

UNCLASSIFIED

EU2

RELEASED IN FULL

POLITICAL

174 PCTR 07 E  
Original: English



**NATO Parliamentary Assembly**

**SUB-COMMITTEE ON  
TRANSATLANTIC RELATIONS**

---

**FIVE YEARS INTO THE FIGHT AGAINST  
TERRORISM – IMPACT AND IMPLICATIONS FOR  
THE ATLANTIC ALLIANCE**

---

**DRAFT REPORT**

***RUPRECHT POLENZ (GERMANY)***  
***RAPPORTEUR\****

International Secretariat

27 August 2007

\* Until this document has been approved by the Political Committee, it represents only the views of the Rapporteur.

*Assembly documents are available on its website, <http://www.nato-pa.int>*

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: ARCHIE M BOLSTER  
CLASSIFICATION: UNCLASSIFIED  
DATE/CASE ID: 05 MAR 2009 200706444

UNCLASSIFIED

EUR 0001

TABLE OF CONTENTS

	Page
I. INTRODUCTION .....	1
II. DEFINING THE THREAT .....	1
III. NATO'S EVOLVING ROLE IN COMBATING TERRORIST GROUPS.....	1
IV. IRAQ .....	4
V. THE BROADER MIDDLE EAST.....	5
VI. THE NEED FOR BROAD INTERNATIONAL CO-OPERATION.....	6
A. THE ROLE OF THE UNITED NATIONS .....	6
B. THE ROLE OF THE EUROPEAN UNION.....	7
VII. THE DIFFICULTY OF MAINTAINING A "COMMON FRONT" AGAINST TERRORISM .....	8
VIII. WHERE DO WE STAND?.....	9
IX. PRELIMINARY RECOMMENDATIONS .....	11

## I. INTRODUCTION

1. The terrorist attacks on the United States on 11 September 2001 dramatically changed the global security landscape and had a profound impact on the transatlantic relationship and NATO as an alliance.

Formatted: Bullets and Numbering

2. This report takes a brief look at where the transatlantic partners stand five years after US President George W. Bush declared the "war on terror". The paper argues that progress has been made, but that the Allies need to expand and refine their instruments and that NATO's political-diplomatic clout has not been used to its full potential. NATO's role in combating terrorism is important, but limited. Many of the essential activities of the fight against terrorism occur outside NATO, through bilateral co-operation, or are done by international actors such as the UN.

Formatted: Bullets and Numbering

## II. DEFINING THE THREAT

3. Terrorism is not a new phenomenon, but it has evolved over the past years. Today's threat of terrorism, brutally exposed by 9/11, does not come from an organised enemy with a clear identity and a coherent set of objectives. The threat emanates from a relatively small number of loose, shifting and disparate groups that want to force their individual and narrow values on others through violence. Religious extremism, while not the sole motivation for terrorism, is likely to be the most immediate source of terrorist threats in the short to medium term. In 2006, 706 individuals were arrested in 15 EU member states on suspicion of terrorism offences, and half of these arrests were related to Islamist terrorism. Among the range of terrorist threats, that of "home-grown" terrorism is a particular concern, because it is more difficult to anticipate the motives or actions of potential terrorists who are citizens of Western countries. "Home-grown" Islamist terrorism is considered a bigger problem in Europe than in the United States or in Canada. The Muslim communities in Western European countries account for a larger percentage of the population and Muslims in North America are generally better integrated than their counterparts in Europe.

Formatted: Bullets and Numbering

4. The threat of terrorism is global and the widespread availability of information technology has enabled terrorist organisations to communicate in new and more effective ways. Terrorists can increasingly operate "virtually" and without formal structures. They can share tactics and strategies through the internet and there is evidence of collaboration between terrorist organisations and international criminal organisations.

Formatted: Bullets and Numbering

5. Terrorist groups like al Qaeda have planned attacks across the world, from Afghanistan to Indonesia to the United Kingdom and the United States. Terrorist groups work across borders and in stateless cyberspace. No single nation can defeat terrorism on its own, as it is a global threat. International co-operation between national authorities, and firm and decisive resistance of the societies is essential to ensuring the safety of innocent civilians around the world.

Formatted: Bullets and Numbering

## III. NATO'S EVOLVING ROLE IN COMBATING TERRORIST GROUPS

6. All international organisations have some role to play in combating terrorism, as it is a multi-faceted threat requiring a multi-pronged response. However, as a long-established political-military organisation, NATO has particular comparative advantages in this struggle. The capabilities of NATO member countries and their co-operation with geographically, ethnically, and culturally diverse partner countries, allow NATO as an organisation to create counter-terrorism strategies that are useful to a wide range of situations and threats. NATO can

Formatted: Bullets and Numbering

also help countries with weaker defences against terrorism by disseminating expertise from countries that have had more experience in this area. Through the North Atlantic Council (NAC) and its consensus-driven decision-making, NATO has the ability to generate political will among the Allies to address terrorism. NATO also has proven intelligence-sharing channels, used predominantly in the military domain. NATO has the military assets needed for operations to disrupt terrorist activities, including force generation and command and control procedures. Finally, through science and technology co-operation, NATO can perform the research and development necessary to find new methods to counteract terrorism. Together, these areas are essential to tackle terrorist groups, and should be fully exploited by Allies.

7. The attacks of 9/11 were a turning point for NATO, propelling the fight against internationally active terrorist groups to the top of NATO's priorities. Almost all of NATO's activities today are shaped by the struggle against terrorism. While terrorism was listed as a threat when NATO revised its Strategic Concept in 1999, there was little talk within the Alliance, at that time, either at the strategic or at the operational level, about how NATO should combat this threat. However, within 24 hours of the terrorist attacks on America the Alliance invoked Article 5 of the Washington Treaty for the first time in its history. This interpretation of collective defence, which the founders of NATO could not have envisioned, made abundantly clear that the Alliance faced a new threat, and that the Alliance needed to find a way to respond.

Formatted: Bullets and Numbering

8. Operationally, the Alliance agreed to eight measures to aid the United States immediately after 9/11, including its first official counter-terrorism operations. NATO deployed its Standing Naval Force Mediterranean (STANAVFORMED) to the Eastern Mediterranean (Operation "Active Endeavour" - OAE) and sent Airborne Warning and Control System (AWACS) aircraft to help defend the United States from further attack. Additionally, NATO members agreed upon increased intelligence sharing, assistance to states subject to increased terrorist threat, blanket overflight rights for counter-terrorism operations, free access to ports, and finally to "backfill" selected Allied assets that were being used to fight terrorism.

Formatted: Bullets and Numbering

9. Politically, however, these eight measures were seen as small compared to the operation that the United States launched to overthrow the Taliban in Afghanistan. NATO Allies had offered the United States much more support for its initial campaign in Afghanistan, but the US administration preferred to run the campaign through its own Central Command, rather than through NATO command. This decision was largely based on the US administration's perception that the Kosovo campaign was made more difficult through problems with "targeting by committee". It was also due to the fact that NATO lacked, at that point, the range of capabilities needed for such a large operation far from NATO territory, particularly one that relied heavily on Special Forces. In the end, however, 15 of the then 19 Allies contributed to the initial Afghanistan campaign on a national basis, including large troop contributions and air and naval resources.

Formatted: Bullets and Numbering

10. Following intense discussion among member states as to the appropriate role for the Alliance in the fight against terrorism, the Allies agreed in early 2002 that NATO's role should be "to help deter, defend, disrupt, and protect against terrorist attacks, or threat of attacks, directed from abroad against our populations, territory, infrastructure and forces of any member state, including by acting against these terrorists and those that harbour them," as the political guidance provided by the NAC stated. This overall goal has directed all further efforts by the Alliance to combat terrorism.

Formatted: Bullets and Numbering

11. Recent NATO Summits have adopted incremental measures to enhance Allied capabilities to fight terrorism. At the Prague Summit in 2002, NATO Heads of State and Government agreed on a new Military Concept for the Defence against Terrorism that recognised four key areas where NATO can play a role: antiterrorism, i.e. defensive measures against terrorism, management of the consequences of a terrorist attack, offensive counter-terrorism operations,

Formatted: Bullets and Numbering

and military co-operation, particularly intelligence sharing. These four areas are clearly military competencies, and on these military dimensions NATO has made much progress. The Alliance also initiated a new Missile Defence Feasibility Study.

12. NATO's Comprehensive Political Guidance (CPG), endorsed by NATO Heads of State and Government in November 2006 at the Riga Summit, states that NATO must have the "ability to deter, disrupt, defend and protect against terrorism, and more particularly to contribute to the protection of the Alliance's populations, territory, critical infrastructure and forces, and to support consequence management". The CPG also refers to the importance of protecting information systems of critical importance to the Alliance against cyber attacks.

13. The transformation in NATO capabilities since autumn 2001 is perhaps the most striking change in the Alliance. At the Prague Summit, the Allies adopted a three-pronged approach to improving their defence capabilities - launching of the Prague Capabilities Commitment (PCC), the creation of the NATO Response Force (NRF) and the streamlining of the military command structure. The PCC set specific targets for each Ally, and the Alliance collectively, to increase capabilities in over 400 specific areas. While these capabilities span many different military fields, all are relevant to counter-terrorist operations. Progress on implementation of the PCC, however, has been mixed, thereby delaying and diminishing NATO's usefulness in the struggle against terrorism.

Formatted: Bullets and Numbering

14. More successful has been the creation of the NRF, a Rapid Reaction Force that is self-sustainable and able to deploy for any crisis anywhere in the world. The NRF was declared fully operational at the Riga Summit in November 2006 and can be a key asset in any future counter-terrorism operation. Combining land, air, sea, and Special Forces into one package, the NRF is deployable within five days of a North Atlantic Council decision to do so. However, force generation for the NRF still poses problems. Shortfall in terms of troops and equipment remain and need to be tackled.

Formatted: Bullets and Numbering

15. NATO has also developed key capabilities in the management of a possible terrorist attack. In Prague the Allies agreed on five initiatives to develop capabilities in dealing with chemical, biological, radiological, or nuclear (CBRN) attacks. The largest of these initiatives was the creation of a Multinational CBRN Defence Battalion, which can be deployed with NATO forces or on its own to provide a full range of CBRN defences, including reconnaissance, detection, and light and heavy decontamination units. The Battalion has already been deployed to aid civilian authorities during the 2004 Olympic Games in Athens, Greece. In addition, NATO has compiled an inventory of Allies' response capabilities under a terrorist attack that can be called upon if an incident occurs.

Formatted: Bullets and Numbering

16. The Alliance has also improved intelligence sharing since 9/11. At the Istanbul Summit in 2004, the Allies agreed to create a joint Terrorist Threat Intelligence Unit, which uses both civilian and military intelligence resources to provide advice to the NAC and the NATO staff. However, as intelligence is by its nature confidential and paramount to each nation's security, most intelligence sharing still happens on a bilateral basis, making it difficult for NATO to add value in this area. Still, a thorough review of NATO intelligence is underway to identify means of ensuring that NATO staff has timely access to accurate intelligence.

Formatted: Bullets and Numbering

17. NATO's operations are also aiding the struggle against terrorism. OAE, NATO's only Article 5 operation, continues to help detect and deter terrorist activity in the Mediterranean. Broadly defined, its mandate has been expanded since it was created in 2001 to cover the entire Mediterranean and to counter terrorism in the region. OAE now involves intelligence sharing in targeting of specific vessels of interest that can be tracked, or even boarded. NATO ships also patrol and survey choke points in the region, such as important passages and harbours. In addition, while their primary goal is to create and maintain a secure environment, NATO

Formatted: Bullets and Numbering

operations in Afghanistan and in the Western Balkans also include significant counter-terrorism components. These operations rely on NATO's main comparative advantages in fighting terrorism - its integrated military structure, highly developed military planning mechanisms, and less tangibly, its moral authority as an alliance of democracies.

18. The NATO-led International Security Assistance Force (ISAF) in Afghanistan continues to assist the Government of Afghanistan, as part of the international community's broader efforts in creating and maintaining a secure environment across all Afghanistan. In this context ISAF can be considered to be by far the most important contribution of the Alliance in the fight against international terrorism. It is the most challenging mission NATO has ever taken on and its primary task there is to assist the Afghan authorities in providing security and stability. In addition, the Alliance has also become involved in reconstruction efforts. Significant progress has been achieved, but the security situation in Afghanistan markedly worsened during 2006, particularly in the south of the country. Suicide bombings, previously unknown in Afghanistan, have increased fourfold from 2005 and the Taliban were able to perform major military operations against Afghan and ISAF units at the end of last year. Security has also deteriorated in other parts of Afghanistan, including in Kabul. The decreased level of security has already hampered reconstruction efforts and limited NGO assistance activities mainly to urban areas. This year's General Report of the Political Committee offers a closer look at the operations in Afghanistan.

Formatted: Bullets and Numbering

19. Partnerships, too, are part and parcel of the fight against terrorism. NATO and Partner countries agreed to the Partnership Action Plan on Terrorism in November 2002, which provides a framework for co-operation against terrorism. This mechanism is important for generating political will to fight terrorism across a broad range of states and for exchanging information on preparedness as well as on ways to impede support to terrorist groups. Co-operation on terrorism is also a key aspect in the founding charter of the NATO-Russia Council (NRC), signed in 2002. The NRC draws up an annual action plan on terrorism and conducts training exercises to manage the consequences of a terrorist attack. In 2006 Russia joined OAE. NATO's Mediterranean Dialogue also contributes to the fight against terrorism which, through individual co-operation programmes (ICP), offers the opportunity to focus more on terrorism. NATO and partner countries also established the Euro-Atlantic Disaster Response Coordination Centre (EADRCC), a mechanism through which NATO can coordinate responses to a terrorist attack or other disasters by all NATO Allies and Partners. The EADRCC helps to avoid duplication in an emergency, and also facilitates training to improve capabilities.

Formatted: Bullets and Numbering

#### IV. IRAQ

20. The US administration has defined the Iraq war as the "front line in the 'war on terror'". The involvement and the presence of the Alliance in Iraq have been limited, however. NATO has provided communications, logistical and intelligence support to the Polish-led multinational division in Iraq and it has set up the NATO Training Mission-Iraq (NTM-I). Through NTM-I, NATO has trained over 4,000 mid- and senior-level military officers in the country, and over 900 officers in NATO and national facilities. NTM-I also co-ordinated donations of equipment to Iraq from a number of NATO countries worth more than €110 million in the last two years.

Formatted: Bullets and Numbering

21. There is no effective central government in Iraq and the overall security picture has been steadily deteriorating. Since 2003, an estimated 64,000 Iraqi civilians died as a result of insurgents' attacks and sectarian violence. Iraq has become one of the most dangerous places in the world. Sectarian clashes have continued to increase, as has the insurgents' capacity to organise high-impact attacks mainly through car-bombings. As reconciliation efforts have made little headway, the UN Security Council has, at the request of the Iraqi government, unanimously approved a resolution expanding the UN's role to help promote political talks among the country's

Formatted: Bullets and Numbering

ethnic and religious groups. According to the United Nations High Commissioner for Refugees (UNHCR), an estimated 2 million Iraqis have fled to neighbouring countries, primarily Jordan and Syria, and 1.9 million Iraqis are internally displaced in Iraq. Nearly 50,000 Iraqis leave the country every month. The deployment of 17,500 additional US troops as part of a major US-Iraqi "surge" operation to secure Baghdad appears to have reduced sectarian violence somewhat. According to an ABC News/USA Today/BBC News/ARD TV poll of late February/early March 2007, only 26% Iraqis feel safe in their neighbourhoods and 80% have experienced some forms of attack. Furthermore, living and economic conditions are significantly deteriorating given not only the worsening security situation but also the lack of rule of law, as well as rising levels of corruption. Iraq has become a training ground for terrorists and the US Defense Intelligence Agency (DIA) estimates that approximately 10% of the Iraqi insurgency consists of foreign fighters, the majority of whom are allegedly suicide bombers.

22. The decision to go to war in Iraq had badly strained the transatlantic partnership, NATO, and also the EU. The Allies differed on whether Iraq represented an immediate threat and whether it was justified to use force against the regime of Saddam Hussein. While these tensions have now settled, there is still no transatlantic consensus on the best way to promote stability in the country.

Formatted: Bullets and Numbering

23. The US focus on the Iraq war has jeopardised the early military victory in Afghanistan of 2001. Moreover, the 2006 US National Intelligence Estimate concluded that the Iraq war has fuelled the growth of Islamist extremism. The war has also created a climate of growing mistrust between Islamic countries and the West. Linking democracy promotion and regime change sparked a debate not only among allies but also outside the Alliance. Unfortunately, the Iraq war has discredited democracy in the eyes of many Iraqis. Many Muslims throughout the world regard the war in Iraq as unjust and there is a deep suspicion of US motives among the Muslims in the region. The pictures of the Abu Ghraib and Guantanamo prisons and related events have increased anti-American sentiment among Muslims around the world. Democracy promotion's place in foreign policy has become controversial with the debate over the war in Iraq.

## V. THE BROADER MIDDLE EAST

24. Islamic fundamentalists argue that terrorist action is a result of policy, primarily the perceived injustice in Palestine and the presence of a non-Muslim military on sacred Muslim soil in Saudi Arabia. The Middle East conflict is one of the most important, if not the most important, stumbling blocks on the path towards reducing terrorism. Many Muslims are critical of the United States and the West because they perceive that we have backed repressive regimes in the Middle East and that we appear to be tacitly supporting repression and imprisonment of dissenters. Moreover, many Muslims perceive that the United States and the European countries support Israel and its occupation of Arab and Muslim territories. They feel that the United States and the West are applying double standards and they also cannot understand the opposition to Iran's nuclear programme while Israel's was ignored. However, the primary enemy for Islamic fundamentalists is not the United States and the West but their own governments and ruling elites, which have failed to prevent the corruption of their religion and to protect Muslim society from the unholy influence of the secular world. The United States and the Allies are being targeted because they are perceived to be in support of these oppressive governments and policies.

