

# **Governing the Fight against Terrorism: Comprehensive Counterterrorism Cooperation and the Contested Agency of International Organizations\***

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Paper prepared for presentation at the International Studies Association's Annual Convention,  
Montreal, March 16-19, 2011

Draft Version. Work in Progress.  
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## **Abstract**

Over the last decade, international organizations (IOs) have become an integral part of global and regional counterterrorism cooperation. At the same time, there are still important functional and political impediments to a more advanced role of IOs in this sensitive environment. The paper sheds light on IOs' specific role as formal bureaucratic organizations in counterterrorism cooperation and investigates how and when they exercise agency under tight political and functional constraints based on comparative empirical evidence for EU and UN post-9/11 counterterrorism efforts. It distinguishes three mechanisms of IO agency: IOs as channels and entrepreneurs, IOs as coordinators and managers, and IOs as think-tanks and authorities. While states continue to be in the driving seat of the fight against terrorism, the paper argues that shifts towards more comprehensive counterterrorism cooperation have created new opportunities for IO agency based on outreach and expertise in a less politicized atmosphere. At the same time, the encroachment into particularly political areas has also opened up new avenues for contestation. The analysis suggests that the emerging role of IOs in this context is best explained by mechanisms pointing to IOs as coordinators/managers and as think-tanks/authorities. The practical challenge will be to reconcile IOs' bureaucratic outreach and expertise with political direction and accountability.

**Keywords:** Counterterrorism, International Organizations, Agency, United Nations, European Union

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\* The Konrad-Adenauer-Foundation gratefully provided financial support for this dissertation project. I thank all officials and experts in Brussels and New York who agreed to be interviewed on the basis of anonymity.

## 1. Introduction

Prior to the attacks of September 11, 2001<sup>1</sup>, leading experts described counterterrorism cooperation as “redundant” (Crenshaw 1989, 25) and “mood music” (Pillar 2001, 77). Consequentially, international organizations (IOs) as the most formalized venue received even less political and scholarly attention and their role remained “a worryingly underdeveloped area of inquiry” (Luck 2004, 100). At the same time, IOs had been active well before 9/11 and some scholars had already pointed to them as “pluralist and complex organizations” (Gal-Or 1985, 207). This basic ambiguity extends into the post-9/11 period. On the one hand, there can be little doubt that counterterrorism cooperation has reached an unprecedented scope and most major IOs have become involved and gained important competences. On the other hand, basic patterns of the politicized and event-driven pre-9/11 approach linger on and IOs’ input to this sovereignty-sensitive policy-field remains contested (Romaniuk 2010a). This paper investigates when and how IOs are able to assume a role as actor under these tight political and functional constraints. This is particularly relevant with a view to intensifying debates in major IOs such as the United Nations (UN) or the European Union (EU) on the “comparative advantage” or “value added” they might provide in times of increasingly comprehensive, but vague counterterrorism strategies and a largely ceased political momentum (Bures 2011; Coolsaet 2010; Cockayne et al. 2010).

Counterterrorism cooperation has attracted considerable scholarly attention in international relations (IR) over the last decade. By now, there is a growing IR literature that has produced noteworthy conceptual and empirical advances. Studies have examined how and why states act through IOs (Romaniuk 2010b; Beyer 2010), reinforce their identities in IOs (Mendelsohn 2009), adapt the design of IOs (Edwards and Meyer 2008; Heupel 2007), or change their norms and behavior in response to IOs (Romaniuk 2010c; Minnella 2010). The paper neither refutes the insights coming from this research nor denies the essential predominance of state actors in the fight against terrorism. Rather, it attempts to broaden the scope of analysis by scrutinizing an additional and less visible aspect. The paper argues that, so far, scholarship on counterterrorism cooperation has not sufficiently addressed the theoretical conceptualization and empirical analysis of IOs’ specific contribution as formal organizations relying on more or less established bureaucracies.

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<sup>1</sup> Hereafter referred to as 9/11.

The paper therefore makes a contribution to the literature on counterterrorism cooperation and tackles existing gaps by adding an explicit recognition of IOs' particular nature as bureaucratic organizations, a conceptual underpinning to make sense of this role, and comparative empirical evidence on two crucial organizations. The paper asks: What is the specific contribution of IOs in their capacity as formal bureaucratic organizations? When and how can IOs exercise agency in this sensitive and increasingly comprehensive policy-field? The paper brings together thinking on the mounting complexity and bureaucratization of counterterrorism cooperation (Millar 2010; Heng and McDonagh 2009) with IR theory's rediscovered interest in the study of IOs as bureaucratic organizations (Hawkins et al. 2006; Barnett and Finnemore 2004). First, the conceptual part defines IOs as bureaucratic organizations, presents three constitutive elements of IO agency, and distinguishes three mechanisms of IO agency based on different strands of IR theory (IOs as channels and entrepreneurs, as managers and coordinators, and as think-tanks and authorities). The second part traces the mechanisms and scope conditions of IO agency based on empirical evidence from the crucial cases of post-9/11 EU and UN counterterrorism cooperation. Focusing on the core bureaucracies responsible for organizing cooperation among member states rather than operational agencies, the examination covers the European Commission and the EU Counterterrorism Coordinator as well as the UN Counterterrorism Committee Executive Directorate (CTED) and the UN Secretariat including its Counterterrorism Implementation Task Force (CTITF).<sup>2</sup>

During the last decade, the scope of counterterrorism cooperation has expanded and now encompasses a greater variety of issues, actors, and levels addressing broader social and technical aspects extending beyond the exceptional post-9/11 politics of symbolic conventional responses (Heng and McDonagh 2009). Following the initial political momentum after 9/11, officials in national and international administrations resisted the politicization of complex and sensitive counterterrorism issues at the political level and attempted to move the fight against terrorism towards a more bureaucratic and result-oriented outlook at the working level (Deflem 2004). While nation-states continue to be in the driving seat, the paper argues that that this constellation has provided IOs with new opportunities to exercise agency based on bureaucratic outreach, neutrality, and expertise in a de-politicized manner in the context of the implementing comprehensive but amorphous strategy and in close collaboration with national practitioners . In terms of mechanisms of IO agency, the analysis suggests that the described changes go along

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<sup>2</sup> Due to space limitations, the evidence presented here naturally remains cursory. For more general overviews of the content and development of EU and UN counterterrorism cooperation see Bures 2011; Romaniuk 2010a.

with a gradual shift from the initial emphasis on IOs as channels and entrepreneurs to a growing recognition of their roles as coordinators/managers and think-tanks/authorities. At the same time, comprehensive counterterrorism cooperation has also opened up new avenues for the contestation of IO agency due to encroachments on sensitive issues that eventually remain inherently political. The paper concludes that the crucial practical challenge will be to align the need for bureaucratic expertise and outreach with political guidance and accountability while preventing complacent bureaucratic exercises as well as politicized symbolism.

