

Terrorism, linkage and international cooperation

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THE concept of law changes from time to time, and consequently that of crime also undergoes a transformation due to the passage of time. The concept of legal equality is a gift of the eighteenth century, that of political equality is a gift of the twentieth century. With the induction of social and economic equality in the realm of human thought, sociological ideas have undergone a sea change and the concept of security has been a victim of this transformation. And out of this has merged two important aspects of enforcement: the first is Community Policing and the second is International Cooperation.

A critical trend is the rise of what has been called globalisation, at the heart of which is the realisation of the increasing interdependence of the world community. It is not the idealistic vision of One World. It is driven by pragmatic consideration which also involves heightened awareness of a new generation of problems common to all nations: environment, drug, arms, smuggling, terrorism, migratory movement, money laundering, etc, which do not respect national frontiers, but rather require collective and cooperative solution thereof which must emanate from the concerned multinational actions under the framework of international guideline. And, as a part of that, Asia Crime Prevention Foundation (ACPF) have put their heads together to promote peace and security when the order of the day is terrorism and increasing transna-

tional organised crime. This situation has become so very acute that United Nations Secretary General Mr. Kofi Annan rightly and very succinctly remarked, "If crime crosses all borders, so must law enforcement."

The very topic of terrorism and international cooperation is not only appropriate and timely, but also invaluable from the present day happenings around the world, specially since the beginning of the century. It is for this reason that the UN Security Council through its Resolution 1368 (2001) has called on all states to work together to bring to justice the perpetrators of terrorist attacks, and for the international community to redouble their efforts to prevent and suppress terrorist acts by increased international cooperation and full implementation of the relevant international Anti-Terrorist Conventions and Security Council Resolution 1373. It is also in the light of the Vienna Declaration on Crime and Justice has called for a closer coordination and cooperation among states in combating terrorism by adopting measures to prevent and fight terrorism and foster universal adherence to the international instruments concerned with the fight against terrorism.

ACPF during its last few years of deliberations has summed up various country papers and discussants' views which have been incorporated in the draft resolution of supporting materials for UNODC's next conference to be held in Bangkok. The experts have highlighted that poverty is one of the basic breeding factors for growth of

terrorism, hence it urges the reduction of poverty. The linkage between the criminal justice system and poverty alleviation is to be reviewed seriously, and in this context, the developed states have obligations for capacity building of the poor states.

Basically we need to strengthen efforts at the national level, based on democratic values, good governance, transparency, accountability, and a fair and equitable criminal justice system, as

sincere commitment to counteract terrorism further needs to:

-Promote dialogue among civilisations rather than a clash between them.

-Adopt law enforcement measures and adequate information technology.

-Effective Database and intelligence sharing and in this context Interpol can be of immense help.

-Tracing the money trail, including the origin of funds, money

escalation by unwarranted and excessive reaction of concerned authorities. This is more so to be watchful when the Big Powers meddle in the affairs of small states in the garb of democracy and good governance.

State terrorism is the worst of its kind and the UN need be bolstered up to ensure fair play for all irrespective of kingpins as country, institution or individual be it political corruption and demoralising instance of influential ones.

states: "We emphasise that effective action for crime prevention and criminal justice requires the involvement, as partners and actors of governance, national, regional, interregional and international institutions."

ACPF through its different workshops and world conferences lately in Tokyo, Delhi, Beijing, Bangkok, and the plans of action thereof, emphasises the need for countries to have modern comprehensive mutual legal

organisations and the United Nation.

The victories in the permanent war against terrorism can only be won by joint efforts of the experts in the field of knowledge, irrespective of territorial boundary. Though we may not have panacea for the same because there is so much we do not know but if we are to survive we need to know all that we possibly can about ourselves, our needs, our institutions, our advantages, and our failings and developments. But the rider clause is that the superpowers must behave and not treat the world as their subjugated domain which is rather now more prevailing

unlawful arms was a return to primeval instincts and this is dangerously evil culture of terror -- whoever is the terrorist. Every country has the right to be counted, which means daring to disagree, speaking out against domination and injustice. To stand up for principle is never without hazard, but in the end it is less harmful than lying down and being trampled. Let us hope that righteous unity will prevail over imperial threats. The architecture of peace in our time will have to be developed by a coalition of the many who are right though they are separately weak but not by the few who are wrong though they are singularly strong.

Let us resolve once again to carry out a crusade against the morbid and monster power-politics that tends to turn the country into a strange world where bread is dear and blood and flesh cheap, where crimes of all types thrive and vices of all descriptions flourish but cardinal and theological virtues perish, where inhuman instincts of hatred, vengeance, tyranny and terrorism triumph over the humane sentiments of love, affection, understanding and forgiveness.