Formatted: Bullets and Numbering

25. There is a link between political repression and the rise of terrorist movements. However, we need to be careful with advocating regime change. We cannot and we must not impose our political system on others. Rather, our priority should be to help these countries allow political participation of all their citizens, rule of law and economic opportunity.

Formatted: Bullets and Numbering

26. Secular governments across the Broader Middle East face a surge in conservative religiosity that supports an extreme form of political Islam. Many countries in this region have suffered terrorist attacks from local groups that have emerged from the repressed extremists. Their governments have outlawed extreme Islamist parties that would be likely to win large parliamentary blocs - if not majorities - were they allowed to participate in free and fair national elections. But the circumscribed democracy that exists throughout the region also prevents more liberal elements of civil society from participating in politics as well. Islamist movements appear to be gaining ground and they can easily exploit the disenchantment with repressive, corrupt regimes, particularly among the young generation that forms a high percentage of the population in many Arab countries and many of whom are unemployed. Economic development alone, however, does not suffice to address the problem. In fact, a recent study by the Gallup Centre for Muslim Studies in ten Muslim countries showed that wealthier and better-educated Muslims are more likely to be radicalised. Islamist movements easily exploit the Internet and Arabic satellite TV stations to spread their militant political messages.

Formatted: Bullets and Numbering

## VI. THE NEED FOR BROAD INTERNATIONAL CO-OPERATION

27. The fight against terrorism is being waged on many fronts: military, intelligence, diplomatic and financial. NATO's role in this fight is important, but limited. The fight against terrorist groups is principally a "war of ideas" and the principal weapons that the Allies should be applying are our freedom, our liberty, and our rule of law, as Colonel (ret.) Lawrence Wilkerson, former chief of staff to US Secretary of State Colin Powell, stressed during the visit of the Sub-Committee to the United States in July this year. To succeed in tackling terrorist groups the Allies need to have consistent policy approaches and need to act transparently, Colonel Wilkerson told the Sub-Committee. Moreover, international co-ordination and co-operation are and remain crucial to counter the threat, both at the international level, as well as on the bi-lateral level.

Formatted: Bullets and Numbering

### A. THE ROLE OF THE UNITED NATIONS

28. The UN has much to contribute to the development and implementation of an effective strategy to combat internationally active terrorist groups. The UN's most important contribution is that it establishes a legal framework for counter-terrorism and that it provides legitimacy in combating terrorist groups. The UN Security Council (UNSC) has passed numerous binding counter-terrorism related resolutions. To monitor member states' implementation of these obligations and to strengthen their counter-terrorism infrastructures it also established a number of subsidiary bodies. Moreover, the UN General Assembly has adopted a Global Counter-Terrorism Strategy thus marking an important consensus in the UN on terrorism.

Formatted: Bullets and Numbering

29. Shortly after 9/11 the UNSC adopted Resolution 1373, which required all 191 UN member countries to freeze the financial assets of terrorists and their supporters, deny them travel or safe haven, prevent terrorist recruitment and weapons supply, and cooperate with other countries in information sharing and criminal prosecution. To monitor state compliance with these obligations and to strengthen their counter-terrorism capacities, Resolution 1373 created the Counter-Terrorism Committee (CTC).

Formatted: Bullets and Numbering

30. UN activities have raised awareness among member states of the importance of international co-operation on counter-terrorism, but political and institutional limitations, including the consensus decision-making process that makes it difficult to take action in a timely fashion, as well as a lack of financial and human resources, impede the UN's efforts. Moreover, the UNSC's counter-terrorism activity has been mostly reactive, with the majority of Council resolutions dealing with terrorism having come in the aftermath of an attack or another major



event. As a result, the Security Council's efforts against terrorism are both incoherent and uncoordinated. The CTC relies exclusively on reports from member states and has no possibility of verifying if countries are actually implementing counter-terrorism mandates.

## B. THE ROLE OF THE EUROPEAN UNION

31. The 9/11 terrorist attacks, as well as the later attacks in Madrid and London, were also calls to action for the European Union. While the EU gives primary responsibility for the protection of citizens to the member states, the Union feels it can add value to the fight against terrorism by confronting networks of terror with networks against terror. Therefore, in the months following 9/11, European leaders agreed to a series of broad political measures intended to improve co-operation in the fight against terrorism. The EU's initial « Plan of Action to Combat Terrorism », agreed within the context of the Common Foreign and Security Policy (CFSP) in late September 2001, aimed to enhance police and judicial co-operation, while fighting terrorist financing and improving air security. This was followed by an agreement to create a European Arrest Warrant, thus speeding extradition of terrorist suspects and other criminals within the EU, and a common definition of terrorism. In March 2004, in the wake of the Madrid bombings, the EU member states agreed to a new "Declaration on Combating Terrorism" which, among other things, created an agreement on solidarity among the member states in the event of another terrorist attack. The EU also created the position of Counter-Terrorism Coordinator, who would report directly to the High Representative for CFSP. The EU has a number of instruments outside European Security and Defence Policy (ESDP) that are important in this area, such as an agreement on data sharing via Europol's antiterrorist cell, and Eurojust, designed to co-ordinate investigations and prosecutions between national prosecuting authorities.

Formatted: Bullets and Numbering

32. In the wake of the attacks in London in July 2005 the British Council Presidency sped the creation of a unified "EU Counter-terrorism Strategy." Along with its accompanying action plan, with its 160 specific measures, this Strategy is a comprehensive document combining steps to fight terrorism across all three EU pillars. The Strategy's headline commitment is "to combat terrorism globally while respecting human rights, and make Europe safer, allowing its citizens to live in an area of freedom, security and justice." It is important to note that security and the preservation of fundamental rights are given equal weight in this statement. The Strategy is divided into four work streams – prevent, protect, pursue, and respond – each of which has its own key priorities. The work streams aim to improve upon national efforts by strengthening national capabilities, facilitating European co-operation, developing collective capability, and promoting international partnership. The Council meets to review the progress on implementing the Strategy every six months, and prior to this meeting a High Level Political Dialogue on Counter-Terrorism takes place, with representatives from the Council, the Commission, and the European Parliament. The EU has also assisted the United States in the areas of police and judicial co-operation, in particular regarding regulation on extradition and police surveillance.

Formatted: Bullets and Numbering

33. While the EU has now created a unified counter-terrorism strategy, implementation of this strategy is left to the member states. In practice this means that member states differ radically in their counter-terrorism legislation. In general, smaller and less affluent states have had difficulties advancing their legislation as speedily as the larger member states, many of whom had counter-terrorism legislation even prior to 9/11. More co-operation among member states in implementation of counter-terrorism policies would certainly add to the security of the Union as a whole. Other areas for improvement within the EU framework are better sharing of information and best practice, and better co-ordination of counter-terrorism related external development assistance.

## VII. THE DIFFICULTY OF MAINTAINING A "COMMON FRONT" AGAINST TERRORISM

34. Although 9/11 and other attacks such as those in Turkey in 2003, in Spain in 2004 and in the United Kingdom in 2005 created a general consensus that the transatlantic partners face a similar threat, there are significant differences, across the Atlantic, on the means to employ to counter the threat. In the United States, the terrorist attacks led to the largest expansion and restructuring of the security agencies in US history. This has not been the case in European member countries, as a number of them have been exposed to terrorism long before and had already adapted their law enforcement structures and legal means. However, the EU has introduced a broad array of structures and initiatives to allow for a more integrated and co-ordinated management of its policies to address the problem.

Formatted: Bullets and Numbering

35. Many governments have introduced new anti-terrorism legislation and the issue remains high on the agendas in member countries. Surveillance of private individuals and the collection of data about them has been greatly expanded. But there has also been concern that the character of our open societies may change for the worse. One of the challenges the Allies face is that they have differing answers on how to balance civil liberties against the need to increase security. The issue is primarily related to domestic legislation and it is up to every individual country to define the proper balance between civil liberties and increased state control. However, there are also important foreign and security aspects to it.

Formatted: Bullets and Numbering

36. NATO allies share the same values, including the emphasis on the "rule of law" and a strong case can be made that protecting human rights and strengthening democracy are essential over the long term to the fight against terrorism. Holding on to our values and obtaining the strongest international legitimacy will make it easier to combat terrorists. Allegations of war crimes and torture undermine our values and make it more difficult to reach out to Muslim communities as well as hurt our reputation and legitimacy abroad.

Formatted: Bullets and Numbering

37. Tackling terrorist groups also requires co-operation with countries that do not necessarily share our values. Terrorist movements often arise in societies where civil and human rights are denied and opportunities for political expression are lacking. The difficulty is that we also need to co-operate with repressive governments, some of which may use this co-operation for their own domestic purposes. While we also need to co-operate with repressive regimes, we need to consider short-term gains against long-term costs. We need to recognise that democracy can be a tool against terrorism and we must resist any temptation to weaken democratic values in our own societies. While we cannot and should not impose our values on others, we must be strong examples of how countries benefit from democracy and we must encourage other states to adhere to democratic values as well. We must consider that the potential costs of avoiding democratisation are far greater in terms of forsaking our values and weakening our long-term security.

Formatted: Bullets and Numbering

38. There is no trade-off to be made between human rights and terrorism and upholding human rights is not at odds with battling terrorism. On the contrary, the moral vision of human rights - the respect for the dignity of each person - is among our most powerful weapons against it. We must not torture, arrest without justification, and detain individuals without recourse to basic legal protections. These are means employed by terrorist groups like al Qaeda. To compromise on the protection of human rights would hand terrorists a victory they cannot achieve on their own. Therefore, the promotion and protection of human rights should be key part of our strategy to combat terrorism.

Formatted: Bullets and Numbering

39. We need to use the "soft power" of values and ideas as well as military strength to defeat extremism. We must avoid "politics of fear" - which is the primary weapon that terrorists employ

Formatted: Bullets and Numbering

– and we must also reject the vision of Islam as the Evil Power. Most Muslims consider terrorist acts to be egregious violations of Islam's laws.

40. Another problem that our open societies face is how we deal with terrorists and insurgents, as the distinction between military and civilian combatants has become increasingly blurred. In addition to ignoring or violating many fundamental individual rights and liberties, the Bush Administration has been accused of acting in violation of international law, human rights, and the US Constitution in its execution of the campaign, particularly with regard to the internment of so-called "unlawful combatants" in its military prison at Guantánamo Bay, Cuba. Critics emphasise that it has detained many hundreds of prisoners, some of them American citizens, indefinitely, in secret, and without charge or access to a lawyer. Concerns have also been raised about the creation of special military tribunals where traditional safeguards to protect the innocent from conviction will not be available. Designated by the US authorities as "unlawful enemy combatants", who are thus denied the privileges of prisoner of war (POW) designation in accordance with the Geneva Conventions, many have been held for more than five years without knowing if or when they will be released or brought to any form of judicial process. But other countries, too, have difficulties in finding a "right" balance between upholding civil liberties and protecting against terrorist attacks and some of their anti-terror programmes have been criticized domestically and internationally.

Formatted: Bullets and Numbering

41. The Bush Administration has also been criticised over the rendition-flights programme of kidnapped suspects. At least 1,245 such flights in EU states have occurred since 2001 with the tacit approval and co-operation of some European governments, according to a report by the European Parliament.

Formatted: Bullets and Numbering

42. The existence of the CIA's secret prison system and allegations by some former prisoners that they were tortured in these secret facilities have made European public opinion more critical of the United States. In addition, critical media reports have prompted a closer look in Europe at the co-operation with United States intelligence agencies. Europeans are increasingly concerned about the US's use of airline and banking data of European citizens in terrorist profiling. A German court has ordered the arrest of 13 Americans, presumed to be CIA agents, in the "extraordinary rendition" of a German citizen who was later found not to have any connections to terrorism. Critics have chided the United States and some European governments for "outsourcing torture."

Formatted: Bullets and Numbering

### VIII. WHERE DO WE STAND?

43. Five years after President Bush declared the "war on terror" it is difficult to assess where we stand. There are no clear benchmarks against which we could measure success or possible failure. Moreover, the inherent secrecy of terrorist and government actions makes it almost impossible to provide a clear picture. Failure or success in combating terrorist groups becomes public only after an attack or after a foiled attempt. Calling the fight against international terrorist groups a "war on terror" has been a mistake. The term is vague and simplistic and suggests that we could win this struggle by applying primarily military means. Groups like al Qaeda are not governments that can be subdued by war but a diverse network of non-state actors spread across more than sixty countries.

Formatted: Bullets and Numbering

44. It appears that the general picture is mixed. One main success is certainly that the Taliban no longer rule Afghanistan. What is more, international awareness of and co-operation against terrorism has greatly increased. As to the bi-lateral and multi-lateral co-operation, a number of new initiatives have been developed, such as the Container Security Initiative (CSI). With regard to NATO, it has engaged in a major transformation which is directed to make it much more

Formatted: Bullets and Numbering

responsive to fight terrorism. NATO has developed and expanded its capabilities that are important in tackling the threat posed by internationally active terrorist groups.

45. According to reports, a number of major terrorist attacks have been thwarted and numerous high-profile terrorists have been arrested or killed. Foiled plots like the trolley bomb case near Cologne in Germany in July 2006 and the London airplane in August, which had a large impact on civilian air travel and led to a substantial increase in airport security measures, demonstrate that the threat has not subsided, but that national and international authorities are making progress in tracking these threats.

Formatted: Bullets and Numbering

46. But "despite being forced to decentralise its network, al Qaeda retains the ability to organise complex, mass-casualty attacks and inspire others", as the director of the US Defense Intelligence Agency (DIA), General Michael Maples, submitted in a written statement to the US Senate Armed Services Committee earlier this year. Moreover, according to the 2006 US National Intelligence Estimate, al Qaeda may have been weakened since the 11 September 2001 attacks, but new radical Islamic groups and cells, which are inspired by Osama Bin Laden but not under his direct control, have been formed. The terror threat to EU member states is "more serious than ever", according to the annual report of Europol, the EU's police office. Al Qaeda propaganda is now of "greater sophistication and quality" and more "professional" than ever before and the radicalisation of young, disenchanting Muslims has become more rapid.

Formatted: Bullets and Numbering

47. As to Iraq, the security is highly fragile and the country is close to a civil war which could spill over to neighbouring countries. The presence of the US-led coalition is proving a recruiting tool for young radical Muslims worldwide, but a precipitous withdrawal of the troops would probably make the situation worse, thereby aggravating the terrorism problem.

Formatted: Bullets and Numbering

48. By concentrating on Iraq, we diverted already scarce resources from improving the situation in Afghanistan. As a result, we have made less progress there than was possible, and there is still unrest and instability in Afghanistan while the Taliban are resurging. Moreover, the focus on Iraq distracted us from addressing other important issues, in particular Iran, which has been accused of assisting terrorist organisations. American intelligence officials allege that Iranian paramilitary groups are providing weapons and sophisticated bombs to Iraqi Shiite groups thereby helping the insurgency there. Tehran was also able to continue pursuing its controversial nuclear programme. If Iran decided to develop nuclear weapons, it could lead to the further proliferation of WMD and would further destabilise the Gulf's already volatile security. The Iranian problem contains the basis for another transatlantic clash. The clash could emerge over whether the idea of Iran having nuclear weapons is something that is inevitable and worth the risk of war.

Formatted: Bullets and Numbering

49. The greatest threat to our security is a "nexus between terrorist networks, terrorist states and WMD" as former US Secretary of Defense Donald Rumsfeld described. Here, too, the picture is mixed as international co-operation has increased and new partnerships developed. Programmes like the Global Initiative to Combat Nuclear Terrorism and the Proliferation Security Initiative (PSI) have generated additional capabilities among participating countries to combat the global threat of nuclear terrorism. However, there has been no progress with regard to the Nuclear Non-Proliferation Treaty regime (NPT) which is worrisome, as the danger of WMD proliferation appears to increase and the possible nexus of terrorism, "states of concern" and WMD proliferation has become a major security concern.

Formatted: Bullets and Numbering

**IX. PRELIMINARY RECOMMENDATIONS**

50. Despite the achievements in combating terrorism, the threat posed by international terrorist groups has not abated. Although assessments like the 2007 US National Intelligence Estimate do not allow for much optimism that the fight against globally active Islamist terrorist groups can be won in the short term, the long term prognosis may be rather good. These groups suffer from significant strategic weaknesses as Peter Bergen, Adjunct professor at the School of Advanced International Studies at Johns Hopkins University, informed the Sub-Committee: Their lack of a positive vision and their willingness to accept the killing of innocent Muslims through their actions are depriving them of mass support and their expanding list of enemies will eventually lead to their defeat.

51. Although its role in this field is limited, NATO provides the essential transatlantic dimension in combating terrorism. Defeating radical Islamist terrorist groups requires vigorous law enforcement, intelligence, and military action. However, the operations in Afghanistan have shown that the "rules of the road" in this fight are not clearly agreed upon in the Alliance. Therefore, NATO should use its political-diplomatic clout more effectively to work towards greater policy coherence between the Allies. The Alliance needs to re-invigorate its ability to achieve political consensus, agree on common concept and act as a coalition. To that end, NATO needs to expand and refine some of the policies it has developed.

52. One of the areas where NATO could take on additional responsibility is homeland defence, and its role in this area could be to co-ordinate national policies across the Atlantic. Certainly the main responsibility for protecting citizens from terrorist attacks belongs with national authorities and homeland security will always remain an essential competence of every nation's government. However, NATO has already had a role in homeland defence and homeland security since the Cold War. What is more, military forces have always co-operated with civilian authorities in responding to natural disasters, sealing borders or protecting critical infrastructures. NATO's role in homeland defence must not detract from national and EU capabilities and institutions in this field but rather complement these. Thus NATO could develop a co-ordination and planning role to warrant that Allies' capabilities and activities are adapted and integrated to deal with these new threats.

Formatted: Bullets and Numbering

53. NATO's political clout should also be used more effectively with regard to partner countries. As the Broader Middle East is of critical strategic importance, the Allies should expand the engagement with neighbouring states by developing existing programmes like the Mediterranean Dialogue and the Istanbul Co-operation Initiative (ICI) using the experience and assets of NATO's Partnership for Peace.