## **2. Three Mechanisms of IO Agency**

Early IR scholars were well aware that IOs are not only functional creatures of their member states but also complex organizations whose daily operation and self-understanding to a great extent are lodged in their bureaucracies.<sup>3</sup> During the following decades, these insights were largely disregarded as IR theory focused on IOs as mere instruments or arenas of state action. Since the late 1990s, IR has rediscovered its interest in the study of IOs as bureaucratic organizations and established a basic consensus that IOs generally can exercise varying degrees of agency (Hawkins et al. 2006; Barnett and Finnemore 2004). Thus, the paper does not ask *whether* IOs in counterterrorism cooperation are actors, arenas, or instruments. They might indeed be all in one, in different ways and under different circumstances. Rather, the paper investigates *when and how* IOs actually exercise agency under the political and functional constraints of a sensitive and complex security issue. An IO – in the context of this study – will be defined as “an organization that has representatives from three or more states supporting a permanent secretariat to perform ongoing tasks related to a common purpose” (Barnett and Finnemore 2004, 177). Based on this understanding, secretariats – i.e. bureaucracies – are the natural loci of agency within IOs. When I speak of IO agency, I therefore mean the agency of IO bureaucracies. In most cases, this will be concentrated primarily in the hands of a few top officials embodying an organization’s “bureaucratic personality” based on their contacts, standing, and expertise (Bauer 2006, 29).

IO agency – as understood in this paper – neither focuses on internal bureaucratic decision-making nor on problem-solving in the field. Rather, the paper locates IO agency at the level of IO-member state interaction and investigates how IOs provide input to the cooperation process based on more or less independent capacities in the pursuit of specific interests. This

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<sup>3</sup> See for example Claude 1964.

understanding is mirrored by the three essential elements of IO agency derived from recent IR literature. First, there must be a visible and relatively stable IO *interest* since – to be meaningful – it is crucial that “something is guiding the agency” (Ellis 2010, 20). Empirical evidence indicates that international bureaucracies are likely to be more concerned with pragmatic problem-solving rather than accumulating powers as such (Biermann et al. 2009: 8). Hence, close similarities between state and IO preferences does not preclude specific IO interests. Second, *independence* describes “the ability to operate in a manner that is insulated from the influence of other political actors – especially states” (Haftel and Thompson 2006, 256). In a wide understanding, this means that IOs – to be actors – must dispose of a set of formal and/or informal, material and/or ideational capacities that they can use with some leverage in the pursuit of their interests. The third element is that IOs must be able to provide *input* and “to get something done” (Barkin 2006, 57). Hence, they must produce output that translates into observable action in the cooperation process such as specific agreements or projects. Drawing on three classic schools of thought in IR theory, I differentiate three interrelated, but analytically separable mechanisms of IO agency: IOs as channels and entrepreneurs (power-based approach), IOs as coordinators and managers (interest-based approach), and IOs as think-tanks and authorities (knowledge-based approach).<sup>4</sup>

The *power-based approach* starts from the premise that even in a globalized world cooperation is still shaped by powerful states pursuing their national interests through cooperation (Drezner 2007). Yet, in sensitive and controversial policy arenas even powerful states might find it hard to exercise effective and accepted leadership. They are therefore inclined to rely on IOs as “channels of power” that grant neutrality, legitimacy, and credibility to their efforts (Thompson 2009). In this understanding of IOs as *channels*, cooperation is not just channeled through IOs, but cooperative efforts by states can also be channeled by IOs. There is a long-standing insight that the facilitation of agreements in international bargaining processes depends on leadership based on material power, negotiation skills, or innovative ideas provided by entrepreneurs that can be state actors as well as international officials (Young 1991). Successful entrepreneurship depends on new problems and constellations creating a “window of opportunity”, pre-existing policies from which to develop proposals, and the ability to build alliances in the politics arena (Kingdon 1984). On this basis, we can expect that IOs can function as *entrepreneurs* when they can build upon a political momentum prompting member states to act through IOs, on readymade proposals for joint responses allowing them to come out with initiatives quickly and resolutely,

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<sup>4</sup> The builds upon Hasenclever et al.’s (1997) classification of regime theories without fully adopting the substance of their understanding.

and on alliances with influential actors such as major states and chairs. In this way, IOs can exercise agency by channeling cooperation to preferred projects and procedures.

The *interest-based approach* rests on the assumption that principals – i.e. member states – have an interest to delegate specific tasks to agents – i.e. IOs – and endow them with considerable resources and leverage for the implementation of international policies, while still controlling the fundamental resources and curbing any occurrences of “agency slack” (Hawkins et al. 2006). However, IO agents can incrementally reinterpret their mandates through procedural innovations, informal practices, the exploitation of splits among member states, and contacts to third parties (Hawkins and Jacoby 2006). IOs operating as *managers* of implementation often dispose of a range of delegated instruments for capacity-building, technical assistance, or funding which they can use for strategic purposes (Joachim et al. 2008). With a view to the lack of national awareness and capacities, IOs often have to take the initiative to informally reach out to the working level based on their “professional contacts” and “big picture perspective” in order to convince their counterparts “that there is a ‘market’ for their new program or practice” (Gerspacher and Dupont 2007, 359). Acting as “orchestrators” of such transgovernmental and transnational action can further strengthen the position of IOs since they can dwell on capacities and competences they might not possess, support their claims through the inclusion of a wider range of stakeholders, and alleviate fears that they are simply tools of powerful states imposing standards on smaller states (Abbott and Snidal 2010). In order to effectively coordinate these networks and engage their interlocutors in a flexible manner, states will have to endow IOs with some leverage as *coordinators* and IOs are thereby able to “expand their influence with less political friction” (Ibid., 326).

The *knowledge-based approach* does not refer to skilled entrepreneurship or the strategic use of networks and delegated resources but to the ideational foundation of IO agency. From this perspective, IOs operating in politically sensitive environments can exercise agency on the basis of a rational-legal *authority* that is conferred upon them as allegedly neutral and apolitical bureaucracies serving the collective will of the member states (Barnett and Finnemore 2004). In the face of increasingly complex problems, the essential foundation of bureaucratic authority is intersubjective knowledge and expertise (Haas 1990). In their capacity as international *think-tanks* IOs can facilitate and disperse knowledge by establishing ties to epistemic communities, commissioning and distributing academic research, or gathering best practices in ways that national practitioners perceive as “homogenous, technical and neutral” (Stone 2003, 47). The use

of this knowledge is not limited to instrumental performance enhancement but can also be employed for the symbolic legitimation and substantiation of IO action (Boswell 2008).

