. Meanwhile, globalization has empowered the enraged to act on their hatred, whatever their religion.

The way to oppose the appeal of terrorism in the Moslem world is to offer an alternative vision: promote justice and accountable government to address injustice, use globalization as a positive force and encourage a real dialogue among civilizations so that the true values and beliefs of Islam will emerge. Resolution of the Arab-Israel conflict is necessary but not sufficient in this regard. The recent Arab Human Development Report, written by Arabs, had a huge impact in the Arab world in this regard, showing how weak governance and the failure to allow women full participation in the economic sphere had left the Arab world far behind most regions of the world in every important measure. This could have the further effect of informing various *diaspora* populations of the real causes of underdevelopment and poverty in the region and thus lessen their support for terrorists. Here again participants emphasized the importance of a carefully crafted UN public information campaign.

Other major world religions have also had terrorists acting in their name. Sikhs in the Punjab wondered how their religion could have anything to do with the string of killings in the 1970s. Christian, Jewish, Hindu and Buddhist extremists have also killed civilians in the name of God. Religion has been used to justify killing and provides powerful images of a cosmic struggle. Terrorists then use religion to ennoble a local struggle.

The UN and others opposing terrorism should avoid the trap of responding to terrorism as though it were a war because this plays into the hands of the terrorists. They want to explain and ground their struggle as an all-consuming war that justifies any means necessary, including terrorism. Rather than encourage this approach that uses the language and images of war and battles, the UN should focus on an approach that emphasizes values embedded in all the world's great religions. The UN should be at the forefront of promoting tolerance and respect for diversity among all religious faiths. The UN has not always done this; one recent example is the treatment of the Dalai Lama who was not admitted into several UN meetings dealing with human rights.

The UN has typically avoided discussing religion and has always treated the subject with great caution. The "dialogue among civilizations" was an attempt to foster greater discussion and understanding, but its impact has been limited. UNESCO's role in the area of religion has also been restricted. Is this another area, like human rights, governance, the environment, the rule of law and related areas traditionally viewed as "internal state behavior" where the UN will have to have a greater voice and promote more assertive policies?

Secular leaders and institutions cannot provide all the answers. Religious leaders should come forward and reclaim their religion's messages. Up until now, bin Laden appears to have won the battle of who speaks for the Moslem world, so others who have the vision and understanding of

true Islam must contest his pre-eminence. How can the UN best support Islamic leaders and the spokespersons of other religions so that the extremists in each do not dominate the debate?

The new world after September 11 requires new thinking and acting at the UN, especially when it comes to religion. Some participants, while recognizing the political hurdles to be overcome, appealed for the UN to redefine itself to become more than the mere sum of its member states. Just as various religions have experienced "rebirths" or an *aggiornamento*", perhaps it is time for the UN, which like all organizations finds change difficult, to adapt itself to this new, fast-changing world.

Terrorism: the debate over "root causes"

Participants examined a controversial issue: what causes terrorism. Terrorism's causes are complex and it is a mistake to look for a simplistic link between poverty or underdevelopment and terrorism; examples abound of poor states that do not experience terrorism and rich states that do. One fruitful analytical path is examining the relationship between income inequality and terrorism. Researchers have shown that the link between war and income inequality is very strong. If income inequality is too steep, people at the bottom feel little loyalty to the political system and the attraction of violence, including terrorism, can be strong. Terrorism is thus often linked to a sense of injustice and impotence rather than sheer poverty. It can be a form of vengeance by those who feel left out, ignored and scorned. The absence of hope can drive people to terrorism, or at least to support those that commit it.

The new international global system with its growing institutions, trade and technological capacities, can exacerbate real and perceived inequities, creating greater inequalities between and within states. Terrorists can exploit these gaps, using modern communications and jet travel to preach their ideologies, raise funds, recruit and hide. While there may be a growth in democratic institutions at the national level, in many parts of the world the deepening asymmetries at the international level fuel resentments. Many in the Global South feel shut out of the new international system and see it as a repressive regime where they have no voice. This is very dangerous.

More research is needed on what conditions allow terrorism to grow, yet one key element that seems to inhibit terrorism is allowing people full participation in the economic and political systems of their states or in the new globalized international system. People with a voice, who believe their views count, are less likely to engage in or support terrorism.