Formatted: Bullets and Numbering

54. A just and lasting solution to the Israeli-Palestinian conflict would go a long way in tackling the problem of Islamist terrorism. Although NATO is not involved in settling this conflict, NATO should consider adding its political and diplomatic weight to finding a solution. For example, the NAC could be used to devise joint transatlantic initiatives that could help to co-ordinate the policies and initiatives of member countries as well as those of the United States and the EU. Moreover, NATO could provide additional training assistance to Mediterranean Dialogue or ICI partner countries. A greater emphasis should be placed on co-operation with countries that develop democratic structures and respect human rights. Here too, it would be important to co-ordinate with the EU as the latter could offer non-military assistance and training that are relevant in tackling terrorism.

Formatted: Bullets and Numbering

55. Finally, the developments in the last five years have underlined the importance of public diplomacy, both in terms of maintaining support at home and co-operation abroad. Although the role of the Alliance is limited in this area, NATO can and should do more to build public support for the operations in Afghanistan and to explain the Alliance as a values-based organisation. The fight against Islamist terrorist groups is a struggle of ideas and we need to do better in dealing with the radicalisation of Islam. Allies need to support moderate Islamic forces who can show how al Qaeda and similar groups are distorting the Koran. NATO allies should better orchestrate their activities among themselves. To that end NATO's capacities should be strengthened and more funding as well as expertise made available.

---

Formatted: Bullets and Numbering

EU 2A

Critique of NATO Parliamentary Assembly Committee Report Entitled:  
**5 Years into the War on Terror – Impact and Implications for the Transatlantic Alliance**

Rapporteur: Ruprecht POLENZ (Germany)

RELEASED IN FULL

Prepared by the Department of State

May 2007

**Summary:**

This report assesses the nature of the terrorist threat facing NATO Allies, the contours of counterterrorism cooperation within NATO and other international organizations, and developments in Iraq and the broader Middle East. The report states that the results of the War on Terror have been “mixed” – terrorist networks have become much more diffuse and difficult to detect and disrupt, exploiting cyberspace and grievances in the Middle East to radicalize and recruit home-grown extremists in order to execute terrorist attacks. According to the report, NATO’s counterterrorism (CT) role is important but limited to date. The report recommends that NATO develop a more concerted homeland defence approach, through the coordination of transatlantic national policies, and calls for increased NATO-EU cooperation and coordination on combating terrorism and focus on public diplomacy.

**General Comments:**

The report provides a concise and coherent summary of NATO’s CT efforts since 9/11. However, the report is controversial in its significant criticism of U.S. foreign policy in Iraq and the Broader Middle East (particularly in the decision to invade Iraq). While the report recognizes a link between political oppression and the rise of terrorist movements, it notes that “we cannot and must not impose our political system on others.”

On the other hand, the author highlights the importance of democracy and respect for human right and advocates using “soft power” (i.e., values and ideas) to promote political participation, rule of law and economic development, which is largely consistent with U.S. foreign and assistance policy goals. The author also recommends that NATO lend its political clout to help resolve the Israeli-Palestinian conflict to address the problem of growing Islamist terrorism.

**Areas of U.S. Concern:**

The author states that “the U.S. focus on the Iraq war jeopardized the military victory in Afghanistan and fueled the growth of Islamist extremism (para 22)” and has resulted in rising anti-American sentiment among Muslims worldwide. The report is also highly critical of the Administration’s human rights record, citing problems with unlawful enemy combatant detainees in Guantanamo and concerns regarding rendition-flights and “secret prisons”, which have damaged European public opinion (paras 40-42). The report is largely written from a Euro-centric viewpoint. For instance, para 53 implies that the EU has the principle CT foreign policy role, but

fails to recognize that several non-EU member Allies (the U.S., Canada, Norway, Iceland and Turkey), will continue to look at the NATO Alliance as a principle diplomatic and multilateral instrument to fight terrorism.

**State Department Views:**

- The importance of NATO in the GWOT is understated in this paper. NATO provides an essential foreign policy platform to address CT issues across a broad spectrum of political-military issues, including civil emergency preparedness and resilience to terrorist attacks. NATO exercises unite Allies and Partners in contingency response mechanisms and build capabilities to address the report's principal state threat: attacks involving chemical, biological, radiological or nuclear (CBRN) weapons.
- An additional NATO focus on homeland defense and public diplomacy is promising, but hinges on the actual substance behind these ideas which were not addressed in the report. Welcome further work and deliberations on this important topic.
- We need to urge caution when considering adding NATO's political and diplomatic weight to finding a solution to the Israeli-Palestinian conflict.



UNCLASSIFIED

EU3

RELEASED IN FULL

POLITICAL

046 PCTR 07 E  
Original: English



**NATO Parliamentary Assembly**

**SUB-COMMITTEE ON  
TRANSATLANTIC RELATIONS**

---

**5 YEARS INTO THE 'WAR ON TERROR' – IMPACT  
AND IMPLICATIONS FOR THE TRANSATLANTIC  
ALLIANCE**

---

**DRAFT REPORT**

**RUPRECHT POLENZ (GERMANY)  
RAPPORTEUR\***

International Secretariat

27 April 2007

\* *Until this document has been approved by the Political Committee, it represents only the views of the Rapporteur.*

*Assembly documents are available on its website, <http://www.nato-pa.int>*

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: ARCHIE M BOLSTER  
CLASSIFICATION: UNCLASSIFIED  
DATE/CASE ID: 05 MAR 2009 200706444

UNCLASSIFIED

EUR 0017

046 PCTR 07 E

TABLE OF CONTENTS

	Page
I. INTRODUCTION.....	1
II. WHAT IS THE THREAT?.....	1
III. NATO'S EVOLVING ROLE IN COMBATING TERRORIST GROUPS.....	1
IV. IRAQ.....	4
V. THE BROADER MIDDLE EAST.....	5
VI. THE NEED FOR BROAD INTERNATIONAL CO-OPERATION.....	5
A. THE ROLE OF THE UNITED NATIONS.....	6
B. THE ROLE OF THE EUROPEAN UNION.....	6
VII. THE DIFFICULTY OF MAINTAINING A "COMMON FRONT" AGAINST TERRORISM.....	7
VIII. WHERE DO WE STAND?.....	9
IX. PRELIMINARY RECOMMENDATIONS.....	10

## **I. INTRODUCTION**

1. The terrorist attacks on the United States on 11 September 2001 dramatically changed the global security landscape and had a profound impact on the transatlantic relationship and NATO.
2. This report takes a brief look where the Alliance and the transatlantic partners stand five years after US President George W. Bush declared the "war on terror". The paper argues that progress has been made, but that the Allies need to expand and refine their instruments and that NATO's political-diplomatic clout has not been used to its full potential. NATO's role in combating terrorism is important, but limited. Many of the essential activities of the fight against terrorism occur outside NATO, through bilateral cooperation, or are done by international actors such as the UN.

## **II. DEFINING THE THREAT**

3. The threat of terrorism, brutally exposed by 9/11, does not come from an organised enemy with a clear identity and a coherent set of objectives. The threat emanates from a relatively small number of loose, shifting and disparate groups that want to force their individual and narrow values on others without dialogue, without debate, and through violence. Religious extremism, while not the sole motivation for terrorism, is likely to be the most immediate source of terrorist threats in the short to medium term. In 2006, 706 individuals were arrested in 15 EU member states on suspicion of terrorism offences, and half of these arrests were related to Islamist terrorism. Among the range of terrorist threats, that of "home-grown" terrorism is a particular concern, because it is more difficult to anticipate their motives or actions of potential terrorists who are citizens of Western countries. "Home-grown" Islamic terrorism is considered a bigger problem in Europe than in the US or in Canada, however, as the Muslim communities in Western European countries account for a larger percentage of the population, and because Muslims in North America are not least on their much smaller number generally better integrated into society than their counterparts in Europe.
4. The threat of terrorism is global and the widespread availability of information technology has enabled terrorist organisations to communicate in new and more effective ways. Terrorists can increasingly operate "virtually" and without formal structures. They can share tactics and strategies through the internet and there is evidence of collaboration between terrorist organisations and international criminal organisations.
5. Terrorist groups like al-Qaeda have planned attacks across the world, from Afghanistan to Indonesia to the United Kingdom and the United States. Terrorist groups work across borders and in stateless cyberspace. While homeland security will always remain the main responsibility of nation states, no single nation can defeat terrorism on its own, as it is a global threat international co-operation between national authorities, and firm and decisive resistance of the societies is essential to ensuring the safety of innocent civilians around the world.

## **III. NATO'S EVOLVING ROLE IN COMBATING TERRORIST GROUPS**

6. All international organisations have some role to play in combating terrorism, as it is a multi-faceted threat requiring a multi-pronged response. However, as a long-established political-military organisation, NATO has particular comparative advantages in this struggle. The capabilities of NATO member countries and their co-operation with geographically, ethnically, and culturally diverse partner countries, allow NATO as an organisation to create counter-terrorism strategies that are useful to a wide range of situations and threats. NATO can also help countries with weaker defences against terrorism by spreading expertise from countries that

have had more experience in this area. Through the North Atlantic Council (NAC) and its consensus-driven decision-making, NATO has the ability to generate political will among the Allies to address terrorism. NATO also has proven intelligence-sharing channels, used in the military domain. NATO also has the military assets needed for operations to interdict terrorist activity or supplies, including force generation and command and control procedures. Finally, through science and technology cooperation, NATO can perform the research and development necessary to find new methods to counteract terrorism. Together, these areas are essential to the global war on terrorism, and should be fully exploited by Allies for this purpose.

7. The attacks of 11 September 2001 were a turning point for NATO, propelling the fight against internationally active terrorist groups to the top of NATO's priorities. Almost all of NATO's activities today are shaped by the struggle against terrorism. While terrorism was listed as a threat when NATO revised its Strategic Concept in 1999, there was little talk within the Alliance, either at the strategic or at the operational level, at that time about how NATO should combat this threat. However, within 24 hours of the terrorist attacks on America the Alliance invoked Article 5 of the Washington Treaty for the first time in its history. This use of collective defence, one the founders of NATO could not have envisioned, made abundantly clear that the Alliance faced a new threat, and that the Alliance needed to find a way to respond.

8. Operationally, the Alliance agreed to eight measures to aid the United States immediately after 9/11, including its first official counter-terrorism operations. NATO deployed its Standing Naval Force Mediterranean to the Eastern Mediterranean (Operation "Active Endeavour" - OAE) and sent Airborne Warning and Control System (AWACS) aircraft to help defend the US from further attack. Additionally, NATO members agreed increased intelligence sharing, assistance to states subject to increased terrorist threat, blanket overflight rights for counter-terrorism operations, free access to ports, and finally to "backfill" selected Allied assets that were being used to fight terrorism.

9. Politically, however, these eight measures were seen as small compared to the operation that the US launched to overthrow the Taliban in Afghanistan. NATO Allies had offered the US many more resources for its initial campaign in Afghanistan, but the US administration preferred to run the campaign through its own Central Command, rather than through NATO command. This decision was based largely on the US administration's perception that the Kosovo campaign was made more difficult through problems with "targeting by committee". It was also due to the fact that NATO lacked, at that point, the range of capabilities needed for such a large operation far from NATO territory, particularly one that relied heavily on Special Forces. In the end, however, 15 of the then 19 Allies contributed to the initial Afghanistan campaign on a national basis, including large troop contributions and air and naval resources.

10. Following intense discussion among member states as to the appropriate role for the Alliance in the fight against terrorism, the Allies agreed in early 2002 that NATO's role should be "to help deter, defend, disrupt, and protect against terrorist attacks, or threat of attacks, directed from abroad against our populations, territory, infrastructure and forces, including by acting against these terrorists and those that harbour them," as the political guidance provided the NAC stated. This overall goal has directed all further efforts by the Alliance to combat terrorism.

11. Recent NATO Summits have adopted incremental measures to enhance Allied capabilities to fight terrorism. At the Prague Summit in 2002, NATO Heads of State and Government agreed to a new Military Concept for the Defence against Terrorism that recognised four key areas where NATO can play a role: antiterrorism, i.e. defensive measures against terrorism; management of the consequences of a terrorist attack; offensive counter-terrorism operations; and military co-operation, particularly intelligence sharing. These four areas are clearly military competencies, and on these military dimensions NATO has made much progress. The Alliance also initiated a new Missile Defense Feasibility Study.

12. The transformation in NATO capabilities since autumn 2001 is perhaps the most striking change in the Alliance. At the Prague Summit, the Allies adopted a three-pronged approach to improving its defence capabilities - launching of the Prague Capabilities Commitment (PCC), the creation of the NATO Response Force (NRF) and the streamlining of the military command structure. The PCC set specific targets for each Ally, and the Alliance collectively, to increase capabilities in over 400 specific areas. While these capabilities span many different military fields, all are relevant to counter-terrorist operations. Progress on implementation of the PCC, however, has been mixed, thereby delaying and diminishing NATO's usefulness in the struggle against terrorism.

13. More successful has been the creation of the NRF, a rapid reaction force that is self-sustainable and able to deploy for any crisis anywhere in the world. The NRF was declared fully operational at the Riga Summit in November 2006 and can be a key asset in any future counter-terrorism operation. Combining land, air, sea, and Special Forces into one package, the NRF is deployable with five days of a North Atlantic Council decision to do so.

14. NATO has also developed key capabilities in the management of a possible terrorist attack. In Prague the Allies agreed on five initiatives to develop capabilities in dealing with chemical, biological, radiological, or nuclear (CBRN) attacks. The largest of these initiatives was the creation of a Multinational CBRN Defence Battalion, which can be deployed with NATO forces or on its own to provide a full range of CBRN defences, including reconnaissance, detection, and light and heavy decontamination units was created. The Battalion has already been deployed to aid civilian authorities during the 2004 Olympic Games in Athens, Greece. In addition, NATO has compiled an inventory of Allies' capabilities to respond to a terrorist attack that can be called upon if an incident occurs.

15. The Alliance has also improved intelligence sharing since 9/11. At the Istanbul Summit in 2004, the Allies agreed to create a joint Terrorist Threat Intelligence Unit, which uses both civilian and military intelligence resources to provide advice to the NAC and the NATO staff. However, as intelligence is by its nature confidential and paramount to each nation's security, most intelligence sharing still happens on a bilateral basis, making it difficult for NATO to add value in this area. Still, a thorough review of NATO intelligence is underway to identify ways to ensure that NATO staff has timely access to accurate intelligence to inform decision-making.

16. NATO's operations are also aiding the struggle against terrorism. OAE, NATO's only Article 5 operation, continues to help detect and deter terrorist activity in the Mediterranean. Its mandate has been expanded since it was created in 2001 to cover the entire Mediterranean and to counter terrorism in the region, broadly defined. OAE now involves intelligence sharing to target specific vessels of interest that can be tracked, or even boarded. NATO ships also patrol and survey choke points in the region, such as important passages and harbours. In addition, NATO Operations in Afghanistan and in the Western Balkans also include significant counter-terrorism components. These operations rely on NATO's main comparative advantages in fighting terrorism - its integrated military structure, highly developed military planning mechanisms, and more intangibly, its moral authority as an alliance of democracies.

17. Partnerships, too, are part and parcel of the fight against terrorism. NATO and Partner countries agreed to the Partnership Action Plan on Terrorism in November 2002, which provides a framework for co-operation against terrorism. This mechanism is important for generating political will to fight terrorism across a broad range of states and for exchanging information on preparedness as well as on ways to impede support to terrorist groups. Co-operation on terrorism is also a key aspect in the founding charter of the NATO-Russia Council (NRC), signed in 2002. The NRC draws up an annual action plan on terrorism and conducts training exercises to manage the consequences of a terrorist attack. In 2006 Russia joined OAE. NATO's

Mediterranean Dialogue also contributes to the fight against terrorism which, through individual co-operation programmes (ICP), offers the opportunity to focus more on terrorism. NATO and partner countries also established the Euro-Atlantic Disaster Response Coordination Centre (EADRCC), a mechanism through which NATO can coordinate responses to a terrorist attack or other disaster by all NATO Allies and Partners. The EADRCC helps to avoid duplication in an emergency, and also facilitates training to improve capabilities.

18. The NATO-led International Security Assistance Force (ISAF) in Afghanistan is by far the most important contribution of the Alliance to the fight against international terrorism. It is the most challenging mission NATO has ever taken on and its primary task there is to assist the Afghan authorities in providing security and stability. In addition, the Alliance has also become involved in reconstruction efforts. Significant progress has been achieved, but the security situation in Afghanistan markedly worsened during 2006, particularly in the south of the country. Suicide bombings, previously unknown in Afghanistan, have increased fourfold from 2005 and the Taliban were able to perform major military operations against Afghan and ISAF units at the end of last year. Security has also deteriorated in other parts of Afghanistan, including in Kabul. The decreased level of security has already hampered reconstruction efforts and limited NGO assistance activities mainly to urban areas. This year's General Report of the Political Committee offers a closer look of the operations in Afghanistan.

#### IV. IRAQ

19. The US administration Iraq has defined the Iraq war as the "front line in the 'war on terror'". The involvement and the presence of the Alliance in Iraq has been limited, however. NATO has provided communications, logistical and intelligence support to the Polish-led multinational division in Iraq and it has engaged in the NATO Training Mission-Iraq (NTM-I). Through NTM-I, NATO has trained over 4,000 mid and senior-level military officers in country, and over 900 officers in NATO and national facilities. NTM-I also co-ordinated donations of equipment to Iraq from a number of NATO countries worth more than €110 million in the last two years.