Dr. Boutros Boutros Ghali -- former Secretary General of the UN, in his welcome speech at International Peace Academy Seminar urged for creating a community of scholars, practitioners, diplomats, administrators and specially policy makers more effectively engaged in peace-making and peace-keeping exercises to prevail upon the few mighty but wrongdoers for the greater good of many weak but righteous ones. And perhaps ACPF has continued to play their role in sustainable manner to make the world a better and safer place though international co-operation and possibly now we look forward to our success not only intellectually but in combating crime and terrorism to yield concrete result in peace and better harmony.

The fashion of prevailing not under the authority of law but under

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a prerequisite for addressing terrorism in all its forms and ramifications. Preventive alternative means for the redress of grievances such as mediation and arbitration as well as public participation in decision making process and governance, including the involvement of non-governmental organisations and civil society, will be added factors too.

Adopting suitable educational measures such as the preaching of tolerance, peaceful co-existence, anti-violence, conflict resolution, and using the media to foster multicultural dialogue, ethical and moral values opposed to violence, inculcation of the principles of human dignity, security and right, will go a long way for the desired peaceful society.

Universal condemnation and

laundering, seizure of asset.

-Monitor and control of preparatory activities e.g. training activities, camp, affinity, cluster group etc.

-Intensive training, specially of trainers of enforcement and experts in criminological aspect e.g. where expertise may be lacking, with joint inter country teams tackling common problem.

-Developing criminal justice technical cooperation with the assistance of UNAFEI, ACPF, CICP and other non govt. and private sector partners.

-Review domestic legislation aimed at the streamlining and strengthening preventive counter-terrorism measures must consistently address the balance between control and Human Rights protection aspect to avoid

The Anti-Terrorism Act has been reflected as a stern antidote -- more so by the Speedy Trial Act of 2002. The government, along with the NGOs, has been working steadfastly to combat the underworld lords and the godfathers for such anti-social and anti-state elements who, in league with their syndicate members of home and abroad, were having joyful ride on the black money. More emphasis has been laid on the research and gathering information which may curb terrorism like extortion, forcible pre-emption, harassment to peace loving citizens who could be Jimmi (captive) in the hands of few notorious elements.

Countries now realise the problems and the rationale of the Vienna Declaration is correctly depicted in Paragraph 13 which assistance and extradition laws and a wide net of bilateral or multilateral treaties. The national and international mechanism and arrangements that are put in place to deal with transnational crime provide the means by which international cooperation is achieved. Perhaps it is time that we recollect the statements of the UN General Assembly in its resolution 52/220 of December 1997, which emphasised among other things the need to promote the fundamental principles of the rule of law and the need for strengthened international cooperation between states, and between regional and international

sense of morality.

We do not have very high opinion about the quality of American diplomacy. In the past it was seen that it failed to understand the domestic politics in its drive to crush communism or to make friends. In Iraq we see that she has committed similar mistake. Armed with a superficial study mainly based on interviews with the Iraqi exiles or expatriates and influenced by Israeli advisers Bush administration concluded that Americans would be welcomed in Iraq as the saviors of the Iraqis and she would be free to control the Iraqi oil reserve. She also miscalculated that moral support might also be obtained from Saudi Arab, Kuwait and other smaller Arab potentates. With support from Iraqi Shia population she can have a more friendly approach from Iran. Such development would be very helpful for the security of Israel.

After the Iraq war it has become absolutely clear that Saddam did not possess any WMD nor he ever responded to the approaches made by Al Qaeda leaders for assistance in their terrorist activities. Thus, the justification of US for its attack on Iraq, as we see, was

Bush administration has started losing confidence of the Americans rapidly. In fact, president Bush has been able to earn the hostile attitude of the Arabs in general and Iraqis in particular toward the Americans. We do not think that this was desired by an average American. This attitude of the Arabs may well be utilised by the Al Qaeda supporters. This is certainly disturbing and detrimental to world peace because Al Qaeda activities may gradually increase particularly in those European countries which are closer to US. Apart from this terrorist activities may also be seen in countries such as Japan, South Korea, Australia, Thailand etc.

Bush administration anticipated that Iraqi hostility toward the American occupation forces may die down once Saddam was captured. It has been proved to be totally wrong. Their conjecture that setting up of a puppet Iraqi government may improve law and order situation in Iraq too appears to be a miscalculation. US is trying hard to convince the UN on the necessity of taking the responsibility of rehabilitation of Iraq. It is also trying hard to convince certain countries to send troops to Iraq. This has not been successful so far. On the other hand some of those countries which have sent troops to Iraq are at different stages of withdrawal of their troops because of increasing insurgent activities in Iraq. Spain has already withdrawn its soldiers. The Philippines follows suit. Troops from South Korea,

Japan, Poland and Bulgaria may also be withdrawn before long. Whether Bush administration accepts it or not it is becoming increasingly clear that peace in Iraq cannot be restored by puppet interim government. There cannot be any election under the present regime at least in near future. To restore peace US must transfer total sovereignty to the Iraqi people. The Iraqis will have to be allowed to choose their own future, some sort of political discussion may be started with the leaders of the insurgents. Better relationship may be developed with the neighbouring states such as Iran, Syria, Kuwait and Jordan. UN may play some important role in this respect.