### 3. European Union Counterterrorism Cooperation

#### *The EU as Channel and Entrepreneur*

In the weeks and months following 9/11, the European Commission acted as a policy entrepreneur and used the open window of opportunity to push through some of its preferred policies based on pre-existing proposals, quick action, and alliance building.<sup>5</sup> Confronted with intense national and international pressure, member states wanted to make a “symbolic statement” with some visibility as soon as possible and a variety of actors was “pushing in an uncoordinated manner for more EU action”, but did not have an agreed upon plan on what that action might look like (Bossong 2008, 38). The Commission quickly realized that it could channel this momentum to some of the – mostly indirectly related – policies it had prepared in execution of the 1999 Tampere Justice and Home Affairs (JHA) agenda. In an internal discussion paper issued by Commissioners Patten and Vitorino only one week after the attacks, the Commission acknowledged that its main contribution would be legal proposals allowing it to “enter new territory” based on “the momentum generated by recent events” (European Commission 2001). Its two main proposals concerned the European Arrest Warrant and the Framework Decision on Combating Terrorism that were presented on September 19, one day in advance of an emergency JHA Council. This quick reaction enabled the Commission to set the agenda as a “strategic first mover” and secure the European Council’s agreement at a time when member states were looking for options and the final agenda was still pending (Kaunert 2007). The Commission eventually ensured agreement in the JHA Council by the end of 2001 in close alliance with the active and pro-integrationist Belgian presidency that put direct personal pressure on all national ministers.<sup>6</sup> The Commission was supported by the big and particularly concerned member states that were happy to leave the negotiations to the experienced Commission since, in the words of UK Home Secretary David Blunkett, they were “hoping that the European Commission will be able to persuade those who are reluctant and fearful”.<sup>7</sup>

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<sup>5</sup> For an in-depth application of the concept of political entrepreneurship to EU counterterrorism, see Bossong 2010; Kaunert 2007.

<sup>6</sup> Interview with Member State Official, Brussels, December 9, 2009.

<sup>7</sup> ‘EU Must Act Fast on Terror – Blunkett’, *BBC News*, September 20, 2001.

After the initial momentum had largely ceased during 2002 and 2003, the attacks in Madrid 2004 and London 2005 reinvigorated political activity in the EU. After the Madrid bombings, the Commission again came out quickly with an input paper prioritizing better implementation and coordination but also proposing some new instruments (European Commission 2004a). The Council basically confirmed this approach but its main response, the Declaration on Combating Terrorism, also demanded further action along seven new guidelines that significantly broadened the EU's approach to more general security issues such as critical infrastructure protection (European Council 2004). While the Commission achieved some progress on issues such as victims protection, its most ambitious proposals on enhanced information exchange did not make much headway since member states were unwilling to accept major integration leaps in the JHA domain and the discourse focused on the refinement of existing policies (Bossong 2010). As a consequence the Commission's response shifted to more technical and less controversial issues where it hoped to provide "a smooth institutional landing" for EU counterterrorism based on existing regulatory competences in the supranational first pillar (European Commission 2004b, 5). It presented two main packages of measures dealing with issues such as consequence management, critical infrastructure protection, passenger name records, and explosives security (European Commission 2007a; 2004b). These packages however did not yield much direct formal results. The proposals either led to protracted negotiations such as in the case of passenger name records or formed the basis for more informal action discussed in the next section. The main outcome of the 2005 London bombings was the directive on data retention pushed through the Council and the European Parliament with intense pressure from the British government that held the rotating presidency during the second half of 2005.<sup>8</sup> The Commission's contribution was largely limited to making the policy a directive regulating the telecommunications market rather than a JHA framework decision due to legal concerns. Thus, the Commission was able to channel political action to readymade proposals measures when there is a momentum that member states find hard to resist. However, it became clear that this momentum was not sustainable and the Commission would have to operate within the wider margins of political framework set by states. As one Commission official put it: "You can lead the horses to the water, but you can't make them drink".<sup>9</sup> The Commission's role as an activist policy entrepreneur at the high-politics level of conventional security issues was thus contingent on a period of extraordinary circumstances.

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<sup>8</sup> Interview with MEP, Brussels, December 8, 2009; Interview with Member State Official, Brussels, December 9, 2009.

<sup>9</sup> Interview with Commission Official, Brussels, December 9, 2009.

In the fortunate absence of new major attacks in Europe, EU counterterrorism policy relatively quickly sledded back to path-dependent patterns of cyclic acceleration and inertia and the Commission had to tone down its supranational aspirations (Argomaniz 2009). Though the Lisbon Treaty formally endowed the Commission with full rights in the legislative process, the impact of this reform still hinges upon the Commission's will to use its competences and jeopardize its nascent standing. Legal Council action on police and judicial cooperation has become subject to "a growing sense of ct-fatigue" with member states seeing no need for new formal instruments (Council of the European Union 2009, 2). Operational cooperation continued to take place almost exclusively through direct bilateral channels (Müller-Wille 2008). As a consequence, the emphasis shifted to providing the institutional and ideational underpinning for the noncommittal comprehensive strategy that was adopted after the London bombings building upon four work strands: pursue, protect, prevent, respond (Council of the European Union 2005a). The Commission and the EU Counterterrorism Coordinator prioritized work on counterterrorism protection and prevention where they saw most potential for EU action (European Commission 2010a, 13; Council of the European Union 2009, 4). Counterterrorism protection unfolds in the context of the EU's emerging all-hazards approach to security where the Commission could draw on established implicit capacities – such as coordination and expertise – in incremental and technical policy-fields such as disaster management and critical infrastructure protection (Rhinard et al. 2007). Counterterrorism prevention focused on countering radicalization and recruitment of 'homegrown' terrorists where the EU's main task has been establishing a common understanding of this poorly understood issue that touches upon controversial policy fields such as integration and religion (Coolsaet 2010, 869). The next section illustrates when and how EU bureaucracies managed to exercise agency under these conditions.