20. Despite the progress made by the Iraqi Government with regard to political conciliation, the overall security picture has been steadily deteriorating. Since 2003 an estimated 64,000 Iraqi civilians died as a result of insurgents' attacks and sectarian violence. Iraq has become one of the most dangerous places in the world. Sectarian clashes have continued to increase, as has the insurgents' capacity to organize high-impact attacks mainly through car-bombings. According to the UNHCR, an estimated 2 million Iraqis have fled to neighbouring countries, primarily Jordan and Syria, and 1.9 million Iraqis are internally displaced in Iraq. Nearly 50,000 Iraqis leave the country every month. At the time of this writing, the deployment of 17,500 additional US troops as part of a major US-Iraqi "surge" operation to secure Baghdad appears to have reduced sectarian violence somewhat. But it remains to be seen whether the stationing of additional troops will turn the tide. According to a recent ABC News/USA Today/BBC News/ARD TV poll, only 26% Iraqis feel safe in their neighborhoods and 80% have experienced some forms of attack. Furthermore, living and economic conditions are significantly deteriorating given not only the worsening security situation but also the lack of rule of law, as well as rising levels of corruption. Iraq has become a training ground for terrorists and the US Defense Intelligence Agency (DIA) estimates that approximately 10% of the Iraqi insurgency consists of foreign fighters, the majority of whom are allegedly suicide bombers.

21. The decision to go to war in Iraq had badly strained the transatlantic partnership, NATO, and also the EU. The Allies differed on whether Iraq represented an immediate threat and whether it was justified to use force against the regime of Saddam Hussein. While these tensions have now settled somewhat, there is still no transatlantic consensus on the best way to promote stability in the country.

22. The US focus on Iraq war has jeopardized the early military victory in Afghanistan in 2001. Moreover, the 2006 US National Intelligence Estimate concluded that the Iraq war has fuelled the growth of Islamist extremism. The war has also created a climate of growing mistrust between Islam countries and the West. Many Muslims throughout the world regard the war in Iraq as unjust and there is a deep suspicion of US motives among the Muslims in the region. The pictures of the Abu Ghraib prison and related events have not improved the US image among Muslims. As a result, anti-American sentiments among Muslims around the world have increased significantly.

#### V. THE BROADER MIDDLE EAST

23. Some can argue that terrorist action is also a result of policy, primarily the perceived injustice in Palestine and the presence of a non-Muslim military on sacred Muslim soil in Saudi Arabia. The Middle East conflict is one of the most important, if not the most important, stumbling blocks on the path toward reducing terrorism. Many Muslims are critical of the US and the West because they perceive that we have backed repressive regimes in the Middle East and that we appear to be tacitly supporting repression and imprisonment of dissenters. Moreover, many Muslims perceive that the US and the European countries support Israel and its occupation of Arab and Muslim territories. They feel that the US and the West are applying double standards and they also cannot understand the opposition to Iran's nuclear programme while Israel's was ignored. However, the primary enemy for Islamic fundamentalists is not the US and the West but their own governments and ruling elites, which have failed to prevent the corruption of their religion and to protect Muslim society from the unholy influence of the secular world. The US and the Allies are being targeted because they are perceived to be in support of these oppressive governments and policies.

24. There is a link between political repression and the rise of terrorist movements. However, we need to be careful with advocating regime change. We cannot and we must not impose our political system on others. Rather, our priority should be to help these countries allow political participation of all their citizens, rule of law and for economic opportunity.

25. Secular governments across the Broader Middle East face a surge in conservative religiosity that supports an extreme form of political Islam. Many countries in this region have suffered terrorist attacks from local groups that have emerged from the repressed extremists. Their governments have outlawed extreme Islamist parties that would be likely to win large parliamentary blocs — if not majorities — were they allowed to participate in free and fair national elections. But the circumscribed democracy that exists throughout the region also prevents more liberal elements of civil society from participating in politics as well. Islamist movements appear to be gaining ground and they can easily exploit the disenchantment with repressive, corrupt regimes particularly among the young generation that forms a high percentage of the population in many Arab countries and many of whom are unemployed. Economic development alone, however, does not suffice to address the problem. In fact, a recent study by the Gallup Centre for Muslim Studies in ten Muslim countries showed that wealthier and better-educated Muslims are more likely to be radicalised. Islamist movements easily exploit the Internet and Arabic satellite TV stations to spread their militant political messages.

#### VI. THE NEED FOR BROAD INTERNATIONAL CO-OPERATION

26. The fight against terrorism is being fought on many fronts: military, intelligence, diplomatic and financial. NATO's role in this fight is important, but limited. International co-ordination and

co-operation are and remain crucial to counter the threat, both at the international level, as well as on the bi-lateral level.

#### A. THE ROLE OF THE UNITED NATIONS

27. The UN has much to contribute to the development and implementation of an effective strategy to combat internationally active terrorist groups. The UN's most important contribution is that it establishes a legal framework for counter-terrorism and that it provides legitimacy in combating terrorist groups. The UN Security Council (UNSC) has passed numerous binding counter-terrorism related resolutions. To monitor member states' implementation of these obligations and to strengthen their counter-terrorism infrastructures it also established a number of subsidiary bodies. Moreover, the UN General Assembly has adopted a Global Counter-Terrorism Strategy thus marking an important consensus in the UN on terrorism.

28. Shortly after 9/11 the UNSC adopted Resolution 1373, which required all 191 UN member countries to freeze the financial assets of terrorists and their supporters, deny them travel or safe haven, prevent terrorist recruitment and weapons supply, and cooperate with other countries in information sharing and criminal prosecution. To monitor state compliance with these obligations and to strengthen their counter-terrorism capacities, Resolution 1373 created the Counter-Terrorism Committee (CTC).

29. UN activities have raised awareness among member states of the importance of international co-operation on counter-terrorism, but political and institutional limitations, including the consensus decision-making process that makes it difficult to take action in a timely fashion, as well as a lack of financial and human resources, impede the UN's efforts. Moreover, the UNSC's counter-terrorism activity has been mostly reactive, with the majority of Council resolutions dealing with terrorism having come in the aftermath of an attack or another major event. As a result, the Security Council's efforts against terrorism are both incoherent and uncoordinated. The CTC relies exclusively on reports from member states and has no possibility to verify if countries are actually implementing counter-terrorism mandates.

#### B. THE ROLE OF THE EUROPEAN UNION

30. The 9/11 terrorist attacks, as well as the later attacks in Madrid and London, were also calls to action for the European Union. While the EU gives primary responsibility for protecting citizens to the member states, the Union feels it can add value to the fight against terrorism by confronting networks of terror with networks against terror. Therefore, in the months following 9/11, European leaders agreed to a series of broad political measures intended to improve co-operation in the fight against terrorism. The EU's initial "Plan of Action to Combat Terrorism", agreed within the context of the Common Foreign and Security Policy in late September 2001, aimed to enhance police and judicial co-operation, while fighting terrorist financing and improving air security. This was followed by an agreement to create a European Arrest Warrant, thus speeding extradition of terrorist suspects and other criminals within the EU, and a common definition of terrorism. In March 2004, in the wake of the Madrid bombings, the EU member states agreed to a new "Declaration on Combating Terrorism" which, among other things, created an agreement on solidarity among the member states in the event of another terrorist attack. The EU also created the position of Counter-Terrorism Coordinator, who would report directly to the High Representative of CFSP. The EU has a number of instruments outside ESDP that are important in this area, such as an agreement on data sharing via Europol's anti-terrorist cell, and Eurojust, designed to co-ordinate investigations and prosecutions between national prosecuting authorities.



31. In the wake of the attacks in London in July 2005 the British Council Presidency sped the creation of a unified "EU Counter-terrorism Strategy." Along with its accompanying action plan, with its 160 specific measures, this Strategy is a comprehensive document combining steps to fight terrorism across all three EU pillars. The Strategy's headline commitment is "to combat terrorism globally while respecting human rights, and make Europe safer, allowing its citizens to live in an area of freedom, security, and justice." It is important to note that security and the preservation of fundamental rights are given equal weight in this statement. The Strategy is divided into four work streams – prevent, protect, pursue, and respond – each of which has its own key priorities. The work streams aim to improve upon national efforts by strengthening national capabilities, facilitating European co-operation, developing collective capability, and promoting international partnership. The Council meets to review the progress on implementing the Strategy every six months, and prior to this meeting a High Level Political Dialogue on Counter-Terrorism takes place, with representatives from the Council, the Commission, and the European Parliament. The EU has also assisted the US in the areas of police and judicial co-operation, in particular regarding regulation on extradition and police surveillance.

32. While the EU has now created a unified counter-terrorism strategy, implementation of this strategy is left to the member states. In practice this means that member states differ radically in their counter-terrorism legislation. In general, smaller and less affluent states have had difficulties advancing their legislation as speedily as the larger member states, many of whom had counter-terrorism legislation even prior to 9/11. More co-operation among member states in implementation of counter-terrorism policies would certainly add to the security of the Union as a whole. Other areas for improvement within the EU framework are better sharing of information and best practices, and better coordination of counter-terrorism related external development assistance.

## VII. THE DIFFICULTY OF MAINTAINING A "COMMON FRONT" AGAINST TERRORISM

33. Although 9/11 and other attacks such as those in Turkey in 2003, in Spain in 2004 and in the United Kingdom in 2005 created a general consensus that the transatlantic partners face a similar threat, there are significant differences, across the Atlantic on the means to employ to counter the threat. In the US, the terrorist attacks led to the largest expansion and restructuring of the security agencies in US history. This has not been the case in European member countries, as a number of them have been exposed to terrorism long before and had already adapted their law enforcement structures and legal means. However, the EU has introduced a broad array of structures and initiatives to allow for a more integrated and co-ordinated management of its policies to address the problem.

Formatted: Bullets and Numbering

34. Many governments have introduced new anti-terrorism legislation and the issue remains high on the agendas in member countries. Surveillance of private individuals and the collection of data about them has been greatly expanded. But there has also been concern that the character of our open societies may change to the worse. One of the challenges the Allies face is that they have partly different answers on how to balance civil liberties against the need to increase security. The issue is primarily related to domestic legislation and it is up to every individual country to define the proper balance between civil liberties and increased state control. However, there are also important foreign and security aspects to it.

Formatted: Bullets and Numbering

35. NATO allies share the same values, including the emphasis on the "rule of law" and a strong case can be made that protecting human rights and strengthening democracy are essential over the long term to the fight against terrorism. Holding on to our values and obtaining the strongest international legitimacy will make it easier to combat terrorists. In contrast,

Formatted: Bullets and Numbering

allegations of war crimes and torture undermine our values and make it more difficult to reach out to Muslim countries.

36. Tackling terrorist groups also requires co-operation with countries that do not necessarily share our values. Terrorist movements often arise in societies where civil and human rights are denied and opportunities for political expression are lacking. The difficulty is that we also need to co-operate with repressive governments and some of our partner countries in the fight against terrorism use our co-operation for their own domestic purposes. While we cannot and should not impose our values on others, we need to recognise that democracy can be a tool against terrorism and we must resist any temptation to weaken our democratic values. On the contrary, we must encourage other states to adhere to liberal democratic values as well. Formatted: Bullets and Numbering
37. There is no trade-off to be made between human rights and terrorism and upholding human rights is not at odds with battling terrorism. On the contrary, the moral vision of human rights — the respect for the dignity of each person — is among our most powerful weapons against it. We must not torture, arrest without justification, and hold individuals outside the law. These are means employed by terrorist groups like al Qaeda. To compromise on the protection of human rights would hand terrorists a victory they cannot achieve on their own. Therefore, the promotion and protection of human rights should be key part of our strategy to combat terrorism. Formatted: Bullets and Numbering
38. We need to use the "soft power" of values and ideas as well as military strength to defeat extremism. We must avoid 'politics of fear' — which is the primary weapons that terrorist employ — and we must also resist the promotion of a vision of Islam as the Evil Power. By far the most Muslims consider terrorist acts to be egregious violations of Islam's laws. Formatted: Bullets and Numbering
39. We must consider the potential costs of avoiding democratisation are far greater in terms of forsaking our values and weakening our long-term security. When we co-operate with problem countries, we need to balance short-term gains against long-term costs. Formatted: Bullets and Numbering
40. Another problem that our open societies face is how we deal with terrorists and insurgents, as the distinction between military and civilian combatants has become increasingly blurred. In addition to ignoring or violating many fundamental individual rights and liberties, the Bush Administration has been accused of acting in violation of international law, human rights, and the US Constitution in its execution of the campaign, particularly with regard to the internment of so-called "unlawful combatants" in its military prison at Guantánamo Bay, Cuba. Critics emphasise that it has detained many hundreds of prisoners, some of them American citizens, indefinitely, in secret, and without charge or access to a lawyer. Concerns have also been raised about the creation of special military tribunals where traditional safeguards to protect the innocent from conviction will not be available. Designated by the US authorities as "unlawful enemy combatants", who are thus denied the privileges of prisoner of war (POW) designation in accordance with the Geneva Conventions, many have been held for more than five years without knowing if or when they will be released or brought to any form of judicial process. Formatted: Bullets and Numbering
41. The Bush Administration has also been criticised over the rendition-flights programme of kidnapped suspects. At least 1,245 such flights in EU states occurred since 2001 with the tacit approval and co-operation of some European governments, according to a report by the European Parliament. Formatted: Bullets and Numbering
42. The existence of the CIA's secret prison system and allegations by some former prisoners that they were tortured in these secret facilities have made European public opinion further critical of the US. In addition, critical media reports have prompted a closer look in Europe at the co-operation with US intelligence agencies. Europeans are increasingly concerned about the US's use of airline and banking data of European citizens in terrorist profiling. A German court has ordered the arrest of 13 Americans, presumed to be CIA agents, in the "extraordinary

rendition" of a German citizen who was later found not to have any connections to terrorism. Critics have chided the US and some European governments to "outsource torture."

### VIII. WHERE DO WE STAND?

43. Five years after President Bush has declared the "war on terror" it is difficult to assess where we stand. There are no clear benchmarks against which we could measure success or possible failure. Moreover, the inherent secrecy of terrorist and government actions makes it almost impossible to provide a clear picture. Failure or success in combating terrorist groups becomes public only after an attack or after a foiled attempt.

Formatted: Bullets and Numbering

44. Your rapporteur would like to caution that calling the fight against international terrorist groups a "war on terror" is a mistake. The term is vague and simplistic and suggests that we could win this struggle by applying primarily military means. Groups like al-Qaeda are not governments that can be subdued by war but a diverse network of non-state actors spread across more than sixty countries.

Formatted: Bullets and Numbering

45. It appears that the general picture is mixed. One main success certainly is that Afghanistan is no longer ruled by the Taliban. International awareness of and co-operation against terrorism has greatly increased. As to the bi-lateral and multi-lateral co-operation, a number of new initiatives, been have developed, such as the Container Security Initiative (CSI). With regard to NATO, it has engaged in a major transformation which is directed to make it much more responsive to fight terrorism. NATO has developed and expanded its capabilities that are important in tackling the threat posed by internationally active terrorist groups.

Formatted: Bullets and Numbering

46. According to reports, a number of major terrorist attacks have been thwarted and numerous high-profile terrorists have been arrested or killed. Foiled plots like the trolley bomb case near Cologne in Germany in July 2006 and the London airplane in August, which had a large impact on civilian air travel, demonstrate that the threat has not subsided, but that national and international authorities are making progress in tracking these threats.

Formatted: Bullets and Numbering

47. But 'despite being forced to decentralize its network, al-Qaeda retains the ability to organise complex, mass-casualty attacks and inspire others', as the director of the US Defense Intelligence Agency (DIA), General Michael Maples, submitted in a written statement to the US Senate Armed Services Committee. Moreover, according to the 2006 US National Intelligence Estimate, al-Qaeda may have been weakened since the 11 September 2001 attacks, but new radical Islamic groups and cells, which are inspired by Osama Bin Laden but not under his direct control, have been formed. The terror threat to EU member states is "more serious than ever," according to the annual report of Europol, the EU's police office. Al-Qaeda propaganda is now of "greater sophistication and quality" and more "professional" than ever before and the radicalisation of terrorist suspects has become more rapid.

Formatted: Bullets and Numbering

48. As to Iraq, the security is highly fragile and the country is close to a civil war which could spill over to neighbouring countries. The presence of the US-led coalition is proving a recruiting tool for young radical Muslims worldwide, but a precipitous withdrawal of the troops would probably make the situation worse, thereby aggravating the terrorism problem.

Formatted: Bullets and Numbering

49. By concentrating on Iraq, we diverted already scarce resources from improving the situation in Afghanistan. As a result, we have made less progress there than was possible, and there is still unrest and instability in Afghanistan while the Taliban are resurging. Moreover, the focus on Iraq distracted us from addressing other important issues, in particular Iran, which has been accused of assisting terrorist organisations. American intelligence officials allege that Iranian paramilitary groups are providing weapons and sophisticated bombs to Iraqi Shiite groups

Formatted: Bullets and Numbering

thereby helping the insurgency there. Tehran was also able to continue pursuing its controversial nuclear programme. If Iran decided to develop nuclear weapons, it could lead to the further proliferation of WMD and would further destabilise the Gulf's already volatile security. (The Iranian problem contains the basis for another transatlantic clash. The clash could emerge over whether the idea of Iran having nuclear weapons is something that is inevitable and worth the risk of war.)

50. The greatest threat to our security is a "nexus between terrorist networks, terrorist states and WMD" as former US Secretary of Defense Donald Rumsfeld described. Here, too, the picture is mixed as international co-operation has increased and new partnerships developed. Programmes like the Global Initiative to Combat Nuclear Terrorism and the Proliferation Security Initiative (PSI) have generated additional capabilities among participating countries to combat the global threat of nuclear terrorism. However, there has been no progress with regard to the Nuclear Non-Proliferation regime (NPT) which is worrisome as the danger of WMD proliferation appears to increase and the possible nexus of terrorism, "states of concern" and WMD proliferation has become a major security concern.

Formatted: Bullets and Numbering

#### IX. PRELIMINARY RECOMMENDATIONS

51. Despite the achievements in combating terrorism, the threat posed by international terrorist groups has not abated. NATO provides the essential transatlantic dimension in combating terrorism, but terrorism cannot be defeated by military means alone, and therefore NATO should use its political-diplomatic clout more and more effectively. The Alliance needs to re-invigorate its ability to achieve political consensus, agree on common concept and act as a coalition. To that end, NATO needs to expand and refine some of the policies it has developed.