Due to American repressive actions (such as humiliation and unprecedented torture of Iraqi prisoners) on the Iraqi people of almost all Arab States have become hostile toward the Americans. In fact the whole of the Middle East is no longer a safe place for the Americans. This will affect the attainment of US government's objective of crushing the Al Qaeda network.

Though UN may be considered as the last hope for an acceptable solution of Iraq crisis it may not be possible for UN to perform this ticklish task in its present form. Security Council will have to be more efficient and effective. There is hardly any justification for maintaining the system of veto power for the five permanent members of the Security Council. The system of permanence and veto power must go. In fact some of the resolutions of the Security Council are controversial. One of such resolutions is imposition of sanction on Iraq after 1991 Gulf War. It is extremely doubtful as to how much it was ethical to exterminate millions of Iraqi children through malnutrition and lack of medicines.

We are convinced of the fact that as the only superpower it would be wrong to expect justice or peace from USA if the issue concerned does not suit American interest. By

dictating terms US will try to take advantage from any country. Thus the developing countries which need assistance and support to overcome their various problems must strive hard to develop some sort of an international organisation which may play a positive and effective role in protecting the weaker states from the evil designs (if any) of the stronger states.

After Sept 11, 2001, it has been observed that Muslims living in South Asia and the Gulf region have been hesitant about putting their money in US and Britain. The attitude of the Muslims appear to be more favourable toward Germany and France. Both these countries are playing dominant role in EU. Thus it may be expected that both these countries along with Russia may be able to bring desirable reforms in the UN system for peace and prosperity of the developing countries.

It is a good sign that US influence in UN is declining. In future the role of UN will have to be more balanced and effective. The sovereignty of all independent states must be honoured and all the sovereign states must be treated with equal respect. Differentiation between permanent and non-permanent members and their veto power must go.

Failure of US attempt to obtain support on attack on Iraq from Germany, France and Russia proves that these countries firmly believe in justice and peace. Thus it may not be an exaggeration to say that the Iraqi war has brightened the images of these countries before the developing nations, particularly the weaker ones. This may help in turning their attention more toward the European States. Bangladesh, as the leader of LDC and an important member of OIC may extend support to these countries in reforming the UN to make it more balanced and effective.

ABMS Zahur is a retired Joint Secretary

For a balanced and effective UN system

ABMS ZAHUR

WITH the emergence of US as the only superpower in the world, people are gradually losing faith on the effectiveness of the UN because US has started dictating the world body. After the dissolution of USSR the US is concentrating hard on controlling the middle eastern oil reserve. In doing so she is desperately striving to establish supremacy of Israel in the Middle East. The developments after 9/11 point to the Muslims as the promoters of terrorism in the world. Without waiting for ascertaining the facts properly and ignoring the UN inspection report on the existence of WMD in Iraq, Bush administration along with Britain and a few of its close allies attacked Iraq. As reported recently both the findings of CIA and the British intelligence were defective, deficient and misleading. President Bush, as it has become abundantly clear, was ready to hit Iraqs at the slightest pretext. In fact his uncharitable comments on the Muslims throughout the world created an embarrassing situation for the Muslims. The Israelis, naturally enough, spared no pains to crush the Iraqs once for all with the assistance of Bush administration. The adventure of Bush administration was strongly opposed by three major powers namely Russia, France and Germany.

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based on three points, (i) the need for destruction of Iraq's facilities for WMD, (ii) to stop the international terrorism mainly to save America, and (iii) totally crushing Saddam to ensure Israel's security. Bush administration refused to accept the advice of "ineffective and inefficient" UN. It tried hard to convince the world that a superpower can ignore any advice of UN because as a superpower it must have a different sense of morality.

We do not have very high opinion about the quality of American diplomacy. In the past it was seen that it failed to understand the domestic politics in its drive to crush communism or to make friends. In Iraq we see that she has committed similar mistake. Armed with a superficial study mainly based on interviews with the Iraqi exiles or expatriates and influenced by Israeli advisers Bush administration concluded that Americans would be welcomed in Iraq as the saviors of the Iraqis and she would be free to control the Iraqi oil reserve. She also miscalculated that moral support might also be obtained from Saudi Arab, Kuwait and other smaller Arab potentates. With support from Iraqi Shia population she can have a more friendly approach from Iran. Such development would be very helpful for the security of Israel.

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