The "war on terrorism", in addition to playing into the terrorists' hands as described above, could also undermine the efforts to achieve greater accountability and better governance in areas where terrorists flourish. Some fear that Africa, for example, will receive less and less international assistance, and of this shrinking pool more will be directed to security forces. Less aid will be directed to democratization efforts, including judicial institutions, local government, health care and education. The support for repressive regimes in Africa to fight terrorism will probably grow. The result will be stable but weak states, not a good scenario for combating terrorism or the conditions that enable it to flourish.

The definitional question came up in the discussion of "root causes". It is a substantive question that affects one's response to terrorism and the strategies designed to prevent it. The lack of a

definition inhibits research and analysis. For example, attacks on civilians are usually part of most definitions of terrorism. Yet modern warfare now has 10 times as many civilian casualties as combatants. It is important to differentiate between war that includes many civilian casualties and terrorism which may occur outside a conflict or be used by parties to a conflict at various times.

Finally, participants noted that the discussion on "root causes" of terrorism is not a justification for it but rather allows a deeper understanding of the phenomenon that should lead to more effective responses and preventive measures. For example, while the situation in Palestine is an enormous grievance, using terrorism as a tactic in response is not legitimate. Terrorists hijack a just cause and then exploit real grievances, including economic inequities and misrule. A harsh state response, including the use of force or draconian legislation that curtails civil liberties and authorizes media crackdowns and racial/ethnic profiling, can strengthen the terrorists' appeal and provide them additional grievances to exploit.

Two broad recommendations emerged from the discussion on the root causes of terrorism. UN development programs should be designed to promote a broader definition of human security, emphasizing the right to development. Development projects should address three deficiencies that terrorists often exploit: gaps in freedom, knowledge and women's equality. UN educational and cultural programs should promote scientific research, critical thinking and logic. This may tread on sensitive questions like school curricula but this is perhaps another area where the UN may need to adopt fresh thinking and new initiatives and not be bashful about inserting itself into the debate. Several people wondered how the UN could best counter the appeal of the culture of the "Koran and the Kalashnikov." While ideologies and vested interests clash, cultures do not and often share more values than is realized. UN programs should address more strategically citizen participation, government accountability and transparency; the greater the stake that citizens have in their societies the less likely they will support terrorism.

International Law and Terrorism

A central theme discussed during the conference was how to protect human rights and respect for the rule of law while at the same time combating terrorists who care little about either.

International humanitarian law (IHL) or the laws of armed conflict have an important but limited role in the fight against terrorism. IHL does not define terrorism but it prohibits all acts of terror and establishes that these are international crimes requiring prosecution. IHL has been widely ratified, especially the four Geneva Conventions of 1949. Protocol I of 1977, which provides extensive protections for civilians in international armed conflicts, has been ratified by 160 states but has not been ratified by the U.S., Israel, Pakistan, India, North Korea, Iran and Iraq among others. Protocol II specifies protections of civilians in non-international armed conflicts and has fewer ratifications. The application of these laws, however, is limited to situations of armed conflict. Acts of terror that are not part of an overall armed conflict as defined in the Geneva Conventions and Protocols are not covered by IHL. This is a major limiting factor in the usefulness of IHL in the fight against terror.

The Third Geneva Convention covers prisoners of war; if terrorists participate in an international armed conflict and are captured, they may benefit from the protections of the Convention. In

unclear cases, IHL establishes a quick and flexible procedure, much like an administrative hearing, to establish the detainee's status. Regrettably, the US has not created such a process for the detainees in Guantanamo Bay, Cuba. Even if a detainee is granted POW status, this does not mean impunity attaches. On the contrary, if terrorists have committed a grave breach of the Conventions or a war crime then prosecution is mandatory even if they are a POW. If the detainee is not a POW, then standards of treatment and conditions and fair trial guarantees found in international human rights law still apply. In no case is torture or cruel, inhuman or degrading treatment or punishment ever allowed.

Some commentators have suggested that IHL created in 1949 and 1977 is ill-suited for modern terrorism. Harvard University has conducted a research project to study whether and how IHL may need to be amended to address problems arising out of modern conflicts, including terrorism. Should there be a new category of "illegal combatant" recognized under international law? Who would decide and based on what criteria? Whatever changes may emerge, it will be crucial to maintain the non-political character of IHL. The current "war on terrorism" has damaged the Third Geneva Convention. The focus should be on better implementation of existing law.