Formatted: Bullets and Numbering

52. One of the areas where NATO could take on additional responsibility is homeland defence, and its role in this area could be to co-ordinate national policies across the Atlantic. Certainly the main responsibility for protecting citizens from terrorist attacks belongs with national authorities and homeland security will always remain an essential competence of every nation's government. However, NATO has already had a role in homeland defence and homeland security since the Cold War. What is more, military forces have always co-operated with civilian authorities in responding to natural disasters, sealing borders or protecting critical infrastructure.

Formatted: Bullets and Numbering

53. A more prominent role for NATO in homeland defence should be co-ordinated as closely as possible with the EU which is increasingly becoming active in this area. Close co-operation with the EU is particularly important as its instruments to tackle terrorism cover areas NATO does not address, such as cross-border law enforcement, border control co-operation and foreign policy.

Formatted: Bullets and Numbering

54. NATO's political clout should also be used more effectively with regard to partner countries. As the Broader Middle East is of critical strategic importance, the Allies should expand the engagement with neighbouring states by developing existing programmes like the Mediterranean Dialogue and the Istanbul Co-operation Initiative (ICI) using the experience and assets of NATO's Partnership for Peace.

Formatted: Bullets and Numbering

55. A just and lasting solution to the Israeli-Palestinian conflict would go a long way to tackle the problem of Islamist terrorism. Although NATO is not involved in settling this conflict, NATO should consider adding its political and diplomatic weight to finding a solution. For example, the NAC could be used to devise joint transatlantic initiatives that could help to co-ordinate the policies and initiatives of member countries as well as those of the US and the EU. Moreover, NATO could provide additional training assistance to Mediterranean Dialogue or ICI partner countries. A greater emphasis should be placed on cooperation with countries that develop democratic structures and respect human rights. Here too, it would be important to co-ordinate

Formatted: Bullets and Numbering

with the EU as the latter could offer non-military assistance and training that are relevant in tackling terrorism.

56. Finally, the developments in the last five years have underlined the importance of public diplomacy, both in terms of maintaining support at home and co-operation abroad. NATO allies should better orchestrate their activities among themselves. To that end NATO's capacities should be strengthened and more funding as well as expertise made available.

Formatted: Bullets and Numbering

EU4

Critique of NATO Parliamentary Assembly Committee Report Entitled:

**5 Years into the War on Terror – Impact and Implications for the Transatlantic Alliance**

Subcommittee on Transatlantic Relations

RELEASED IN FULL

September 2007

**Summary:**

This report assesses the nature of the terrorist threat facing NATO Allies, the contours of counterterrorism cooperation within NATO and other international organizations, and developments in Iraq and the broader Middle East. The report states that the results of the War on Terror have been “mixed” – terrorist networks have become much more diffuse and difficult to detect and disrupt, exploiting cyberspace and grievances in the Middle East to radicalize and recruit home-grown extremists in order to execute terrorist attacks. According to the report, NATO’s counterterrorism (CT) role is important but limited to date. The report recommends that NATO develop a more concerted homeland defence approach, through the coordination of transatlantic national policies, and calls for increased NATO-EU cooperation and coordination on combating terrorism and focus on public diplomacy.

**General Comments:**

The report provides a concise and coherent summary of NATO’s CT efforts since 9/11. However, the report is controversial in its significant criticism of U.S. foreign policy in Iraq and the Broader Middle East (particularly in the decision to invade Iraq). While the report recognizes a link between political oppression and the rise of terrorist movements, it notes that “we cannot and must not impose our political system on others.” On the other hand, the author highlights the importance of democracy and respect for human right and advocates using “soft power” (i.e., values and ideas) to promote political participation, rule of law and economic development, which is largely consistent with U.S. foreign and assistance policy goals. The author also recommends that NATO lend its political clout to help resolve the Israeli-Palestinian conflict to address the problem of growing Islamist terrorism.

**Areas of U.S. Concern:**

The author states that “the U.S. focus on the Iraq war jeopardized the military victory in Afghanistan and fueled the growth of Islamist extremism (para 23),” fuelled extremists and has resulted in rising anti-American sentiment among Muslims worldwide. The report is also highly critical of the Administration’s human rights record, citing problems with unlawful enemy combatant detainees in Guantanamo and concerns regarding rendition-flights and “secret prisons”, which have damaged European public opinion (paras 40-42). The report is largely written from a Euro-centric viewpoint and implies that the EU has the principle CT foreign policy role, but fails to recognize that several non-EU member Allies (the U.S., Canada, Norway, Iceland and Turkey) will continue to look at the NATO Alliance as a principle diplomatic and multilateral instrument to fight terrorism.

**State Department Views:**

- The importance of NATO in the GWOT is understated in this paper. NATO provides an essential foreign policy platform to address CT issues across a broad spectrum of political-military issues, including civil emergency preparedness and resilience to terrorist attacks. NATO exercises unite Allies and Partners in contingency response mechanisms and build capabilities to address the report's principal state threat: attacks involving chemical, biological, radiological or nuclear (CBRN) weapons.
- An additional NATO focus on homeland defense and public diplomacy is promising, but hinges on the actual substance behind these ideas which were not addressed in the report. Welcome further work and deliberations on this important topic.
- We need to urge caution when considering adding NATO's political and diplomatic weight to finding a solution to the Israeli-Palestinian conflict.

UNCLASSIFIED

UNCLASSIFIED  
August 5, 2008

EUR

LUNCH AGENDA ITEM: LETTER TO ALDE RELEASED IN FULL

**ISSUE:** The Alliance of Liberals and Democrats for Europe who are members of the European Parliament Temporary Committee on the alleged use of European countries by the CIA for the transport and illegal detention of prisoners (TDIP) have written to the SYG requesting access to the full text of the NATO Council Decision Sheet on the implementation of Article 5 on October 4, 2001, following the 9/11 attacks. ALDE says that the statement to the press "could ... pave the way for allegations and speculations in connection with alleged CIA flights on ... European soil." ALDE has also invited the SYG to testify to the committee.

The SYG has proposed points for a letter in response to ALDE that there is full solidarity on the support for the invocation of Article 5, the press statement accurately reflects the contents of the decision sheet, the decisions are still in force, the decisions reflect an agreement among Allies and NATO does not coordinate the implementation of the decision, and, finally, the SSYG does not intend to testify before the TDIP.

**TALKING POINTS:** Support the SYG in the points he has raised in response to the letter, in particular noting the fact that the decision sheet is not a public document and the press statement accurately and adequately reflects the elements of the decision. We have sent the request back to Washington for comment but have no further guidance at this time.

**ATTACHMENTS:**

SG (2006) 0341

Letter from ALDE to the SYG

SYG's Elements of a Possible Reply

Drafted: JMellott, POL  
Cleared: SSeldowitz, POL  
U:\FOIA\Request #200706444\PMO Files\PR Lunch 05162006 ALDE.doc

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: ARCHIE M BOLSTER  
DATE/CASE ID: 05 MAR 2009 200706444

UNCLASSIFIED

EUR 0032



UNCLASSIFIED

UNCLASSIFIED

EU9

Macedonia in Iraq

RELEASED IN FULL

**Background:**

Macedonia supports both OIF and OEF with troops, and they have continued to increase their participation in Iraq since June 2003. Macedonia currently has 48 troops in Iraq, including a 33-man special operations platoon. Several Macedonian soldiers have been awarded US medals for their conduct in Iraq. The platoon is embedded with a U.S. engineer battalion stationed in Taji, in MND-Baghdad; the Macedonians will be eager to remain embedded with U.S. forces in the future. The current mandate for these troops, renewed every six months, expires again in June. We expect this seventh rotation to be renewed without difficulty. Likewise, we do not expect the deployment to Iraq to play a significant role in the Macedonian parliamentary elections likely in late June or July. Macedonia was the first to volunteer trainers (12) for CENTCOM's proposed military assistance training concept in Iraq. Macedonia has also offered to train Iraqi officials and to help draft the Iraqi constitution. While there have been no Macedonian troop casualties, in autumn 2004, three Macedonian civilians were kidnapped in Baghdad and killed. Macedonia does not have diplomatic relations with Iraq. Outside Iraq, Macedonia supports ISAF with 33 troops, including an Infantry Platoon, medical personnel and staff officers. Given its limited resources, Macedonia has not made any financial pledges. Public opinion has remained largely supportive of Macedonia's GWOT deployments. Macedonia holds US\$300 million in Iraqi debt.

**Talking Points:**

- Thank you for your consistent commitment to stability in Iraq and Afghanistan. GOM military contribution has been invaluable to security in MND-Baghdad since June 2003. Exemplary performance by Macedonian forces.
- Want to present to you our vision of international support to Iraq in 2006 and into 2007, and we want Macedonia to be part of that vision. (S/I presentation)
- Iraq at crucial turning point: first full-term government being formed. Crucial that we maintain international support to help Iraq succeed.

UNCLASSIFIED

UNCLASSIFIED

EUR 0033

UNCLASSIFIED

UNCLASSIFIED

- Encourage you to stay the course with your troop deployment through 2006 and into 2007.

**Watch Out For:**

The case of Khalid el-Masri, a German citizen of Lebanese descent who claims he was flown by the CIA from Macedonia to Afghanistan for interrogation, has generated intense press commentary in Macedonia, most of it negative, over the past several months. Opposition parties and opinion-shapers have accused the government of jeopardizing Macedonia's EU accession chances by refusing to comprehensively answer Council of Europe and European Parliament requests for a full accounting in the case. Relevant government authorities have responded carefully to COE and EU requests for information, consistently explaining that they have little information to provide on el-Masri and his allegations. There has been some mention in the press of alleged secret CIA prisons on Macedonian soil, but those stories have not had the same staying power as the el-Masri case.

UNCLASSIFIED

UNCLASSIFIED

EUR 0034

UNCLASSIFIED

UNCLASSIFIED

U:\RPM Ops 2006\Iraq - Other Documents\Deutsch Trip - Macedonia.doc

Drafted: EUR/RPM:ABaird 202-647-2127  
EUR/SCE:PPfeuffer 202-647-2452

Cleared:

NEA/I:Bjensen - OK

S/I:BDeutsch - OK

JCS:BPearl - OK

PM/RSAT:RRobinson - OK

OSD:MNiles - OK

EUR/ERA:HBisharat - OK

UNCLASSIFIED

UNCLASSIFIED

EUR 0035

UNCLASSIFIED

UNCLASSIFIED

ELLIOA

RELEASED IN FULL

**Press: Questions and Answers**

Q: Could you discuss why you came to Åre and the significance of this meeting? What exactly is the Euro-Atlantic Partnership Council? Why is it meeting in Sweden this year? What did the meeting accomplish?

- A: THE EAPC IS ALL ABOUT PARTNERSHIP, AND HOW WE CAN ALL WORK TOGETHER TO PROMOTE FREEDOM, DEMOCRACY, AND SECURITY.**
- **THIS MEETING WAS UNIQUE, AS IT INCLUDED GOVERNMENT OFFICIALS, CIVIL SOCIETY REPRESENTATIVES, AND MEMBERS OF THE MEDIA.**
  - **TOGETHER WE DISCUSSED HOW WE CAN IMPROVE NATO'S COOPERATION WITH ITS PARTNERS ON A WIDE RANGE OF ISSUES, FROM THE BALKANS TO THE MIDDLE EAST.**
  - **THIS IS THE INAUGURAL EAPC SECURITY FORUM AND HIGHLIGHTS THE IMPORTANCE NATO PLACES ON ITS PARTNER RELATIONSHIPS.**
  - **BY MEETING IN SWEDEN, WE ARE EMPHASIZING THE LEADERSHIP ROLE THAT SWEDEN PLAYS AMONG OUR PARTNERS – WITH FORCES IN KOSOVO AND AFGHANISTAN.**

Q: There has been a continuing controversy over the rendition of two Egyptian citizens from Sweden to Egypt in December 2001 and the U.S.

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

Government role. Could you explain what the involvement of the United States was and why your government was involved?

**A: WE CANNOT COMMENT ON INTELLIGENCE MATTERS.**

Q: There has been a long debate in Sweden about NATO membership? What is your view? Would the United States like to see Sweden become a NATO member?

**A: SWEDEN, OF COURSE, WOULD BE A VALUED ALLY IF IT CHOSE TO JOIN NATO BECAUSE OF ITS ACTIVE INTERNATIONAL ENGAGEMENT AND COMMITMENT TO THE SHARED VALUES OF THE ALLIANCE.**

- **BUT ULTIMATELY THE QUESTION OF APPLYING TO BECOME PART OF THE ALLIANCE IS UP TO SWEDEN.**

Q: Some in Sweden have questioned NATO's commitment to democracy. Why are dictatorships such as Belarus and Uzbekistan, for instance, welcomed as members of the NATO Partnership for Peace?

**A: THE PARTNERSHIP FOR PEACE ESTABLISHES A REAL DIALOGUE BETWEEN NATO AND EACH PARTICIPANT.**

- **JOINT ACTIVITIES AND REGULAR CONSULTATION HELP TO SHARE NATO'S VALUES SUCH AS CIVILIAN CONTROL OF THE MILITARY AND TRANSPARENT DEFENSE PLANNING. FURTHERING THESE**

UNCLASSIFIED

UNCLASSIFIED

EUR 0037

UNCLASSIFIED

UNCLASSIFIED

**DEMOCRATIC VALUES IS AT THE HEART OF THE  
PARTNERSHIP FOR PEACE.**

**Q: What is your view of discussion about Europe becoming a  
counterweight to America?**

**A: A STRONG EUROPE WILL ENHANCE EXISTING U.S.-  
EUROPEAN COOPERATION.**

- **OCCASIONAL DISAGREEMENTS DO NOT DIMINISH  
THE CORE IMPORTANCE OF OUR TRANSATLANTIC  
RELATIONSHIP WITH EUROPE AND OF NATO AS OUR  
PRINCIPAL FORUM FOR TRANSATLANTIC  
STRATEGIC DISCUSSIONS.**

**Q: How do you respond to charges that the United States in connection  
with Iraq and the war on terrorism has been unilateral and has rejected  
multi-lateralism?**

**A: PRESIDENT BUSH AND SECRETARY RICE HAVE  
EMPHASIZED REPEATEDLY OUR COMMITMENT TO  
EFFECTIVE MULTILATERALISM.**

- **THE U.S. COMMITMENT TO WORKING WITHIN NATO  
HAS NEVER BEEN CLEARER.**
- **THE U.S. REMAINS DEDICATED TO WORKING WITH  
OUR ALLIES AND PARTNERS ALIKE TO KEEP NATO  
AT THE CENTER OF THE EFFORT TO BUILD A  
DEMOCRATIC, FREE, AND SECURE WORLD IN THE  
YEARS AHEAD.**

UNCLASSIFIED

UNCLASSIFIED

EUR 0038

UNCLASSIFIED

UNCLASSIFIED

Approved: EUR – Janet Garvey ok  
Drafted: EUR/PPD – Joann M. Lockard, ext. 7-5246  
Cleared: D – ESidereas ok  
P – JDeHart ok  
S/P – KDonfried ok  
PA – JReside ok  
EUR/PPD – VWalker ok  
EUR/PPD/PA – CAranaga ok  
EUR/NB – SJohnson ok  
EUR/RPM – HBaez ok  
S/CT – JKincannon ok

UNCLASSIFIED

UNCLASSIFIED

EUR 0039

UNCLASSIFIED

RELEASED IN FULL

EU/BA

**Press Guidance on Amnesty International report on  
AFGHANISTAN: Detainees transferred to Torture: ISAF complicity?**

- ISAF developed its detainee transfer policy, in cooperation with the ICRC, with emphasis on the importance of humane treatment.
- Humane treatment safeguards include bilateral arrangements between ISAF partners and the Islamic Republic of Afghanistan, rule of law assistance, and third-party monitoring of transferred detainees.
- We take allegations of mistreatment seriously. However, we join our ISAF partners in the view that Amnesty's call for a moratorium on detainee transfers to the Government of Afghanistan is neither warranted nor appropriate.
- We continue to work with the Islamic Republic of Afghanistan to improve its prison system and to develop the rule of law.
- We refer you to the NATO ISAF spokesperson for further comment.

**If asked:** Do you agree with Amnesty's contention that bilateral MOUs are inadequate for addressing humane treatment concerns?

- Like our ISAF partners, the USG considers that bilateral MOUs and similar arrangements are an important and appropriate tool for addressing humane treatment issues.

**If asked:** Are you aware of any cases of abuse or mistreatment of detainees transferred by the United States to the Government of Afghanistan?

- I believe that the ISAF spokesperson has addressed the question with regard to ISAF transfers. Without getting into specifics, I can assure you that humane treatment is a priority for us.

**Background:** International Security Assistance Force Operations Plan requires that all detainees be turned over to the Afghan authorities within 96 hours of capture. United States forces operating under ISAF command abide by this rule. Earlier this week Amnesty International issued a report alleging that transferred detainees had been abused or disappeared. It contains specific allegations of torture with respect to three Canadian detainees. It calls for a moratorium on any further detainee transfers to the Afghans and argues that bilateral assurances on humane treatment are not a meaningful safeguard against abuse. ISAF partners reviewed the recommendations in draft form and decided that a moratorium was neither warranted nor realistic.



