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Committee on Development

2006/2032(INI)

7.11.2006

OPINION

of the Committee on Development

for the Committee on Foreign Affairs

on the external dimension of the fight against international terrorism
(2006/2032(INI))

Draftsman: Alain Hutchinson

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SUGGESTIONS

The Committee on Development calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

Definition of terrorism

1. Calls on the EU Council to officially endorse in a common action as quickly as possible the definition of terrorism proposed by the UN High Panel of Experts on 'Threats, Challenges and Change' and endorsed by Kofi Annan, stipulating that "any action constitutes terrorism if it is intended to cause death or serious bodily harm to civilians or non-combatants with the purpose of intimidating a population or compelling a Government or an international organization to do or abstain from doing any act";
2. Recalls that this proposed UN definition of terrorism assumes that "state terrorism" is sufficiently regulated under international law, that the right to resist occupation cannot include the right to deliberately kill or maim civilians and that the definition would be in addition to actions already proscribed by existing conventions, ensuring in particular that the concept is clearly distinguished from that of war or conflict and cannot be interpreted in such a way as to lead to restriction of the scope of the Universal Declaration of Human Rights and the principles of freedom, democracy, equality and solidarity as enshrined in the Charter of Fundamental Rights of the European Union;
3. Given the failure of the 2005 UN Millennium Summit on the UN reform to adopt the proposed definition of terrorism and an absolute presumption that international cooperation must be used to fight terrorism, considers that the latest declaration by the OECD Development Assistance Committee (DAC) on combating terrorism, which was largely drawn up in camera, with little or no consultation with non-governmental bodies working in the development field, is liable to undermine the effective approaches recommended in its previous background paper¹;
4. Calls on the EU to base its action in connection with the fight against terrorism on detailed, transparent and regularly updated analyses of the threat actually posed to citizens of the northern and southern hemispheres, in order in particular to enable citizens to be on their guard against any form of manipulation of information, and to develop and implement proportionate responses to the threat identified;

Respect for human rights

5. Calls on the Commission and Council to include a human rights and democracy clause in all agreements with third countries and to apply it consistently, and not let the existence of an occasional "fight against terrorism clause" affect the application of this human rights clause and result in increased tolerance of human rights violations in the name of the fight against terrorism, as has already been the case in relations with several developing countries;
6. Considers that an anti-terrorism strategy which respects human rights can only be

¹ The DAC Guidelines, Helping Prevent violent Conflict, OECD 2001.

successfully pursued if respect for those rights is permanently monitored, the direct and indirect consequences of all measures and instruments adopted in the fight against terrorism are systematically examined and the right of victims adversely affected by anti-terrorism measures to seek remedies and compensation is safeguarded;

7. Recalls the declaration of the Commission on anti-terror measures annexed to the Stability Instrument, in which the Commission gave assurances that all anti-terror measures financed under that instrument would respect human rights obligations and comply with related humanitarian law and that it would monitor compliance on the part of the recipient countries;
8. Calls on the Member States and the Commission to ensure that strategies aimed at promoting good governance and preventing conflicts are coherent, coordinated, based on a multilateral approach and compatible with standards laid down in the area of human rights;
9. Calls on the EU not to promote the increasingly frequent tendency to confuse terrorism with conflict, which is already permitting certain countries in the southern hemisphere to facilitate the adoption and implementation of laws that are manifestly contrary to respect for human rights and to the objectives laid down in the European Consensus on Development¹;
10. Stresses that in many countries which have adopted tough security laws, defenders of civil liberties point out that the state already has sufficient powers in the area of law and order enforcement to effectively combat terrorism on the basis of existing international conventions and instruments, and calls on the EU to ensure that its development cooperation policy is not used as an instrument in the pursuit of objectives which it does not share, such as the strengthening of the military and police machinery or support for the suppression of internal conflicts;
11. Calls on the EU to adopt in all international bodies the position that exchanges of intelligence must be conditional upon there being operational, independent data protection authorities and upon recognition of individual rights rather than the rights of the monitors;