### ***The EU as Manager and Coordinator***

In order to improve coordination and implementation after Madrid and London, the European Council created the post of an EU Counterterrorism Coordinator within the Council Secretariat. With a view to a lack of formal powers and an ill-defined job description, it was initially unclear how and who he should actually coordinate and, according to a report by the British House of Lords, most actors only agreed on "what he should not do" (House of Lords 2005, 26). Being a politician and former deputy interior security in the Dutch government, the first officeholder Gijs de Vries interpreted his mandate in a self-confident political manner. He voiced public opinions on controversial issues such as DNA databases and clashed with influential national figures such

as German Interior Minister Otto Schily.<sup>10</sup> Furthermore, he became entrapped in turf battles with the Commission and national agencies resisting central coordination<sup>11</sup> and experienced a political “massacre” at the European Parliament that questioned his ignorance of clandestine CIA activities in Europe.<sup>12</sup> Thus, his political ambitions jeopardized the support of all major constituencies on which his leverage depended in the absence of formal powers. When de Vries stepped down in spring 2007 due to personal frustration with his job the largely disinterested member states wanted an experienced bureaucrat focusing on internal action, rather than a politician.<sup>13</sup> This clearly illustrates the Council will to readjust delegated mandates in cases of political provocations or solo runs.

The Council decided that Gilles de Kerchove was to succeed de Vries as Coordinator. De Kerchove was a long-standing and influential Council official who opted for a pragmatic approach that increased the post’s standing and sphere of discretion. De Kerchove started the practice of issuing more strategic discussion papers that scrutinized and presented concrete suggestions and improvements for the strategy’s four strands that are met with much interest from member states and other actors.<sup>14</sup> Based on his experience with the protracted EU politics, his approach built on the premise that cooperation should “maintain a steady pace rather than try to sprint ahead too quickly” and build on “informal networks between policy, CT practitioners, the private sector and civil society” (Council of the European Union 2009, 4, 9). De Kerchove apparently saw most potential in the area of radicalization and recruitment where he proposed a number of new projects in which individual member states would take the lead on specific aspects. His impressions were that the strategy’s political guidelines were “vague and difficult to translate into operational action” and that there was a need for “greater ownership among experts” at the working level beyond political generalists (Council of the European Union 2007a, 8, 9).<sup>15</sup> The main direct effect of these projects most likely will be the facilitation of discussion on sensitive issues rather than substantial formal action. Yet, some tangible results – such as an agreement model for cooperation with internet providers coming from the German-lead group on the use of the internet – are already emerging (European Commission 2010a, 4).

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<sup>10</sup> ‘Terrorism Debate Centres on Intelligence and Forward Planning’, *European Report*, June 9, 2004; ‘Selbstbewusster Verwalter im Kampf gegen den Extremismus’, *Welt am Sonntag*, November 21, 2004.

<sup>11</sup> ‘EU Counter-terrorism Chief’s Efforts Hampered by Turf Wars’, *Financial Times*, March 7, 2005.

<sup>12</sup> ‘EP CIA Inquiry. De Vries Roasted by MEPs for Knowing Nothing’, *European Report*, April 24, 2006.

<sup>13</sup> ‘Gilles de Kerchove. Europas Terrorbekämpfer mit heiklem Auftrag’, *Sueddeutsche Zeitung*, September 20, 2007.

<sup>14</sup> Interview with Council Official, Brussels, December 10, 2009; Interview with Member State Official, Brussels, December 10, 2009.

<sup>15</sup> The six projects deal with media and strategic communication (UK), training of Imams (Spain), community policing (Belgium), the role of local authorities (Netherlands), de-radicalization (Denmark), and the use of the internet (Germany).

Suffice it to say for our purposes, that taking the initiative and informally reaching out to practitioners through the practical projects and concrete suggestions has clearly enhanced the post's standing and allowed de Kerchove to take action on politically sensitive issues. This was possible due to his professional contacts and experience with protracted EU politics and because he "knows how to work the system".<sup>16</sup> As pointed out by one official, This underlines that "people are as important as institutions".<sup>17</sup> Furthermore, he clearly benefited from the "bureaucratization" of counterterrorism cooperation below the Council level where he could use his standing and networks to initiate projects in a pragmatic manner (Coolsaet 2010, 862).

The Commission has paid particular attention to technical networks with a wide range of stakeholders in areas where it could draw on pre-existing competences in its emerging all-hazards approach. From early on, the Commission framed its emphasis on technical aspects of counterterrorism in the broad context of societal security where it stressed that "the whole of society will need to participate" (European Commission 2004b, 3). Following this premise, the Commission has initiated various informal arrangements such as the Critical Infrastructure Warning Information Network (CIWIN) or the European Explosives Ordnance Disposal Network (EEODN). These networks link Commission officials with national and local officials as well as private actors that own and run much of the relevant infrastructure. This created channels for crisis communication, the distribution of best practices, and the facilitation of practical training. While these projects started as informal linkages they are in the process of becoming formally operational and have led to some limited legal regulation.<sup>18</sup> Moreover, the Commission has flanked its encroachment into new areas with "extensive consultations of stakeholders" (Commission of the European Communities 2007a, 7). Examples are the Explosives Security Expert Task Force and the CBRN Task Force that were formed to back up the preparation of action plans on the respective issues through various meetings, workshops, and reports.<sup>19</sup> Commission officials stressed the benefits of early consultation with stakeholders and the need to push for specific and tailored action with stakeholders since the ownership of the process is not very precise and member states eventually still control the necessary resources.<sup>20</sup> Furthermore, the Commission has used its strategic funding as one of its most powerful instruments to spur specific programs of its choice. The Commission can draw on its 740 million Euro programs

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<sup>16</sup> Interview with Council official, Brussels, December 11, 2009.

<sup>17</sup> Interview with Council official, Brussels, December 11, 2009.

<sup>18</sup> See for example the Council Directive 2008/114/EC on the designation of critical infrastructure.

<sup>19</sup> For summaries of the consultation processes see for example European Commission 2009.

<sup>20</sup> Interview with Commission Official, Brussels, December 8, 2009.