UNCLASSIFIED

Drafted by: L/PM:SPomper X7-7178

Cleared by: EUR/RPM: PShea; CBeamer - ok  
SCA/PPD: GSullivan; JViau - ok  
SCA/A: SIngram - ok  
DOD: IRainey; BClark - ok  
DRL: ASchmisseur; KMcGeeney - ok

UNCLASSIFIED

EUR 0041

EU18

State 220071  
Jennifer M Bandy 08/05/2008 11:31:00 AM From DB/Inbox: Search Results

Cable  
Text:

RELEASED IN PART  
B1, 1.4(D)

CONFIDENTIAL  
TELEGRAM

December 05, 2005

To: AMEMBASSY BERN - IMMEDIATE  
Origin: EUR  
From: SECSTATE WASHDC (STATE 220071 - IMMEDIATE)  
TAGS: EUN, OPDC, PHUM, PREL  
Captions: None  
Subject: SECRETARY RICE'S RESPONSE TO LETTER FROM FOREIGN  
SECRETARY STRAW ON ALLEGED US DETENTION AND  
TRANSPORTATION OF TERRORIST SUSPECTS IN OR THROUGH EU  
MEMBER STATES  
Ref: None

Classified by Secretary of State Condoleezza Rice, reasons  
1.4 (b) and (d)



B1

2. (U) Begin text of letter to Foreign Secretary Straw:

Dear Foreign Secretary:

Thank you for your letter of November 29, 2005, concerning "media reports suggesting violations of international law in the alleged U.S. detention or transportation of terrorist suspects in or through EU member states." On December 5, 2005, I made a statement on this issue, a copy of which I enclose. I trust this statement responds to the concerns that EU governments have raised.

Sincerely,  
Condoleezza Rice

Enclosure: As stated.

End Text.

3. (U) Begin text of December 5 Statement by Secretary  
Page 1

UNCLASSIFIED

State 220071

Rice:

Good morning. We have received inquiries from the European Union, the Council of Europe, and from several individual countries about media reports concerning U.S. conduct in the war on terror. I am going to respond now to those inquiries, as I depart today for Europe. And this will also essentially form the text of the letter that I will send to Secretary Straw, who wrote on behalf of the European Union as the European Union President.

The United States and many other countries are waging a war against terrorism. For our country this war often takes the form of conventional military operations in places like Afghanistan and Iraq. Sometimes this is a political struggle, a war of ideas. It is a struggle waged also by our law enforcement agencies. Often we engage the enemy through the cooperation of our intelligence services with their foreign counterparts.

We must track down terrorists who seek refuge in areas where governments cannot take effective action, including where the terrorists cannot in practice be reached by the ordinary processes of law. In such places terrorists have planned the killings of thousands of innocents - in New York City or Nairobi, in Bali or London, in Madrid or Beslan, in Casablanca or Istanbul. Just two weeks ago I also visited a hotel ballroom in Amman, viewing the silent, shattered aftermath of one of those attacks.

The United States, and those countries that share the commitment to defend their citizens, will use every lawful weapon to defeat these terrorists. Protecting citizens is the first and oldest duty of any government. Sometimes these efforts are misunderstood. I want to help all of you understand the hard choices involved, and some of the responsibilities that go with them.

One of the difficult issues in this new kind of conflict is what to do with captured individuals who we know or believe to be terrorists. The individuals come from many countries and are often captured far from their original homes. Among them are those who are effectively stateless, owing allegiance only to the extremist cause of transnational terrorism. Many are extremely dangerous. And some have information that may save lives, perhaps even thousands of lives.

The captured terrorists of the 21st century do not fit easily into traditional systems of criminal or military justice, which were designed for different needs. We have to adapt. Other governments are now also facing this challenge.

We consider the captured members of al-Qaida and its affiliates to be unlawful combatants who may be held, in accordance with the law of war, to keep them from killing innocents. We must treat them in accordance with our laws, which reflect the values of the American people. We must question them to gather potentially significant, life-saving, intelligence. We must bring terrorists to justice wherever possible.

Page 2

UNCLASSIFIED

EUR 0043

State 220071

For decades, the United States and other countries have used "renditions" to transport terrorist suspects from the country where they were captured to their home country or to other countries where they can be questioned, held, or brought to justice.

In some situations a terrorist suspect can be extradited according to traditional judicial procedures. But there have long been many other cases where, for some reason, the local government cannot detain or prosecute a suspect, and traditional extradition is not a good option. In those cases the local government can make the sovereign choice to cooperate in a rendition. Such renditions are permissible under international law and are consistent with the responsibilities of those governments to protect their citizens.

Rendition is a vital tool in combating transnational terrorism. Its use is not unique to the United States, or to the current administration. Last year, then Director of Central Intelligence George Tenet recalled that our earlier counterterrorism successes included "the rendition of many dozens of terrorists prior to September 11, 2001."

-- Ramzi Youssef masterminded the 1993 bombing of the World Trade Center and plotted to blow up airlines over the Pacific Ocean, killing a Japanese airline passenger in a test of one of his bombs. Once tracked down, a rendition brought him to the United States, where he now serves a life sentence.

-- One of history's most infamous terrorists, best known as "Carlos the Jackal," had participated in murders in Europe and the Middle East. He was finally captured in Sudan in 1994. A rendition by the French government brought him to justice in France, where he is now imprisoned. Indeed, the European Commission of Human Rights rejected Carlos' claim that his rendition from Sudan was unlawful.

Renditions take terrorists out of action, and save lives.

In conducting such renditions, it is the policy of the United States, and I presume of any other democracies who use this procedure, to comply with its laws and comply with its treaty obligations, including those under the Convention Against Torture. Torture is a term that is defined by law. We rely on our law to govern our operations. The United States does not permit, tolerate, or condone torture under any circumstances. Moreover, in accordance with the policy of this administration:

-- The United States has respected -- and will continue to respect -- the sovereignty of other countries.

-- The United States does not transport, and has not transported, detainees from one country to another for the purpose of interrogation using torture.

-- The United States does not use the airspace or the airports of any country for the purpose of transporting a detainee to a country where he or she will be tortured.

# UNCLASSIFIED

State 220071

-- The United States has not transported anyone, and will not transport anyone, to a country when we believe he will be tortured. Where appropriate, the United States seeks assurances that transferred persons will not be tortured.

International law allows a state to detain enemy combatants for the duration of hostilities. Detainees may only be held for an extended period if the intelligence or other evidence against them has been carefully evaluated and supports a determination that detention is lawful. The United States does not seek to hold anyone for a period beyond what is necessary to evaluate the intelligence or other evidence against them, prevent further acts of terrorism, or hold them for legal proceedings.

With respect to detainees, the United States Government complies with its Constitution, its laws, and its treaty obligations. Acts of physical or mental torture are expressly prohibited. The United States Government does not authorize or condone torture of detainees. Torture, and conspiracy to commit torture, are crimes under U.S. law, wherever they may occur in the world.

Violations of these and other detention standards have been investigated and punished. There have been cases of unlawful treatment of detainees, such as the abuse of a detainee by an intelligence agency contractor in Afghanistan or the horrible mistreatment of some prisoners at Abu Ghraib that sickened us all and which arose under the different legal framework that applies to armed conflict in Iraq. In such cases the United States has vigorously investigated, and where appropriate, prosecuted and punished those responsible. Some individuals have already been sentenced to lengthy terms in prison; others have been demoted or reprimanded.

As CIA Director Goss recently stated, our intelligence agencies have handled the gathering of intelligence from a very small number of extremely dangerous detainees, including the individuals who planned the 9/11 attacks in the United States, the attack on the U.S.S. Cole, and many other murders and attempted murders. It is the policy of the United States that this questioning is to be conducted within U.S. law and treaty obligations, without using torture. It is also U.S. policy that authorized interrogation will be consistent with U.S. obligations under the Convention Against Torture, which prohibit cruel, inhuman, or degrading treatment. The intelligence so gathered has stopped terrorist attacks and saved innocent lives -- in Europe as well as in the United States and other countries. The United States has fully respected the sovereignty of other countries that cooperate in these matters.

Because this war on terrorism challenges traditional norms and precedents of previous conflicts, our citizens have been discussing and debating the proper legal standards that should apply. President Bush is working with the U.S. Congress to come up with good solutions. I want to emphasize a few key points.

-- The United States is a country of laws. My colleagues and I have sworn to support and defend the Constitution of

Page 4

# UNCLASSIFIED

EUR 0045

State 220071  
the United States. We believe in the rule of law.

-- The United States Government must protect its citizens. We and our friends around the world have the responsibility to work together in finding practical ways to defend ourselves against ruthless enemies. And these terrorists are some of the most ruthless enemies we face.

-- We cannot discuss information that would compromise the success of intelligence, law enforcement, and military operations. We expect that other nations share this view.

Some governments choose to cooperate with the United States in intelligence, law enforcement, or military matters. That cooperation is a two-way street. We share intelligence that has helped protect European countries from attack, helping save European lives.

It is up to those governments and their citizens to decide if they wish to work with us to prevent terrorist attacks against their own country or other countries, and decide how much sensitive information they can make public. They have a sovereign right to make that choice.

Debate in and among democracies is natural and healthy. I hope that that debate also includes a healthy regard for the responsibilities of governments to protect their citizens.

Four years after September 11, most of our populations are asking us if we are doing all that we can to protect them. I know what it is like to face an inquiry into whether everything was done that could have been done. So now, before the next attack, we should all consider the hard choices that democratic governments must face. And we can all best meet this danger if we work together.

Thank you.  
(END STATEMENT)  
RICE

---

Additional Addressees:  
AMEMBASSY OSLO  
AMEMBASSY REYKJAVIK  
USMISSION USNATO  
EU MEMBER STATES COLLECTIVE

CC:  
None

Distribution:

TED7515  
ORIGIN EUR-00

INFO	LOG-00	AID-00	AMAD-00	CIAE-00	CPR-00	INL-00	DODE-00
	DOFE-00	DS-00	EAP-00	EB-00	FAAE-00	H-00	TEDE-00
	INR-00	IO-00	JUSE-00	LAB-01	L-00	DCP-00	NSAE-00
	ISN-00	NSCE-00	NIMA-00	PA-00	GIWI-00	PRS-00	P-00
	FMP-00	SSC-00	SSO-00	SS-00	R-00	EPAE-00	IIP-00

UNCLASSIFIED

State 220071  
SCRS-00 DSCC-00 PRM-00 DRL-00 G-00 SAS-00 SWCI-00  
/001R

220071  
SOURCE: DISKETTE.044587  
DRAFTED BY: EUR/ERA:PCHASE/L:SWITTEN -- 12/05/05 202-647-3474  
APPROVED BY: S:THE SECRETARY  
L:JBELINGER D:CPADILLA P:JHEFFERN  
C:PZELIKOW R:KVOLKER  
S/ES-S:AACHACON S/ES-O:ASMITH  
-----697E34 052339Z /38

O 052331Z DEC 05  
FM SECSTATE WASHDC  
TO EU MEMBER STATES COLLECTIVE IMMEDIATE  
USMISSION USNATO IMMEDIATE  
AMEMBASSY REYKJAVIK IMMEDIATE  
AMEMBASSY BERN IMMEDIATE  
AMEMBASSY OSLO IMMEDIATE

C O N F I D E N T I A L STATE 220071

E.O. 12958: DECL: 12/05/2015  
TAGS: PHUM, PREL, OPDC, EUN  
SUBJECT: SECRETARY RICE'S RESPONSE TO LETTER FROM FOREIGN  
SECRETARY STRAW ON ALLEGED US DETENTION AND TRANSPORTATION  
OF TERRORIST SUSPECTS IN OR THROUGH EU MEMBER STATES

End Cable Text

Jennifer M Bandy 08/05/2008 11:31:00 AM From DB/Inbox: Search Results

Recipient/Profile Information

Cable Recipients:

- No Recipients -

LMDS Profiles/Office Symbols:

- EUR\_AGS\_A1
- EUR\_AGS\_A3
- EUR\_BI\_A2
- EUR\_BI\_A3
- EUR\_CAN\_A6
- EUR\_CASA\_A3
- EUR\_ERA\_A1
- EUR\_EXO\_A3
- EUR\_NAR\_A1
- EUR\_NB\_A3
- EUR\_PPA\_A3
- EUR\_RPM\_A3
- EUR\_RUS\_A5
- EUR\_SE\_A11
- EUR\_SE\_A12
- EUR\_SE\_A14
- EUR\_USIS\_A1

Cablexpress Folders:

- No Folders -

UNCLASSIFIED

RELEASED IN PART  
B1, 1.4(D)

*EU 19*

State 219905  
Jennifer M Bandy 08/05/2008 11:31:58 AM From DB/Inbox: Search Results

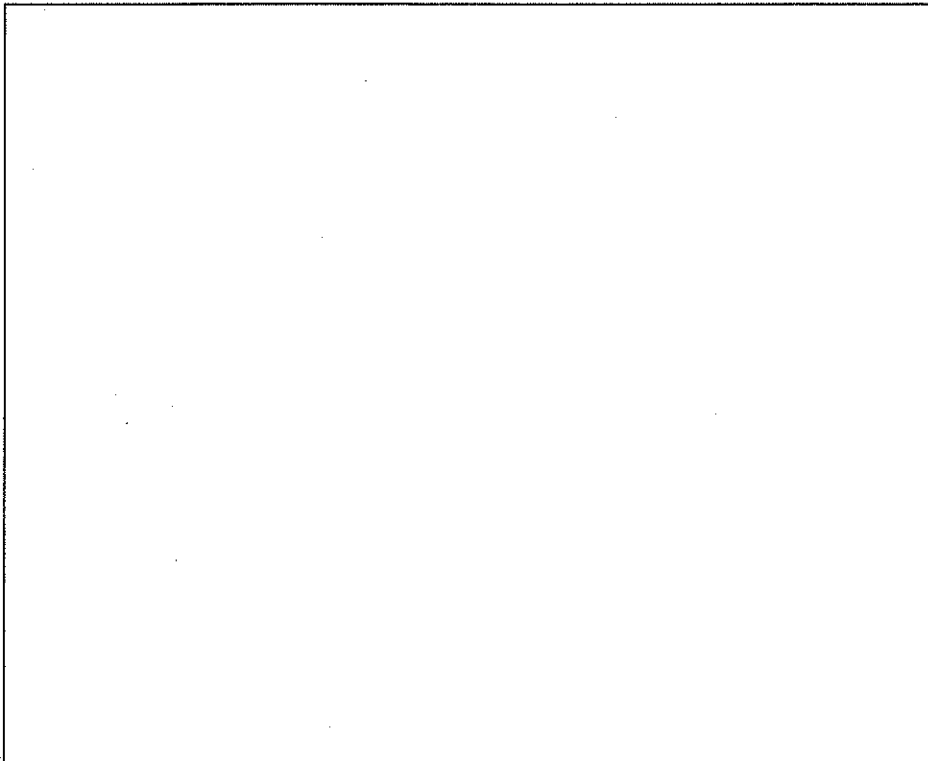
Cable  
Text:

CONFIDENTIAL  
TELEGRAM

December 05, 2005

To: USLO TRIPOLI - ROUTINE  
Origin: EUR  
From: SECSTATE WASHDC (STATE 219905 - IMMEDIATE)  
TAGS: PHUM, PREL  
Captions: None  
Subject: SECRETARY'S STATEMENT ON ALLEGED U.S. DETENTION OR  
TRANSPORTATION OF TERRORIST SUSPECTS  
Ref: None

Classified By: COUNSELOR PHILIP ZELIKOW, REASONS 1.4 (B)  
AND (D)



B1

4. (U) The U.S. also understands the concerns European  
governments and publics may have in light of various  
Page 1



State 219905

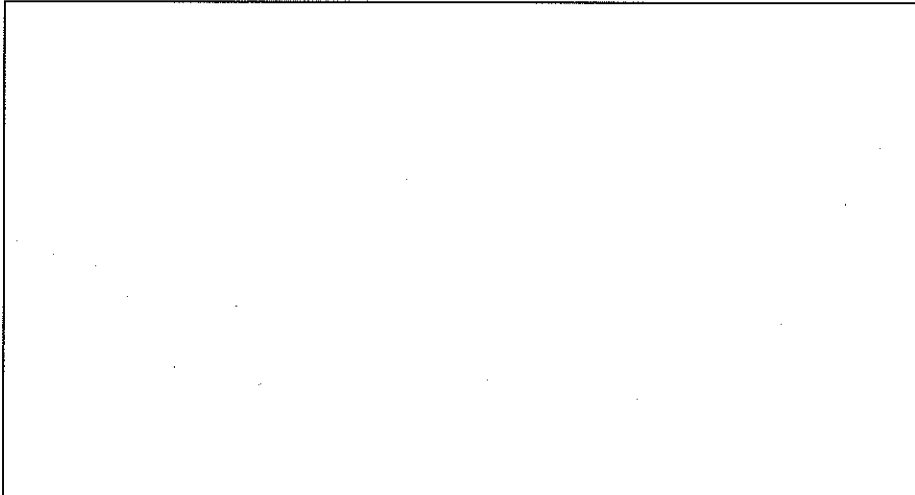
reports about U.S. conduct. The Secretary thus also provided firm assurances about the content and conduct of U.S. policy.

5. (SBU) For use only in appropriate backgrounding: The Secretary's statement is in part an effort to foster greater understanding and promote a genuine dialogue on these issues. An emotional and ill-informed discussion should evolve into a constructive exchange among allies and friends that share common goals. For example, the statement acknowledges publicly that:

-- the US is in fact conducting renditions. As she notes, under the right circumstances, renditions are permissible under international law, and are in fact a vital tool in combating international terrorism;

-- US intelligence agencies have handled the gathering of intelligence from a very small number of extremely dangerous detainees, including individuals who planned the 9/11 and other attacks. The Secretary summarizes U.S. policy on these matters.

6. (U) The text of the Secretary's statement follows in paragraph eight. Paragraph seven contains suggested public diplomacy actions posts should take to actively change the nature of the public debate about this issue. Posts are encouraged to direct questioners to the full statement.



B1

8. (U) The Secretary's Statement:

We have received inquiries from the European Union, the Council of Europe, and from several individual countries about media reports concerning U.S. conduct of the war on terror. I wish to respond now to those inquiries, as I depart today for Europe.

The United States and many other countries are waging a war against terrorism. For our country this war often takes the form of conventional military operations in places like Afghanistan and Iraq. Sometimes this is a

Page 2

# UNCLASSIFIED

State 219905

political struggle, a war of ideas. It is a struggle waged also by our law enforcement agencies. Often we engage the enemy through the cooperation of our intelligence services with their foreign counterparts.