Concerning human rights law, Security Council Resolution 1373 has important implications. First, it relies on Chapter VII enforcement powers, something the Security Council has been reluctant to employ when it comes to human rights. The resolution requires asset freezes and local prosecutions of terrorists. It also calls for states not to grant refugee status to those who are deemed terrorists. This is consistent with international refugee law, in particular the Convention on Refugees (1951) which excludes from refugee status anyone who has committed a war crime or crime against humanity. The High Commissioner for Human Rights has declared that terrorism is a crime against humanity.

Nevertheless, the Office of the High Commissioner for Human Rights has expressed its concerns about the application of SCR 1373 to the Counter-Terrorism Committee (CTC) charged with overseeing the resolution's implementation. The CTC is a new tool and offers great potential to hold states accountable for their behavior and could prove to be an important innovation in enhancing the capacity of states to uphold the rule of law even when struggling against those who have no respect for rights. Some states have enacted restrictive laws in the name of fighting terrorism. The Secretary-General, however, has stated that there should be no trade-off between respect for human rights and combating terrorism. The CTC has no human rights mandate, nor does its staff have significant expertise on human rights. Other parts of the UN system, especially the human rights treaty bodies and special rapporteurs could work closely with the CTC to exchange information on specific rights issues and how member-states could fight terrorism while at the same time maximize human rights protection.

Since human rights violations feed terrorism, some participants felt that the UN had to adopt a more pro-active approach and not be overly defensive or try to evade the issue. Yet the political environment is very difficult for human rights advocacy as many states cloak unpopular or dissident groups in the terrorist mantle.

The UN's human rights work should also try to de-legitimize violence by emphasizing economic, social and cultural rights. The targets declared recently at major conferences on development in Johannesburg and Monterrey, and campaigns geared to reach the Millenium Development Goals would infuse hope, lessen resentment and thus drain the potential pool of

terrorist support. Promoting tolerance and attacking xenophobia are also important tasks for the High Commissioner for Human Rights.

Financing Terrorism

One of Security Council Resolution 1373's goals is to deny terrorists access to funds. The Counter-Terrorism Committee seeks to make an elaborate series of sanctions work, gather financial intelligence on terrorist networks while limiting harm to those not involved in terrorism. Yet there is a persistent gap in understanding between the Security Council and the practicalities of international finance and banking, between what the Security Council wants and what the bankers can do.

The key component to cutting off funding is cooperation among all states; if just a few abuse the rules or do not cooperate, the resolution will not be effective. The recent report by the Council on Foreign Relations supports this conclusion, noting that cooperation must be a priority and it deplores any efforts by the U.S. to "go it alone."

The Security Council needs to remind member-states that their cooperation is required not only because Security Council resolutions are binding, but also because their obligations under the UN Charter require unified action in fighting terrorism. The CTC mechanisms, if successful, could also be used in the fight against organized crime, the illegal arms trade and trafficking in humans.

All banking transactions leave a trail; transactions can be traced. The banking system can identify parties after a terrorist attack and may even help before such an attack. Terrorists are not fools and like to earn interest and high returns on their money like everyone else. The bulk of terrorist financing does at one time or another go through the highly regulated international banking system. While the World Bank, IMF and regional banks have done little so far in this area, the OECD has recently shown greater interest and its Financial Action Task Force (FATF) has issued eight recommendations on dealing with terrorist financing. Some states in the south have reacted negatively to the FATF and see it as an effort to impose solutions from the north. Yet the peer review process among states, as the experience with the Anti-Bribery Convention (1997) shows, is an important innovation that mitigates any north-south divide and has been effective. The Security Council could use the OECD and the FATF as informal think tanks or idea generators. The CTC could then ask all member states to vet and assess these ideas. This would sharpen the policy-making process while simultaneously engaging states outside the OECD orbit. This peer review system could enhance the CTC's expertise should this system spread beyond the substantive confines of SCR 1373.

While increased resources, attention and skill have evolved quickly in the effort to stifle funding to terrorist organizations, some efforts have harmed real charities and the "*Havala*" banking system common not only in the Middle East but in many parts of the world. This "collateral damage" can alienate people whose support the UN needs and generate greater resentments. Counter-terrorism efforts must be harmonized, otherwise one may undermine the other. Rather than paralyzing the whole informal banking system, the UN and others should study how these informal systems work. In Afghanistan and Somalia, for example, these are the only banking and financial mechanisms that work.