Effectiveness of aid

12. Draws attention to the recommendations contained in its report on the effectiveness of European development cooperation, and stresses in particular that if, with a view to implementing development cooperation, a large number of objectives are pursued that are only indirectly linked, or not linked at all, to the strategy laid down in the European Consensus on Development and the achievement of the Millennium Development Goals (MDGs) (for which the UN believes additional annual aid of USD 50 billion is needed), it will become significantly more difficult to take effective action against poverty;

¹ Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy: "The European Consensus" (OJ C, 24.2.2006, p. 1).

13. Calls on the Commission and the Member States to pursue an anti-terrorism policy that is careful not to undermine the contribution made by European development cooperation to drawing up and implementing strategies aimed at effectively combating poverty and at preventing, increasingly prolonged, violent conflicts, particularly in Africa;
14. Stresses that the response adopted by the EU in the face of terrorism must be proportionate and properly targeted at the fight against terrorism, bearing in mind that, until proved otherwise, the most effective measures in the fight against new forms of terrorism must be considered to be effective intelligence and police services, in other words activities which, however legitimate, do not come within development cooperation policy or the fight against poverty;

Financing the fight against terrorism

15. Regrets the fact that a large number of measures adopted by the Member States which do not come directly within a policy for reducing poverty in countries in the southern hemisphere are currently already being included in Official Development Assistance (ODA), such as the financing of certain loans or military investments;
16. Considers that including within ODA financial support for a range of activities connected with preventing and fighting terrorism can only further undermine the concept of public development aid and its primary aim, namely to eliminate poverty;
17. Insists that any EU program to develop cooperation on counter-terrorism, surveillance technology and exchanges of information should include a financial clause reserving part of the budget for fundamental rights issues as well as for posterior independent impact assessment;
18. Strongly stresses to the Member States that nothing can justify diverting aid from countries that are devoting themselves to reducing poverty and achieving the MDGs towards countries directly involved in the war on terror;
19. Stresses that the additional financial resources released as a result of the implementation of innovative financial instruments must not replace ODA commitments already entered into, and considers that, when those new resources become available, they should not be used to finance measures to prevent or fight terrorism at the expense of measures for fighting poverty into which it is essential that they are channelled;

Relations with diasporas

20. Calls on the Commission and the Member States to ensure that certain groups of people from various diasporas living in Europe are not stigmatised, in particular by supporting policies to combat xenophobia and human rights violations against immigrant and refugee communities, as well as development aid projects undertaken by migrants or migrants' associations;

Media

21. Calls on the EU to ensure that measures taken with a view to fighting terrorism do not lead to curbs on the ability of the media in countries in the southern hemisphere to deal in

an independent way with issues relating to the rights of poor, vulnerable people and to publish information that is essential when it comes to determining the specific aid to be provided to those countries.

PROCEDURE

Title	The external dimension of the fight against international terrorism
References	2006/2032(INI)
Committee responsible	AFET
Opinion by Date announced in plenary	DEVE 16.3.2006
Enhanced cooperation – date announced in plenary	
Drafts(wo)man Date appointed	Alain Hutchinson 21.2.2006
Previous drafts(wo)man	
Discussed in committee	28.8.2006 2.10.2006
Date adopted	6.11.2006
Result of final vote	+: 13 –: 1 0:
Members present for the final vote	Margrietus van den Berg, Danutė Budreikaitė, Marie-Arlette Carlotti, Hélène Goudin, Maria Martens, Luisa Morgantini, Horst Posdorf, Feleknas Uca, Anna Záborská
Substitute(s) present for the final vote	John Bowis, Fiona Hall, Alain Hutchinson, Jan Jerzy Kułakowski, Manolis Mavrommatis
Substitute(s) under Rule 178(2) present for the final vote	
Comments (available in one language only)	...