We must track down terrorists who seek refuge in areas where governments cannot take effective action, including where the terrorists cannot in practice be reached by the ordinary processes of law. In such places terrorists have planned the killings of thousands of innocents - in New York City or Nairobi, in Bali or London, in Madrid or Beslan, in Casablanca or Istanbul. Just two weeks ago I visited a hotel ballroom in Amman, viewing the silent, shattered aftermath of one of those attacks.

The United States, and those countries that share the commitment to defend their citizens, will use every lawful weapon to defeat these terrorists. Protecting citizens is the first and oldest duty of any government. Sometimes these efforts are misunderstood. I want to help all of you understand the hard choices involved, and some of the responsibilities that go with them.

One of the difficult issues in this new kind of conflict is what to do with captured individuals who we know or believe to be terrorists. The individuals come from many countries and are often captured far from their original homes. Among them are those who are effectively stateless, owing allegiance only to the extremist cause of transnational terrorism. Many are extremely dangerous. And some have information that may save lives, perhaps even thousands of lives.

The captured terrorists of the 21st century do not fit easily into traditional systems of criminal or military justice, which were designed for different needs. We have had to adapt. Other governments are now also facing this challenge.

We consider the captured members of al Qaeda and its affiliates to be unlawful combatants who may be held, in accordance with the law of war, to keep them from killing innocents. We must treat them in accordance with our laws, which reflect the values of the American people. We must question them to gather potentially significant, life-saving, intelligence. We must bring terrorists to justice wherever possible.

For decades, the United States and other countries have used "renditions" to transport terrorist suspects from the country where they were captured to their home country or to other countries where they can be questioned, held, or brought to justice.

In some situations a terrorist suspect can be extradited according to traditional judicial procedures. But there have long been many other cases where, for some reason, the local government cannot detain or prosecute a suspect, and traditional extradition is not a good option. In those cases the local government can make the sovereign choice to cooperate in a rendition. Such renditions are permissible under international law and are consistent with the responsibilities of those governments to protect

Page 3

UNCLASSIFIED

EUR 0050

State 219905

their citizens.

Rendition is a vital tool in combating transnational terrorism. Its use is not unique to the United States, or to the current administration. Last year, then Director of Central Intelligence George Tenet recalled that our earlier counterterrorism successes included "the rendition of many dozens of terrorists prior to September 11, 2001."

-- Ramzi Youssef masterminded the 1993 bombing of the World Trade Center and plotted to blow up airliners over the Pacific Ocean, killing a Japanese airplane passenger in a test of one of his bombs. Once tracked down, a rendition brought him to the United States, where he now serves a life sentence.

-- One of history's most infamous terrorists, best known as "Carlos the Jackal," had participated in murders in Europe and the Middle East. He was finally captured in Sudan in 1994. A rendition by the French government brought him to justice in France, where he is now imprisoned. Indeed, the European Commission of Human Rights rejected Carlos' claim that his rendition from Sudan was unlawful.

Renditions take terrorists out of action, and save lives.

In conducting such renditions, it is the policy of the United States, and I presume of any other democracies who use this procedure, to comply with its laws and comply with its treaty obligations, including those under the Convention Against Torture. Torture is a term that is defined by law. We rely on law to govern our operations. The United States does not permit, tolerate, or condone torture under any circumstances. Moreover, in accordance with the policy of this administration:

-- The United States has respected -- and will continue to respect -- the sovereignty of other countries.

-- The United States does not transport, and has not transported, detainees from one country to another for the purpose of interrogation using torture.

-- The United States does not use the airspace or airports of any country for the purpose of transporting a detainee to a country where he or she will be tortured.

-- The United States has not transported anyone, and will not transport anyone, to a country when we believe he will be tortured. Where appropriate, the United States seeks assurances that transferred persons will not be tortured.

International law allows a state to detain enemy combatants for the duration of hostilities. Detainees may only be held for an extended period if the intelligence or other evidence against them has been carefully evaluated and supports a determination that detention is lawful. The U.S. does not seek to hold anyone for a period beyond what is necessary to evaluate the intelligence or other evidence against them, prevent further acts of terrorism,

UNCLASSIFIED

State 219905

or hold them for legal proceedings.

With respect to detainees, the United States government complies with its Constitution, its laws, and its treaty obligations. Acts of physical or mental torture are expressly prohibited. The United States government does not authorize or condone torture of detainees. Torture, and conspiracy to commit torture, are crimes under U.S. law, wherever they may occur in the world.

Violations of these and other detention standards have been investigated and punished. There have been cases of unlawful treatment of detainees, such as the abuse of a detainee by an intelligence agency contractor in Afghanistan or the horrible mistreatment of some prisoners at Abu Ghraib that sickened us all and which arose under the different legal framework that applies to armed conflict in Iraq. In such cases the United States has vigorously investigated, and where appropriate, prosecuted and punished those responsible. Some individuals have already been sentenced to lengthy terms in prison; others have been demoted or reprimanded.

As CIA Director Goss recently stated, our intelligence agencies have handled the gathering of intelligence from a very small number of extremely dangerous detainees, including the individuals who planned the 9/11 attacks in the United States, the attack on the U.S.S. Cole, and many other murders and attempted murders. It is the policy of the United States that this questioning is to be conducted within U.S. law and treaty obligations, without using torture. It is also U.S. policy that authorized interrogation will be consistent with U.S. obligations under the Convention Against Torture, which prohibit cruel, inhuman, or degrading treatment. The intelligence so gathered has stopped terrorist attacks and saved innocent lives - in Europe as well as in the United States and other countries. The United States has fully respected the sovereignty of other countries that cooperate in these matters.

Because this war on terrorism challenges traditional norms and precedents of previous conflicts, our citizens have been discussing and debating the proper legal standards that should apply. President Bush is working with the U.S. Congress to come up with good solutions. I want to emphasize a few key points.

-- The United States is a country of laws. My colleagues and I have sworn to support and defend the Constitution of the United States. We believe in the rule of law.

-- The United States government must protect its citizens. We and our friends around the world have the responsibility to work together in finding practical ways to defend ourselves against ruthless enemies. And these terrorists are some of the most ruthless enemies we face.

-- We cannot discuss information that would compromise the success of intelligence, law enforcement, and military operations. We expect other nations share

Page 5

UNCLASSIFIED

EUR 0052

UNCLASSIFIED

State 219905

this view.

Some governments choose to cooperate with the United States in intelligence, law enforcement, or military matters. That cooperation is a two-way street. We share intelligence that has helped protect European countries from attack, helping save European lives.

It is up to those governments and their citizens to decide if they wish to work with us to prevent terrorist attacks against their own country or other countries, and decide how much sensitive information they can make public. They have a sovereign right to make that choice.

Debate in and among democracies is natural and healthy. I hope that debate also includes a healthy regard for the responsibilities of governments to protect their citizens.

Four years after 9/11, most of our populations are asking us if we are doing all we can to protect them. I know what it is like to face an inquiry into whether everything was done that could have been done. So now, before the next attack, we should all consider the hard choices that democratic governments must face. We can all best meet this danger if we work together.

MINIMIZE CONSIDERED  
RICE

Additional Addressees:  
ALL DIPLOMATIC AND CONSULAR POSTS

cc:  
None

Distribution:

TED6462  
ORIGIN EUR-00

INFO	LOG-00	AF-00	AID-00	AIT-00	AMAD-00	AOP-00	AEX-00
	AS-00	A-00	ACQ-00	CIAE-00	COME-00	CCOE-00	INL-00
	DODE-00	DOE-00	WHA-00	PERC-00	PDI-00	DS-00	EAP-00
	EB-00	FAAE-00	VCI-00	FSI-00	OBO-00	H-00	TEDE-00
	INR-00	IO-00	JUSE-00	LAB-01	L-00	CAC-00	MED-07
	MMP-00	MOFM-00	M-00	VCIE-00	NEA-00	DGP-00	NRC-00
	NSAE-00	ISN-00	NSCE-00	OIG-00	NIMA-00	OPR-00	PA-00
	PM-00	GIWI-00	P-00	SCT-00	ISNE-00	FMPC-00	SP-00
	IRM-00	SSO-00	SS-00	MR-00	SA-00	R-00	EPAE-00
	SCRS-00	PMB-00	DSCC-00	PRM-00	DRL-00	G-00	ALM-00
	SAS-00	PMA-00	SWCI-00	/008R			

219905  
SOURCE: DISKETTE.044573  
DRAFTED BY: EUR/ERA:PETER CHASE:HLB -- 12/05/05 202-647-3474  
APPROVED BY: C:PZELIKOW  
L:JBELLINGER D:RWALLER(SUBS) P:SAMADEO(SUBS) R:KVOLKER  
EUR:KVOLKER C:CWARD PA:SMCCORMACK SES:JFEELEY  
SES-O:APWESTLING

-----69670E 052048Z /38  
Page 6

UNCLASSIFIED

EUR 0053

UNCLASSIFIED

State 219905

O 052039Z DEC 05  
FM SECSTATE WASHDC  
TO ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE IMMEDIATE  
USLO TRIPOLI

C O N F I D E N T I A L STATE 219905

E.O. 12958: DECL: 12/05/2015  
TAGS: PREL, PHUM  
SUBJECT: SECRETARY'S STATEMENT ON ALLEGED U.S. DETENTION  
OR TRANSPORTATION OF TERRORIST SUSPECTS

End Cable Text

Jennifer M Bandy 08/05/2008 11:31:58 AM From DB/Inbox: Search Results

Recipient/Profile Information

Cable Recipients:

- No Recipients -

LMDS Profiles/Office Symbols:

EUR\_AGS\_A1  
EUR\_AGS\_A3  
EUR\_BI\_A2  
EUR\_BI\_A3  
EUR\_CAN\_A6  
EUR\_CASA\_A3  
EUR\_EEA\_A4  
EUR\_ERA\_A1  
EUR\_EXO\_A3  
EUR\_NAR\_A1  
EUR\_NB\_A3  
EUR\_PER\_A1  
EUR\_PMO\_A19  
EUR\_PMO\_A4  
EUR\_PMO\_A8  
EUR\_PPA\_A3  
EUR\_RPM\_A3  
EUR\_SCE\_A2  
EUR\_SE\_A14  
EUR\_UBI\_A3  
EUR\_UBI\_A5  
EUR\_UBI\_A7  
EUR\_USIS\_A1  
EUR\_WE\_A6  
EUR\_WE\_A7

Cablexpress Folders:  
- No Folders -

EU-20

State 139288  
Jennifer M Bandy 08/05/2008 12:15:13 PM From DB/Inbox: Search Results

Cable  
Text:

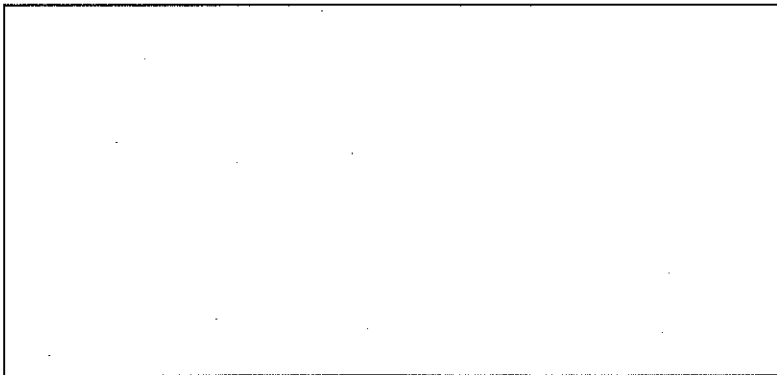
RELEASED IN PART  
B1, 1.4(D)

CONFIDENTIAL  
TELEGRAM

July 27, 2005

To: AMEMBASSY BELIZE - IMMEDIATE  
Origin: NEA  
From: SECSTATE WASHDC (STATE 139288 - IMMEDIATE)  
TAGS: KISL, KPAO, PGOV, PREL  
Captions: None  
Subject: SPEAKING OUT ON GITMO AND DETAINEES  
Ref: None

Classified by S/WCI, Ambassador Pierre-Richard Prosper for reasons 1.4 (b) and (d).



B1

2. (U) This is an action cable. See paras 6 and 8.



B1

4. (U) Begin Talking Points:

- The American response to terrorist attacks launched against the United States has yielded many detained enemy combatants who were captured while bearing arms against the United States or otherwise acting in direct support of hostile armed forces.

- The Guantanamo Bay detention facility was established because the United States needed a safe and secure location to both detain and

UNCLASSIFIED

State 139288

interrogate enemy combatants. Today, Guantanamo houses enemy combatants including terrorist trainers, recruiters, bomb makers, would-be suicide bombers, and terrorist financiers.

- All detainees are treated in a manner consistent with international obligations and the principles of the Geneva conventions.

- More than 4,000 reports and other forms of actionable intelligence from these detainees have provided information on terrorist activities, including al-Qaeda's pursuit of chemical, biological, and nuclear weapons.

- These reports and intelligence gained from interrogation of detainees have thwarted threats posed to innocent citizens in the United States and abroad and have helped save the lives of U.S. and coalition forces. For example, the capture of 9/11 mastermind Khalid Sheikh Muhammad was partly due to information developed from a Guantanamo detainee, Muhammad al Kahtani.

- Capturing and detaining enemy combatants is a matter of national security, military necessity, and common sense. It has been common and accepted practice of the United States and its allies in every modern war. It is a universally recognized principle under the law of armed conflict, also known as international humanitarian law.

- Under the law of armed conflict, there is no requirement that a detaining power charge or prosecute enemy combatants for crimes committed while hostilities are ongoing, or provide lawyers or access to courts. States in prior wars have generally not done so.

- Under U.S. law, the authority to detain enemy combatants exists in law independently of the judicial or criminal law system. This is a core function of the President's authority as commander-in-chief under the U.S. Constitution.

- The UN Commission on Human Rights and some human rights groups have argued that all enemies captured in battle are POWs. Al-Qaeda is a terrorist organization rather than a state actor and therefore not covered by the Geneva Conventions; thus, their members are not entitled to POW status.

- Although the U.S. never recognized the Taliban as the legitimate Afghan government, Afghanistan is a party to the Geneva Conventions, and the President determined that the conventions apply to the armed conflict with the Taliban. Under the terms of the Third Geneva Convention of 1949, however, the Taliban are not entitled to POW status. Specifically, the Taliban did not qualify as lawful combatants (or POWs) under

Page 2

UNCLASSIFIED

EUR 0056



State 139288

Article 4 of the Third Geneva Convention of 1949.

- Torture of detainees is not condoned by the USG and all forms of torture or abuse of detainees are expressly prohibited. Detainees are provided with proper shelter and medical care. Each is allowed to exercise his religious beliefs and is provided food consistent with their religious requirements.
- Guantanamo Bay is not an operation that is conducted in secrecy. The Department of Defense works closely with the International Committee of the Red Cross (ICRC), and the United States permits ICRC representatives to meet with every detainee in DoD control at Guantanamo. There have been 260 members of Congress and congressional staffers who have visited Guantanamo Bay, including 20 senators, 103 representatives, and 140 members of the staff of both bodies. There have been some 400 media visits to Guantanamo Bay, including more than a thousand American and international journalists.
- When there have been substantiated reports of mistreatment, corrective action has been taken, as appropriate. More than 100 individuals have been held accountable for substantiated allegations of detainee abuse accountable, i.e., courts martial, confinement, non-judicial punishment, reprimand, and separation from the service.
- If new credible allegations arise, the USG will conduct a thorough investigation into those allegations, and if any of the allegations are substantiated, those responsible will be held accountable.
- The detention mission will continue due to the continued threat from terrorists and the ongoing conflict in Afghanistan and Iraq. We will do everything in our power to prevent additional attacks. We will not hold anyone longer than necessary. About 172 detainees have been released while about 68 others have been transferred to the control of other governments.
- We anticipate the population of detainees at Guantanamo to continue to decrease. Approximately 510 detainees from about 37 countries remain.
- A few former detainees have rejoined Al-Qaeda and the Taliban (about ten). Some detainees secured release by claiming to be farmers, truck drivers, cooks, small-scale merchants or low level combatants. Al-Qaeda training manuals also emphasize the tactic of making false abuse allegations.
- Maulavi Abdul Ghaffar and Mullah Shazada were both released from Guantanamo. Both were later killed in Afghanistan in 2004 fighting Afghan and

State 139288

U.S. Armed Forces.

- As the President has stated clearly, we will continue to look at ways to improve procedures and better manage detainees who pose a lethal threat to the world. Therefore, as long as the threat and war on terrorism continue to exist, there will be a need to detain some enemy combatants.

IF NEEDED:

- The USG categorically and unequivocally does not endorse, tolerate or condone torture nor participate in the "export" of detainees for purposes of torture.

- Rendition is the movement of an individual from one country to another without that person's consent and outside of an extradition process. Renditions may be done for many reasons, including the removal of persons who attempt unlawfully to enter the U.S., to assist other governments bring fugitive criminals to judicial process, to keep dangerous terrorists off the streets, or for intelligence purposes.

End talking points.

5. (U) Action requested: Ambassadors and Country Team members should immediately seek opportunities to present this information to those in positions of policy and opinion leadership and gain their commitment to sharing this with their constituents. Officials of the Department of State and Defense in Washington will be undertaking a similar effort through Washington based media (one briefing took place at the Foreign Press Center on July 21) in the immediate future and will also be making themselves available for media opportunities with field posts and regional Arab media.

6. (U) PAOs will be provided additional information as Washington officials become available for DVC interaction with your local audiences. Additional background information and fact sheets are being provided by e-mail to Ambassadors and PAOs for this undertaking. See also the dedicated "Detainee Issues" page on INFOCENTRAL (<https://infocentral.state.gov>).

7. (U) Please report your actions NLT Aug 8 to Prosper S/WCI and your regional bureau Assistant Secretary.

