



# What is new in the ‘global war on terror’

by Patryk Pawlak

Amidst criticism of US drone policy, just a few weeks after the terrorist attack at the Boston marathon, and with the backdrop of a hunger strike of prisoners in Guantanamo Bay, President Obama’s recent speech at the National Defense University - in which he laid out the US approach to counterterrorism – was delivered at a somewhat gloomy moment. Indeed, the mood across the country is becoming bleak too: a Gallup poll published last month revealed that half of Americans (51 per cent, one of the highest readings in recent years) believe a terrorist attack in the US may be imminent. At the same time, confidence in the government’s ability to protect citizens from terrorism has reached its lowest point since 2001 (although, at 70 per cent, it remains relatively high). Even though the speech was mostly for domestic consumption, it did, however, signal a *nouvel état d’esprit* in the second Obama administration.

The ‘comprehensive strategy’ articulated by the president at NDU is based on four pillars: targeted action against terrorists, effective partnerships, diplomatic engagement, and assistance.

## Enemies at the gates

With reference to the evolving nature of the terrorist threat, President Obama devoted much attention to the progress made against al-Qaeda proper. Despite noting that various al-Qaeda affiliates are gaining ground - al-Qaeda in the Arabian Peninsula (AQAP)

in Yemen, Al-shabab in Somalia, or Al-Qaeda in the Islamic Maghreb (AQIM) in the Sahel region – the president played down their importance by describing them as ‘lethal yet less capable’. Although it is true that no serious attack occurred on US soil since 2001, the US is still involved in several hot spots across the globe. Ironically, the ‘global war on terror’ is a more accurate description of reality than ever before, although Obama himself never really embraced the campaign and has even underscored the need to end it.

President Obama also stressed that the preservation of the American ‘way of life’ and the continued resilience of American society are evidence that al-Qaeda has failed. But developments in Somalia or Mali also suggest that those sub-groups may now be playing a more sophisticated game by creating alternative/parallel structures whenever states are unable to perform their social or security functions. The final outcome is all too often the same: control over a territory and destabilisation of a country or region. Failed and failing states, in turn, provide a vacuum in which not only terrorists but also organised crime networks can thrive.

## Enemies within

The terrorist attacks in Boston and London (and indeed those in Oslo and Toulouse) clearly demonstrate that the enemy is not only hiding in remote areas of Yemen or Somalia. Lone wolves act as proof



that violent extremism can thrive in our own backyards, with individuals often being indoctrinated or trained through the internet.

Domestic, home-grown terrorism could pose an even more serious threat if recent reports about volunteers from Europe and the US being trained and radicalised in third countries are taken into account. While some of them - mostly from the UK, Ireland and France, as recently reported by Gilles de Kerchove, the EU Counter-Terrorism Coordinator - have even ended up fighting with rebel forces in Syria, others may elect instead to return home soon. Incidentally, this is one of the reasons why the terrorist threat level in the Netherlands has just been raised to 'substantial'.

A better understanding of the mechanisms of radicalisation - through a mix of intelligence cooperation and engagement with local communities - is therefore essential on and from both sides of the Atlantic. In this context, attention to legitimate security concerns should go hand in hand with the 'proud commitment to civil liberties' - as espoused by Obama - and the rule of law.

## War by other means

President Obama reiterated that denying terrorists the access to resources - be it territory, funding or manpower - with all possible means remains a priority. The inclusion of foreign assistance as part of the comprehensive counter-terrorism approach is indeed 'fundamental to national security'. This point may resonate particularly well with European audiences for several reasons - one of them being their acknowledged need to invest in projects that contribute to enduring stability and a viable economy. Capacity building and the development of institutions to sever the ties between drug trafficking, organised crime and terrorism is but one example of concrete actions to be taken. Security experts are also increasingly aware that the failure of any governments to address social inequalities and poverty may further fuel the development of organised crime rings, including terrorist groups, which perform quasi-state functions.

President Obama also discussed - at length - America's policy on the use of drones: the benefits they offer compared to 'boots on the ground', but also the dilemmas about who is targeted and why, civilian casualties, the legality of strikes, and the accountability and morality of resorting to unmanned aerial vehicles for fighting what his predecessor famously called the 'war' on terror. These clarifications were also a response to criticism prompted by the leak of a US Department of Justice document

on the lawfulness of such operations. The most important elements of what has come to be known as the 'drone speech' include respect for the sovereignty of third countries, stronger oversight, and more transparency.

Interestingly, European governments, too, are increasingly interested in the use of drones and other robotic weapons technology. France recently decided to purchase drones for army intelligence, whereas the German government had to pull the plug on its drone programme due to possible violations of European airspace regulations. However, in the absence of a 'code of conduct' on the use of drones, problems with the interpretation of existing legal principles will continue to arise.

## Between EU and US

Intelligence-sharing was another area mentioned in the NDU speech. Even though bilateral law enforcement cooperation occurs in many areas on a daily basis, data protection is still a controversial issue spanning the Atlantic. Despite substantial confidence building and mutual learning over the past ten years, many in the EU are still not convinced about the level of data protection granted by the US to European citizens. On the other hand, the US administration is concerned that more stringent rules concerning the use of personal information for security purposes - like those being currently discussed in the EU - may undermine the effectiveness of transatlantic cooperation.

Finally, President Obama talked about the need to confront state-sponsored networks like Hezbollah. The EU's apparent reluctance to embrace a more robust approach towards Hezbollah is the source of much frustration in the US (although its External Security Organization was blacklisted already in 2001). The distinction between the political and military branches, however, may be difficult to maintain in light of the July 2012 attack on the Israeli bus tour in Bulgaria or the recent conviction of Hossam Taleb Yaacoub in Cyprus. For its part, Britain - backed by the Netherlands - has just filed a formal request to the Union to designate Hezbollah's military wing as a terrorist organisation.

Many instruments mentioned in Obama's speech can be considered to be generally in line with the European approach (commitment to the rule of law and a preference for advocating law enforcement over the belligerent discourse of war). Yet the devil is in the detail - namely, in the policy choices made on a daily basis, and their reverberation on friends and foes alike.

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