One participant noted that as the monitoring of international financial transactions has improved, terrorists have started using "clean" money transactions much as organized crime syndicates launder their money. This underscores the need for law enforcement organizations to have on staff experts in international banking and finance. The UN also needs greater financial expertise which it has traditionally lacked; this is perhaps another area where the UN may need to reinvent itself. The UN must understand banking and finance much better and overcome its traditional aversion to money matters. It must engage more profoundly with the business world and extend a genuine invitation to bankers and financial experts to help make policy. The UN's efforts to deny funds to terrorists should also encourage more thinking on identifying the extent of Article 41 powers under the Charter.

The Fight against Terror: Final Observations

The UN's goal in the campaign against terrorism is to deter and prevent future terrorist acts. The CTC works through governments whose obligations under SCR 1373 are to take effective preventive measures. This requires capacity-building in many member-states to improve their ability to monitor terrorists, deny funds, control their borders and strengthen law enforcement, all while respecting the UN's own international human rights standards. The CTC seeks to enhance the Member-States' performance in combating terror through advice, capacity-building and constructive monitoring, but the CTC is not a tribunal judging or condemning state performance.

The CTC can be seen as a hub for collective responses to this global challenge but not as an actor itself. Another metaphor describes the CTC as a "fitness trainer", exhorting and advising member-states on how to fight terrorism. It should be a catalyst for coherent and effective international action, legitimizing and impartial, establishing norms and insuring that terrorism is de-legitimized.

Yet to succeed in all these efforts, the UN must face the reality of prevailing perceptions, especially in the Middle East, that the "secular" West dominates the world. And there is anger and resentment, both at this "cultural invasion" and at governments who have failed to deliver basic services and have failed to protect Islam. Authoritarian states, including those in the Middle East, have alienated their own populations, stifled all opposition so that the only outlet is through religious extremism, and turned prisons into breeding grounds for terrorists.

Meanwhile, the challenge to respect human rights is real; there is a fine line, as many see it, between respecting human rights and fighting terrorists whose very acts violate human rights and who, if they came to power, would not hesitate to violate rights further. It was noted that terrorists are patient and persistent; the Muslim Brotherhood in Egypt has been around since 1928. How can the UN best help the modernization of the Arab world? How to empower women, create a true dialogue among cultures and grapple with enormous social and economic problems? The Arab-Israeli conflict exacerbates all these problems and its resolution is seen by some as essential to reducing terrorism. Yet solving the conflict alone will not end terrorism.

One systemic hurdle for the UN is that while the UN must respect state sovereignty and borders, terrorists do not. A global, not state-centered, response is needed and the UN does not have one yet. A policy based on the UN's greatest strength, its legitimacy as the sole global institution, will help bridge gaps between different parts of the world and would be instrumental in assuring the world's 1.2 billion Muslims that there is no war against them. To do this, the UN must be

unified and consistent, especially in enforcing all Security Council resolutions (concerning the Middle East, poverty reduction, Millenium Development Goals etc.). Here the US must realize that it is in its own best interest to have a strong, not a weak, UN.

Terrorism is not an easy subject for the UN, forcing it to ask hard questions of itself and to re-examine some cherished assumptions. Combating terrorism may require the UN to change what it does, how it does it and its priorities. This is never easy. To avoid double-standards and charges of partiality which undermine the UN's legitimacy, the UN must produce a workable and universally accepted definition of terrorism; much more than mere semantics is at stake. The failure of the General Assembly to define terrorism has weakened the entire UN's credibility. Likewise, the CTC's reluctance to take a more active stance on human rights issues may hamper its effectiveness and credibility. The Office of the High Commissioner for Human Rights should identify creative and mutually supportive initiatives that would allow the CTC to draw on the UN system's extensive human rights expertise in ways that would support Member-States efforts to reconcile human rights with anti-terrorism. The HCHR should be exploiting this ferment in the system to energize the various human rights mechanisms so that they offer, and not wait to be asked, constructive ideas and innovative insights to Member-States through the CTC.

The notion of state sovereignty, always evolving, must undergo further evolution in the fight against terrorism. Just how much the UN and individual states may "interfere" in domestic matters should be up for review. For example, the US assistance program to the Colombian armed forces has numerous human rights requirements that traditionally would be considered highly intrusive. Yet this approach has benefited the Colombian army and the population; the army has been forced to improve its behavior. Democratic and rights-respecting armies are more effective.

The fight against terrorism forces the UN to examine its character and self-image. Can the UN become more than just a collection of 191 Member-States and embody a truly global consensus that submerges narrow national interests to the greater goals found in the Charter, including to "reaffirm faith in fundamental human rights, in the dignity and worth of the human person" and "to practice tolerance and live together in peace?" To contain, if not defeat terrorism, it may have to.