'Prevention of and Fight against Crime' and 'Prevention, Preparedness and Consequence Management' for the financial period 2007 to 2013.<sup>21</sup> Yet, the Commission has lost some of its potential impact through a lack of coherence and its Byzantine application procedures.<sup>22</sup>

### ***The EU as Think-Tank and Authority***

In addition to stakeholder consultations and practitioner networks, the Commission has backed up its encroachment into new technical fields of counterterrorism cooperation by expertise stemming from mounting research activities and a growing number of expert groups. The rationale behind this was to ensure the "appropriate technology and knowledge base" for the further development of common action and Commission proposals (European Commission 2007a, 7). Hence, stakeholder consultations not only offered an institutional basis to develop and promote new policies, but also provided the ideational underpinning of proposals. Groups such as the Explosives Security Experts Task Force or the Standing Group of Precursors based their vast lists of recommendations on a range of studies and conferences with substantial participation from scholars and other experts. The Commission could then use findings to frame proposals in context of "a high level of consensus on the preferred policy option" (European Commission 2010b, 6). Furthermore, the Commission has used the expertise generated by the applied research activities of its 1.4 billion Euros security research program as symbolic substantiation for its all-hazards approach to security.<sup>23</sup> In its decision to launch the European Security Research Innovation Forum (ESRIF), the Commission stated that it had chosen to focus on security research as "a less-controversial upstream activity" and lined out that ESRIF was formally kept as an independent expert body to "preserve its independent advisory nature and the neutrality of the Commission" (European Commission 2007b, 3). In an immediate reaction to ESRIF's final report, the Commission then used its findings to make the case for an "integrative approach" relying on "networks, reference centers, interoperability, and system-of-systems solutions" (European Commission 2009b, 7). Moreover, the Commission actively participated in the Council's two rounds of peer reviews on information sharing and consequence management. The peer review recommendations officially had an astonishing implementation rate of over 95 per cent but it remains unclear how much effect they actually had on national policies and the individual country reports remain classified (Council of the European Union 2007b). In any event, the peer reviews offered the opportunity to communicate specific guidance to generally open practitioners in a pragmatic tone.<sup>24</sup> However, it is important to

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<sup>21</sup> See [http://ec.europa.eu/home-affairs/funding/intro/funding\\_intro\\_en.htm](http://ec.europa.eu/home-affairs/funding/intro/funding_intro_en.htm). March 8, 2011.

<sup>22</sup> Interview with Council official, Brussels, December 10, 2009.

<sup>23</sup> For the security research program see [http://cordis.europa.eu/fp7/security/home\\_en.html](http://cordis.europa.eu/fp7/security/home_en.html). March 8, 2011.

<sup>24</sup> Interview with Council Official, Brussels, December 7, 2009.

note that these allegedly apolitical and neutral efforts have led to new political challenges criticizing the unbalanced composition of the Commission's industry-focused research activities and the preference for market competitiveness and technology development over human rights and civil liberties (Bigo and Jeandesboz 2010).

In the field of radicalization and recruitment, the EU's prime goal was to develop a "common understanding of the factors and of principles and actions for countering them" (Council of the European Union 2005b, 5). It was initially hard for the Commission to take action in this field since the very notion of the problem was contested and there were no agreed upon indicators to measure radicalization or judge the quality of countermeasures. One official captured this by saying: "Is a full mosque a sign for radicalization or revived religiosity?"<sup>25</sup> To pave the way for common action in this sensitive policy-field, the Commission in 2006 sent out a questionnaire to member states and commissioned four studies by major research institutions on mobilization and recruitment, ideologies and narratives, cooperation between local authorities and civil society, and the factors leading to radicalization.<sup>26</sup> Furthermore, the Commission set up the Expert Group on Violent Radicalisation that was supported by another four studies and presented its final report in 2008.<sup>27</sup> The information gathered through these efforts was intended to form the basis for a Commission communication on radicalization and recruitment scheduled for mid-2008 that had raised relatively high hopes among actors. However, this communication was blocked internally by JHA Commissioner Jacques Barrot who feared that it might annoy Muslim minorities in Europe and endanger the support of EU constituencies working on related issues such as integration.<sup>28</sup> This is an emblematic example that even bureaucratic expertise action is no panacea against political disruptions when it is not attached to a political framework for allegedly neutral action in service of member states' collective will. As a consequence, the Commission has come to accept that its role in radicalization and recruitment is limited and that there are eventually no chances for ambitious formal action in this area.<sup>29</sup> It has subsequently focused on its function as a "counter-terror think-tank" where it actually has real potential in developing new approaches to the complex radicalization challenge (Brady 2009, 19). For instance, the Commission has created the European Network of Experts on Radicalization and Recruitment (ENER) and funded several studies under its security research program, e.g. a six-year project on a "Scientific Approach to Fighting Radical Extremism" (SAFIRE) explicitly aiming to produce instruments to be suggested to practitioners.

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<sup>25</sup> Interview with Commission Official, Brussels, December 10, 2009.

<sup>26</sup> See [http://ec.europa.eu/home-affairs/doc\\_centre/terrorism/terrorism\\_radicalisation\\_en.htm](http://ec.europa.eu/home-affairs/doc_centre/terrorism/terrorism_radicalisation_en.htm), March 8, 2011.

<sup>27</sup> See [http://www.rikcoolsaet.be/files/art\\_ip\\_wz/Expert\\_Group\\_Report\\_Violent\\_Radicalisation\\_FINAL.pdf](http://www.rikcoolsaet.be/files/art_ip_wz/Expert_Group_Report_Violent_Radicalisation_FINAL.pdf), March 8, 2011.

<sup>28</sup> Interview with Commission Official, Brussels, December 8, 2009; Interview with Member State Official, Brussels, December 11, 2009.

<sup>29</sup> Interview with Commission Official, Brussels, December 8, 2009.

## 4. United Nations Counterterrorism Cooperation

### *The UN as Channel and Entrepreneur*

After the 9/11-attacks, the United States quickly approached the UN to take action in the fight against terrorism. Looking for quick binding action as well as a broad coalition, the Bush administration chose to seek agreement and legitimation through the Security Council that, unlike the General Assembly, had an open agenda, a small membership that allowed for quicker agreements, a less politicized history on terrorism, and the ability to enact legally binding rules. The United States together with other permanent Council members successfully and resolutely pushed for agreement even by traditionally skeptical non-permanent members such as Tunisia (Stiles 2006). The groundbreaking outcomes were the unanimous adoption of resolution 1373 that set broad and legally binding guidelines under chapter VII of the UN Charter for all member states and the mushrooming listing of individual al Qaeda affiliates under the 1267 sanctioning regime originally directed against the Taliban government in Afghanistan. This unprecedented action on a historically controversial and political issue can only be explained in the context of high US pressure during a period of “extraordinary politics” following the highly symbolic events of 9/11 that made it hard for any state to resist the call for action (Romaniuk 2010a, 64).