8. (U) Minimize considered.  
RICE

---

Additional Addressees:

Page 4

UNCLASSIFIED

-state 139288

AMEMBASSY DUSHANBE  
AMEMBASSY KHARTOUM  
USLO TRIPOLI  
REO BASRAH  
REO MOSUL  
REO KIRKUK  
ALL DIPLOMATIC AND CONSULAR POSTS

CC:  
None

Distribution:

TED5692  
ORIGIN NEA-00

INFO	LOG-00	NP-00	AF-00	AID-00	AIT-00	AMAD-00	USNW-00
	AOP-00	AEX-00	AS-00	A-00	ACQ-00	CIAE-00	COME-00
	CCOE-00	INL-00	DODE-00	DOTE-00	ANHR-00	WHA-00	PERC-00
	DS-00	EAP-00	EB-00	EUR-00	OIGO-00	FAAE-00	VC-00
	FRB-00	FSI-00	OBO-00	H-00	TEDE-00	INR-00	IO-00
	LAB-01	L-00	CAC-00	VCE-00	MED-07	MMP-00	MOFM-00
	M-00	AC-00	DCP-00	NRC-00	NSAE-00	OIG-00	NIMA-00
	PA-00	PM-00	GIWT-00	ACE-00	P-00	SCT-00	FMPC-00
	SP-00	IRM-00	SSO-00	SS-00	MR-00	SA-00	R-00
	EPAE-00	ECA-00	IIP-00	SCRS-00	PMB-00	DSCC-00	PRM-00
	DRL-00	G-00	ALM-00	SAS-00	PMA-00	SWCI-00	/008R

139288

SOURCE: DISKETTE.042055

DRAFTED BY: NEA/P:AFERNANDEZ -- 07/25/2005 202-776-8860

APPROVED BY: S/WCI:PPROSPER

NEA/RA:GFEIERSTEIN NEA/PPD:GSULLIVAN SA/PPD:LSCHWARTZ

R:JCURTIN IIP:FWARD IIP:DWINN P:CHAYDEN D:RWALLER

S/WCI:RMILLER EAP:TGIBBONS EUR:KVOLKER WHA:DFISK AF:RDANCE

L/LEI:EPELOFSKY SES-O:AWESTLING

-----1CBAD7 272354Z /38

O 272351Z JUL 05

FM SECSTATE WASHDC

TO ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE IMMEDIATE

AMEMBASSY DUSHANBE IMMEDIATE

AMEMBASSY KHARTOUM IMMEDIATE

USLO TRIPOLI IMMEDIATE

AMEMBASSY BELIZE IMMEDIATE

REO MOSUL IMMEDIATE 0000

REO BASRAH IMMEDIATE 0000

REO KIRKUK IMMEDIATE 0000

C O N F I D E N T I A L STATE 139288

E.O. 12958: DECL: 7/27/2015

TAGS: KISL, KPAO, PGOV, PREL

SUBJECT: SPEAKING OUT ON GITMO AND DETAINEES

End Cable Text

Jennifer M Bandy 08/05/2008 12:15:13 PM From DB/Inbox: Search Results  
Page 5

UNCLASSIFIED

EUR 0059

UNCLASSIFIED

State 139288

Recipient/Profile Information

Cable Recipients:

- No Recipients -

EUR\_AGS\_A1

EUR\_AGS\_A3

EUR\_BI\_A2

EUR\_BI\_A3

EUR\_CAN\_A6

EUR\_CASA\_A3

EUR\_EEA\_A4

EUR\_NAR\_A1

EUR\_NB\_A3

EUR\_PER\_A1

EUR\_PMO\_A19

EUR\_PMO\_A4

EUR\_PMO\_A8

EUR\_PPA\_A3

EUR\_RPM\_A3

EUR\_SCE\_A2

EUR\_UBI\_A3

EUR\_UBI\_A5

EUR\_UBI\_A7

EUR\_USIS\_A1

EUR\_WE\_A6

EUR\_WE\_A7

LMDS Profiles/Office symbols:

Cablexpress Folders:

- No Folders -

UNCLASSIFIED

EU 22

RELEASED IN PART  
B1, 1.4(D)

INITIALS		
APPR:	EUR/FO	KV
DRAFT:	EUR/RPM	JR
CLR 1:	EUR/RPM	JW ok
CLR 2:	P	DB ok
CLR 3:	D	RW ok
CLR 4:	S/P	DW ok
CLR 5:	C	PZ ok
CLR 6:	L	JB ok
CLR 7:	OSD	RD ok
CLR 8:	JS	MJ ok
CLR 9:	EUR/SCE	CE ok

CONFIDENTIAL

EUR/RPM:JRATHKE  
11/29/05 736-7292  
EUR:KVOLKER

NSC: S/ES: S/ES-O: EUR/SCE:CENGLISH P:DBAME  
D:RWALLER S/P:DWICKS EUR/RPM:JWARLICK OSD:RDOTSON  
JS:MJONES L:JBELLINGER C:PZELIKOW

IMMEDIATE USNATO

IMMEDIATE SECDEF WASHDC, NSC WASHDC IMMEDIATE, JOINT  
STAFF WASHDC IMMEDIATE, PRISTINA IMMEDIATE+

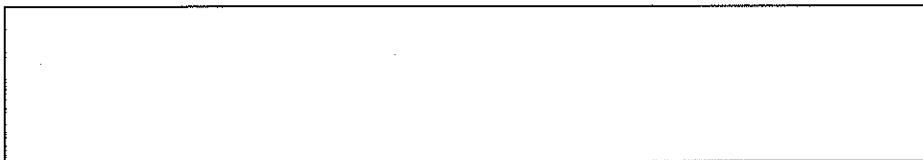
E.O. 12958: DECLASSIFY 11/29/2015

TAGS: MOPS, NATO, PREL

SUBJECT: Guidance on KFOR/Camp Bondsteel/Detention

Classified by EUR Assistant Secretary Kurt Volker,  
Acting, for Reasons 1.4 (b) and (d).

1. (U) Background: In a Nov 25 Le Monde article, Commissioner of Human Rights for the Council of Europe, Mr Alvaro Gil Robles, was quoted as equating the KFOR Camp Bondsteel Detention Facility as similar to the Guantanamo Bay facility in appearance and operations. Mr. Robles visited the facility in 2002, when it was in use, and is quoted as being "shocked" over the conditions. Related articles drew connections to Bondsteel as possibly being part of alleged CIA "secret prisons."



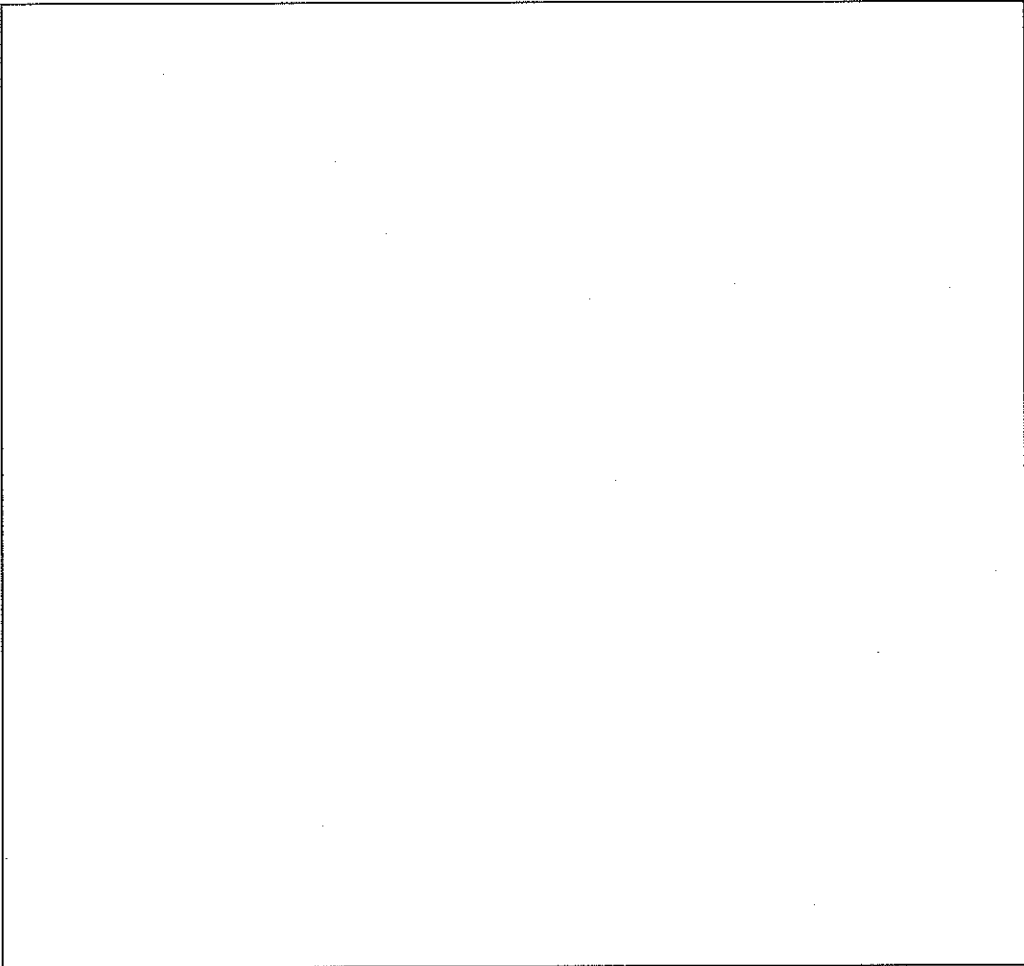
CONFIDENTIAL

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: ARCHIE M BOLSTER  
DATE/CASE ID: 05 MAR 2009 200706444

UNCLASSIFIED

B1

EUR 0061



B1

YY

BELGRADE IMMEDIATE  
ATHENS IMMEDIATE  
USNMR BRUSSELS BE IMMEDIATE  
CDR USEUCOM VAHINGEN GE IMMEDIATE  
COMUSNAVEUR POLAD NAPLES IT IMMEDIATE

Y

CONFIDENTIAL

RELEASED IN PART

B6, B5, B1, 1.4(D)

EU 4/2

From: Flint, Walter C

Sent: Wednesday, February 21, 2007 4:12 AM

To: Aguirre, John F; Anhalt, Scott T; Bell, Stuart W.; Brenner, Jeremy B; Brotzen, Paul C; Burns,

Mark; Carland, Raphael; Carpenter, Mason P; [redacted]

MAJ; Chapman, Christian D; Chisholm, Peter T; Clayburn, Eric G; Cockrell, John D; Covington, Steve;

Dawson, Susan S; Desroches, David; [redacted] Deverill, Dirk P; DeWalt, Beverly J;

[redacted] Doolin, Drew T; Dotson, Richard; Duguid, Gordon K; Edson,

Douglas L; Engle, James B; Beeler, Scott; EUR-RPM-DL; Fabrycky, Rod; Ferraro, Peter; Finocchiaro,

James C; Fitch, Jeff J; Gamboa, Juan J; Garrow, Mark S; Gilmour, Andrew P; Glenn Shirley;

Gunzelman, Eric G; Guptill, Murray; [redacted]

[redacted] Heinrich, Edwin S; [redacted]

Hoag, J R; [redacted]

LCDR USN; Hoover, James E. CIV; Huffman, Kenneth; Huffman, Kenneth, CIV, OSD-POLICY;

Hunter, Hustus; Jankowiak, Jerome M; Jeffrey B Dienno; Johnson, Lisa A; Jones, Douglas D; Kelly, Ian

C; Kemp, Robert E; [redacted] Charles M.

Kuzell; [redacted] Larkin, Patience C; Liska, Stephen W; Luke, James P;

Lumban, Gerard I; Lynch, Daniel G; Magsamen, Kelly E; [redacted]

Maloney, Patrick T; Maria Metcalf; Mark Deveber; Mark Foster; McCampbell, Jamelle B; Metcalf,

Maria K; Miravalle, Robert J., Mr; Mirr, Steven R; Monahan, Daniel J; Morrison, Barbara; Morse,

Marilyn D; [redacted] Ngutter, Dorothy M; [redacted] O'Leary,

Sean P; Olson Jr, Richard G; Olson, Julie; Oppenheim, Jeffrey T; Reid III, Walter S; Roberts, Kristin M;

[redacted] Russell, Daniel A; Ryan, Michael C; Santacana, Jose K; Satches,

Penny C; Scott, Sara M; Seldowitz, Stuart M; Shaffer, Gregory M; Shapland, John S; Sheehan, Donald

M; Shinagel, Eva; [redacted] Smith, Ryan; Smyth, L Reece; Stephens, Ronald A; Steward,

Rebecca J; Stu Drury; Stuart Bell; Swain, Kristine L; Turnbull, David C; Underwood, Thomas A;

Vovchuk, Dmitry; [redacted] Watson, Michael G; Wilson, Mark E; Zalamea, Ulysses O

Subject: (S/NF) EUCOM summary 21 Feb 07

Attachments: JCB\_Brief.ppt; 16FEB07ECJ69.doc; 12 Feb 07 ANSF (POTUS) !!FINAL!!.ppt

Good morning,

Today's JCB includes a component update and CODEL travel

The complete EUCOM JCB is available at: <http://www.eucom.smil.mil/>. JCB update link.

Attachments include:

- 1) EUCOM JCB Brief
- 2) C4I Warfighter Integration in support of NATO/SHAPE
- 3) Latest Afghan SF update

Have a great day!

VR

Walt

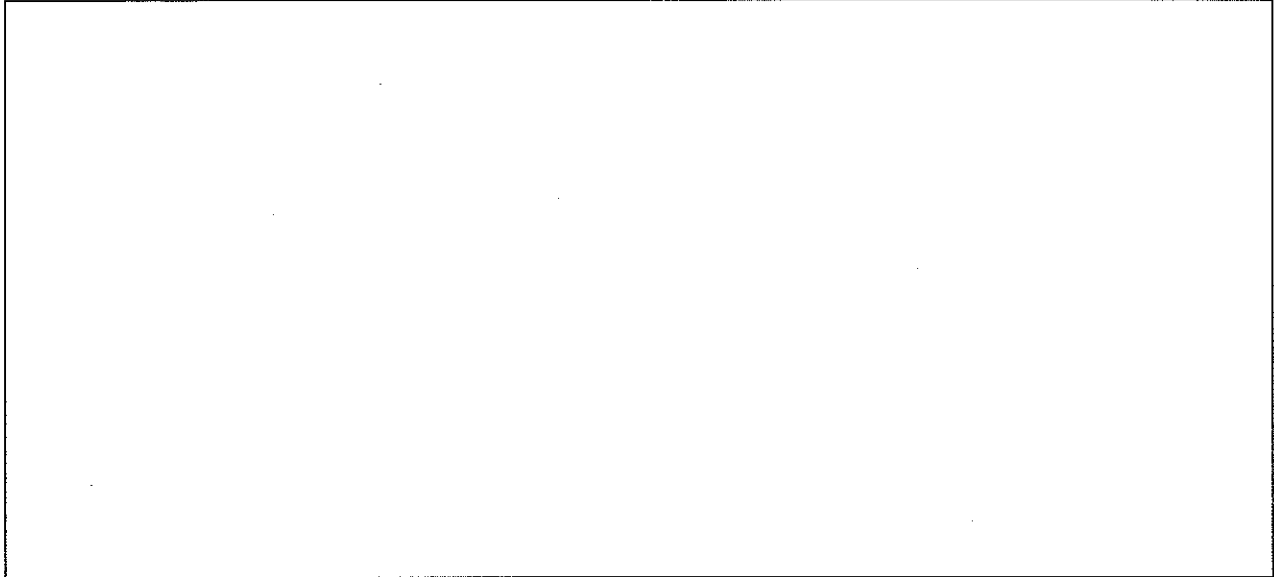
(SBU)-Kosovo -- As expected, Belgrade's new parliament overwhelmingly rejected the Ahtisaari plan as "illegal" during its first session on 2/14. The reappointed Kosovo negotiating team is now equipped with a largely rejectionist platform -- mostly reflective of the last government's position on Kosovo -- to take to Vienna next week for the next round of discussions. While unable to sway the overwhelming consensus among so-called Democrats, Milosevic Socialists and Radicals, the voice of a real opposition in parliament, from the Liberal Democrat Coalition to the single seat of Southern Serbia Albanians.

[redacted]

AMEMBASSY BELGRADE

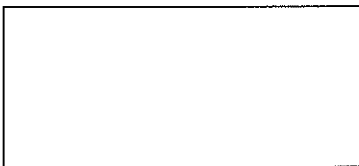
[redacted]

B1



**(U) EU CT Coordinator De Vries to step down** – EU Counter-Terrorism Coordinator Gijs de Vries will step down next month after three years in the job, according to press reports. 'De Vries' decision not to seek/accept a renewal of his mandate comes as the European Parliament is expected to vote on a report on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners. Though the report criticizes de Vries, who was given a hostile reception when he showed up before the EP temporary committee on alleged CIA activities, the CT Coordinator told Reuters that the grilling he was given did not influence his decision. There is no information on de Vries' replacement. (POL:RDeglain)

**(SBU) EP adopts tough report on CIA extraordinary renditions**  
The European Parliament adopted February 14 with 382 votes in favor, 256 against, and 74 abstentions, a report from the Temporary Committee investigating the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners that condemns extraordinary rendition as "an illegal and systematic instrument used by the U.S. in the fight against terrorism." All the amendments tabled by the Center-right EPP-ED to dilute the harsh tone of the report were rejected, which led a majority of the EPP-ED to vote against. The report concluded that over one thousand CIA-operated flights used European airspace from 2001 to 2005 and temporary secret detention facilities "may have been located at U.S. military bases" in Europe. The report criticizes the passivity of some EU Member States in the face of "illegal" CIA operations with Austria, Italy, Poland, Portugal, and the UK at the top of the list in the name-and-shame campaign, as well as the lack of cooperation from the EU Council of Ministers. Some MEPs expressed hope the report would provide "food for thought" to national parliaments and judicial authorities as well as to the U.S. Congress, should it pursue an investigation on these matters. (POL:MVanaverbeke)



B6