Secretary-General Kofi Annan initially saw the UN as being “uniquely positioned” to facilitate a “broad, comprehensive and above all sustained strategy”.<sup>30</sup> Though the 9/11 attacks might have offered a prime opportunity for UN action, large parts of the UN Secretariat and the wider UN system remained largely wary or even hostile towards the accelerating fight against terrorism which they perceived as politicizing their work on related issues and negating the organizations’ basic norms. In the words of Edward Luck (2004, 95), this counterintuitive behavior is due to the fact that terrorism was “only marginally more welcome on the agenda of the United Nations than it is in our cities and neighborhoods.” Moreover, the Secretariat lacked the resources and concepts to respond to the post-9/11 momentum in a timely and adequate manner. The UN Secretariat’s Department of Political Affairs (DPA) was designated as focal point for counterterrorism without asking for a specialized staff position before 2004 and the Vienna-based Terrorism Prevention Branch (TPB) – which reported to the Department of Legal Affairs – had a staff of two by the time of 9/11. Due to the lack of agreement and interest in UN bureaucracies and the long-standing history of political quarrels, the UN had no ready option to propose since “there was no white paper on the UN’s place in the struggle against terrorism” (Luck 2006, 346).

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<sup>30</sup> Remarks to UN General Assembly, October 1, 2001, A/56/PV12.

Negotiating a comprehensive convention in the General Assembly would have taken too long from the perspective of the US that wanted legitimation but no UN interference. Continuing disagreement on the definition of terrorism, root causes, and the right for self-defense turned this option obsolete rather soon anyway (Hmoud 2006). The contribution of the UN Secretariat to post-9/11 decision-making thus remained marginal since it neither could nor wanted to take the lead in a way conducive to the US drive for action and then became eager to stay clear of a coercive US-led response it could not influence anymore.

The Secretary General came forward with a proposal only as growing concerns among the wider membership created a new constellation and the Secretariat had identified its potential value-added. In late 2001, Annan had installed a Policy Working Group to consider the UN's "comparative advantages" in the fight against terrorism which presented in a report without much impact in 2002 (United Nations 2002). He reinvigorated his efforts when challenges to the Security Council grew with numerous states wanting a balance between the work on 1373 that was considered "a baby of the Security Council" on the one hand and the General Assembly with its universal membership on the other hand.<sup>31</sup> Moreover, there was a larger debate on the Security Council's role as "global legislator" on resolution 1373 that was seen as innovative by some but as an illegitimate extension of its authority by many others (Rosand 2005). In 2004, a new momentum emerged when the Secretary General's High-Level Panel on Threats and Challenges argued for "a comprehensive strategy that incorporates but is broader than coercive measures".<sup>32</sup>

At this point, the Secretary General and his Executive Office under the lead of Assistant Secretary General Robert Orr realized that the UN could indeed make a valuable contribution to this issue that was "without a natural home" and therefore began to sketch out ideas for a global strategy.<sup>33</sup> During a speech in Madrid in March 2005, Annan lined out his proposals based on what he called the five D-s: dissuading effective groups, denying terrorists the means to carry out attacks, deterring state sponsors, developing state capacity, and defending human rights. Interestingly, he explicitly included a statement on root causes but redefined them as the belief "that they [terrorist tactics] are effective" in order to reconcile the Western focus on extremist ideologies with concerns about political, social, and economic causes.<sup>34</sup> Moreover, the Secretary General

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<sup>31</sup> Interview with Member State Official, New York, February 18, 2011.

<sup>32</sup> <http://www.un.org/secureworld/report2.pdf>, March, 10, 2011.

<sup>33</sup> Interview with UN Official, New York, February 23, 2011.

<sup>34</sup> 'Secretary General offers Global Strategy for fighting terrorism in address to Madrid Summit'. SG/SM/9757. March 10, 2005.

explicitly drew on debates about comprehensive notions of human security and human rights surrounding the 2005 World Summit which provided him with “vehicles for the development of the international community’s move towards coherence, effectiveness and legitimacy in countering international terrorism” (Norman 2007, 207). Annan presented his recommendations for a strategy to the General Assembly in March 2006 and found broad support among European, Latin American, and most African countries (UN General Assembly 2006a).

The skilled entrepreneurship of Annan and General Assembly President Jan Eliasson secured the adoption of the strategy by September 2006. During fierce bargaining process, they negotiated the space for compromise between skeptical non-aligned states on the one hand and the permanent members of the Security Council on the other hand. They persuaded the General Assembly that the proposal provided the “once in a lifetime opportunity” to reestablish the Assembly’s central role based on a more comprehensive approach and offered the US and other Council members a broader acknowledgement of the terrorist threat (Rosand and von Einsiedel 2010, 152). The strategy entails four pillars addressing the conditions conducive to the spread of terrorism<sup>35</sup>, the prevention and combat of terrorism, state capacity-building, and human rights (UN General Assembly 2006b). Though the strategy’s substance is “rather anodyne”, it is nevertheless of pivotal importance since it provides the framework for the development of a comprehensive approach covering a broader range of issues and actors (Millar 2010, 3). Despite further revision and extensions in response to new attacks and emerging problems, the core normative framework was set by 2006. Attention would now turn to the practical implementation of both 1373 and the strategy during a period characterized by with a ceasing political momentum and the “politics of mutual ambivalence” (Luck 2006, 348) still characterizing relationships between the Security Council, the Secretariat, and the wider membership.

### ***The UN as Manager and Coordinator***

After 9/11, the Security Council created the Counterterrorism Committee (CTC) as a committee of the whole to overview and ensure compliance with the demanding obligations entailed in resolution 1373. Initially, the CTC was credited with a range of successes such as processing more than 600 reports from all 192 member states and increasing the number of states having ratified all twelve counterterrorism conventions from two to sixty (Cortright et al. 2007, 25). However, important challenges quickly emerged. First, turf wars with the Secretariat led the CTC’s first chair Jeremy Greenstock to complain that “as a new operation, the CTC tends to be allocated the

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<sup>35</sup> Again this is another way to frame work on root causes in a more innocuous way.

resources that are left over when everything else has been covered".<sup>36</sup> Second, some member states, UN bodies, and activists increasingly raised concerns about the disregard of human rights in the CTC's work that Greenstock considered to be "Geneva's job".<sup>37</sup> Third, the excessive reporting requirements entailed in 1373 created a "response backlog" in the tiny CTC staff and a sense of "reporting fatigue" among member states. Smaller member states in particular were largely willing to formally comply with 1373 but often lacked capacity and experience for practical implementation on the ground (Cortright et al. 2007, 26). Security Council Resolution 1377 from November 2001 acknowledged that many states will require assistance and tasked the CTC to identify available assistance for states in need of such help.

By the end of 2003, the CTC's deficits became obvious and its chair issued a reform proposal centering on the creation of a new bureaucratic body of specifically selected experts hired on a long-term basis. Under the lead of an Executive Director and with guidance from the CTC, the Counterterrorism Committee Executive Directorate (CTED) should ensure practical implementation through more tailored and proactive assistance based on the expertise of its professional staff, country visits, and close contacts with international, regional, and sub-regional organizations (UN Security Council 2004). After tense negotiations, the Security Council confirmed CTED's creation in Resolution 1535 from March 2004. CTED experienced a rocky start. It was fully staffed only at the end of 2005 and still found it hard to move beyond paper-based reporting. Furthermore, the Secretariat was strictly opposed to CTED's installation since it had to staff and fund it from its regular budget while the permanent Council members remained skeptical of any deeper involvement by the Secretariat and partially lost political interest in the CTC's work that was increasingly seen as "routine" (Rosand and von Einsiedel 2010, 146-150). In addition, CTED's first Executive Director Javier Ruperez encountered severe problems in getting support from member states due to his tendency to engage in fundamental political debates even on mere technical questions.<sup>38</sup>

In 2007, the appointment of Australia's counterterrorism ambassador Mike Smith as new Executive Director marked the start of a new period of organizational innovation for the largely dysfunctional CTED. In February 2008, Smith presented a new organizational plan to the Security Council that was confirmed in resolution 1805. The plan proposed the creation of five thematic clusters in addition to the existing regional clusters, new staffing procedures to hire specialized

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<sup>36</sup> Remarks at UN Security Council, April 15, 2002, S/PV.4512.

<sup>37</sup> Interview with UN Official, New York, February 14, 2011.

<sup>38</sup> Interview with Member State Official, New York, February 14, 2011.

experts rather than general legal officers, and more flexibility in country visits allowing for regional and thematic focuses (UN Security Council 2008). Based on these changes and under the leadership of Mike Smith, the revamped CTED developed a clearer sense of its mission and underwent a “cultural shift moving from a group of individual consultant experts serving the Council to an integrated team with a more transparent, articulated gameplan” (Cockayne et al. 2010, 13). With a view to its minimal budget of about nine million dollars, CTED identified its main comparative advantage as the ability to take counterterrorism beyond the special New York context where the proximity to the Security Council makes work inevitably political, which was considered unproductive. CTED began to reach out to national practitioners beyond foreign ministries commonly functioning as “filters” and address technical issues “in real world ways” at the practical working level where it could then suggest concrete steps and projects.<sup>39</sup> Examples of specific projects include a workshop for South Asian practitioners in Bangladesh in November 2009 as a starting point for building a network of counterterrorism professionals in the region or a project on prosecution in cooperation with the Council of Europe.<sup>40</sup> Other important tools were a technical guide for implementation, a global survey on the implementation of 1373, and the Preliminary Implementation Assistance (PIA) assessments that were sent to all member states. These measures “empower” CTED by enabling it to engage member states in a more direct and flexible way and allowing it to identify gaps and broker assistance proactively rather than passively waiting for reports and just connecting donors and recipients (Romaniuk 2010a, 91). To expand this work, CTED recently asked the Council for allowance to allocate extra-budgetary funds from donors for specific projects and to second staff members to short-term field missions (UN Security Council 2010, 11).

The CTC provided a wide framework for CTED’s day-to-day business while CTED had to stick to the framework’s outer margins more closely than common Secretariat bodies. CTED largely ascribed to the guidelines anyway due to a basic practical consensus with the committee’s main members over the last years.<sup>41</sup> This new leverage was largely due to the professional trust in the leadership of Mike Smith who proved to be “a real diplomat” and was furthered by a friendly approach to multilateral counterterrorism in the US under the Obama administration.<sup>42</sup> Since the adoption of the global strategy in 2006, CTED as the UN’s largest counterterrorism body

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<sup>39</sup> Interview with UN Official, New York, February 14, 2001; Interview with UN Official, New York, February 15, 2011.

<sup>40</sup> Statement by Mike Smith, CTED Executive Director, Informal Briefing to Member States, December 16, 2009.

<sup>41</sup> Interview with UN Official, New York, February 15, 2011.

<sup>42</sup> Interview with Member State Official, New York, February 14, 2011.

primarily faced the challenge to respond to the need for a more comprehensive approach based on the informal information and contacts it had obtained from country visits, reports, and PIAs. Its mandate on human rights consideration under resolution 1456 and on incitement to terrorism under resolution 1624 provided “a vehicle and a context” to assume an informal role on comprehensive issues that was formally approved by resolution 1963 from December 2010 (UN Security Council 2010, 8). Thus, CTED has come a long way. According to a comprehensive review by the Center on Global Counterterrorism Cooperation, there has been some practical progress and an “empowerment of the technical expert bodies” based on increased transparency, outreach, and “constructive leadership” at the working level while the political work in the Council and the CTC has stagnated and failed to provide leadership on remaining problems such as the still patchy implementation of 1373 on the ground, remaining human rights concerns, and the Council’s relation to the strategy (Cockayne et al. 2010).

The Secretariat’s central counterterrorism body is the Counterterrorism Implementation Task Force (CTITF) that was founded in order to coordinate the UN’s diverse activities in implementing the strategy and function as the “practical expression of the strategy in the UN system” (Rosand 2009, 2). It was a remarkable achievement of CTITF’s first chair Robert Orr to get almost thirty agencies to participate and discuss sensitive issues in the CTITF’s nine working groups though most of them did not have a specific counterterrorism mandate and were highly skeptical of an involvement in the fight against terrorism.<sup>43</sup> Yet, CTITF’s initial institutional arrangement with a core staff of two officials and the working groups’ dependence on donors was regarded as “not sustainable” by the Secretary General and naturally limited the scope and breadth of activities (UN General Assembly 2008, 18). It was an intense battle for CTITF’s second chair Jean-Paul Laborde to secure support for a full institutionalization of the CTITF Office within DPA by the end of 2009.<sup>44</sup> The Secretary General’s reports reveal numerous activities of CTITF entities on all aspects of the strategy.<sup>45</sup> But many of them – particularly those addressing conditions conducive under pillar 1 of strategy – are only indirectly related and should not be placed under an explicit counterterrorism label. Moreover, the CTITF’s discussions remained largely internal and during the General Assembly’s 2008 strategy review member states

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<sup>43</sup> For the organizational chart see <http://www.un.org/terrorism/cttaskforce.shtml>, March 3, 2011. Interpol is a CTITF member but not part of the UN system. The CTITF working groups deal with conflict prevention, victims, internet, WMD attacks, vulnerable targets, terrorist financing, vulnerable targets, and border management.

<sup>44</sup> The foregoing discussion builds upon Interview with UN Official, New York, February 22, 2011.

<sup>45</sup> For the reports, see (UN General Assembly 2010; 2008).

proclaimed an interest in “greater systematization” of and more direct interaction with CTITF (UN General Assembly 2008 #1415, 17).

After its institutionalization, the CTITF Office attempted to take a more operational approach and connect to national focal points outside New York to increase knowledge of the strategy and facilitate “a sense of local ownership”.<sup>46</sup> Indeed, CTITF working groups produced some input relying on outreach to the working level and the initiative of active groups or individuals. One example is the work on vulnerable targets that was largely driven by the UN Interregional Crime and Justice Research Institute (UNICRI). UNICRI created a center on private-public partnerships and worked, for instance, with the Brazilian and Chinese governments on the security of sporting events.<sup>47</sup> Another instance is the internet working group under its chair Richard Barrett, the director of the 1267 Monitoring Team. It produced valuable reports in close collaboration with “non-traditional stakeholders” from the private sector (United Nations 2009a). Furthermore, CTITF is well placed to manage technical assistance for the implementation of the strategy by the UN system as a whole. CTITF has started to address this issue through its integrated assistance mechanism I-ACT, though it has been limited to two pilot countries (Nigeria and Burkina Faso) so far. Thus, CTITF has begun to bring to bear its – still largely untapped – potential as “an operational bridge linking intergovernmental political decisions to their implementation at the technical, transgovernmental level” (Millar 2010 #1409: 5). However, CTITF’s orchestration of regional and functional organizations as well as civil society still lacks institutional and strategic underpinning (Cockayne et al. 2010, 33-34). The General Assembly’s 2010 review did not reveal much vigor among member states that increasingly regard CTITF’s work as a “bureaucratic exercise”.<sup>48</sup> Despite its obvious potential, CTITF will thus have to prove its ability to produce concrete results in the near future, particularly after its widely accepted chair Jean-Paul Laborde left his post in December 2010.

### ***The UN as Think-Tank and Authority***

As part of its core mandate on the implementation of resolution 1373 CTED had already put together best practices to provide practical guidance for states. Yet, this exercise was essentially limited to gathering formal standards set by functional and regional organizations.<sup>49</sup> In response to more complex problem understandings among member states, CTED recognized that it might

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<sup>46</sup> Statement by Jean-Paul Laborde, CTITF Chairman, Briefing to Member States, July 27, 2010.

<sup>47</sup> For more information, see <http://www.unicri.it/>. March 3, 2011.

<sup>48</sup> Interview with Counterterrorism Expert, New York, February 23, 2011.

<sup>49</sup> See the Directory of Best Practices, Codes, and Standards on resolution 1373 available at <http://www.un.org/en/sc/ctc/practices.html>. March 4, 2011.

provide new input based on the expertise it had developed through its in-depth analysis of various national approaches and structures. In a report to the CTC in preparation to the 2010 review of its mandate, CTED highlighted its character as “a body of technical experts” able to offer “sensible, impartial advice” on the development of comprehensive strategies at the national level (UN Security Council 2010, 12). Resolution 1963 basically entrusted CTED with such a role, albeit dependent on individual state consent. However, the available in-house expertise on the whole array of relevant issues is naturally limited among CTED’s 20 thematical experts and 20 general legal experts. It will hence have to focus on bringing national officials and representative of other UN entities together to exchange information.<sup>50</sup> Moreover, it seems questionable whether a Security Council body set up under a chapter VII mandate is best suited to provide advice on national policies on counter-radicalization and other sensitive issues.

The basic goal of the CTITF working groups was to discuss sensitive issues in open debates and develop an initial understanding. Their main visible input were consensus-oriented reports drawing on national and international experiences. Keeping in mind the variety of involved bodies, this is already noteworthy. The working group on radicalization is a telling case regarding the potential and pitfall of such exercises. It presented a report in 2009 based on a mapping of national policies that was supposed to be “the start rather than the end of an open-ended process of information-sharing” (United Nations 2009b). Initially, the UN was hoping to develop its comparative advantage as a “mechanism for transmitting lessons learned” and a “repository of information and best practices” due to its universal membership, convening power, and broad expertise (Fink 2008). However, the process came to an abrupt end. Especially Arab states raised concerns about the alleged “selectivity and politicization” of the CTITF working groups that were seen to address controversial issues representing the interests of their Western donors rather than going along the strategy’s four pillars.<sup>51</sup> Due to the apparent discontent of Muslim states that perceived the very concept of radicalization to discredit the Islamic faith the term could no longer be used in the UN and the working group was eventually removed from the CTITF’s official homepage.<sup>52</sup> This instance illustrates that UN counterterrorism – despite all pragmatic and expertise-based orientation – remains inherently political.

However, the UN can draw on other instruments and channels to provide expertise-based input. One option has been to work with external institutions and scholars. Renowned and active think-

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<sup>50</sup> Interview with UN Official, New York, February 14, 2011.

<sup>51</sup> See for example the remarks by the Egyptian representative to the UN General Assembly, September 4, 2008, A/62/PV.117.

<sup>52</sup> Interview with Member State Official, New York, February 22, 2011.

tanks such as the International Peace Institute (IPI) and the Center on Global Counterterrorism Cooperation can afford to start discussions, provide funding, or bring together people in ways hard or impossible for the UN.<sup>53</sup> The Norwegian government's Leaving Terrorism Behind initiative was a relatively big effort in this regard. In association with IPI and in close collaboration with the CTITF working groups on radicalization, the project hired two scholars to collect best practices on disengagement from terrorism around the world and presented results in workshops in Amman and New York.<sup>54</sup> The basic logic of such projects is that the UN can draw on external expertise and funding to enhance its authority while member states in turn profit from UN authority in distributing messages and expertise to other member states.<sup>55</sup> This is easier for the UN since, in the words of one official, "just having that little blue flag on the table" is likely to create "conditions conducive to dialogue".<sup>56</sup> Furthermore, UNICRI has started to build-up more in-house expertise through a Center on Policies to Counter the Appeal of Terrorism focusing on a web database, analytical reports, and workshops.<sup>57</sup> The work on incitement via the internet was able to bridge gaps between security and human rights constituencies in the UN by inviting experts on issues such as counter-narratives or child pornography sharing their concrete experiences.<sup>58</sup> On the basis of these results, the working group organized a workshop in Riyadh in January 2011 with practitioners and scholars. Such work is valuable even for Western governments since, in the words of participant and scholar Evan Kohlmann: "The problem is, you don't have people in the U.S. government who are of the right generation to understand how social networking works, and at the same time who are knowledgeable enough about the Muslim world".<sup>59</sup> The active involvement of Richard Barrett, the Director of the Monitoring Team, helped these efforts to gain acceptance since he has established a reputation as one of the most knowledgeable people in the UN due to his teams in-depth work on the work and evolution of terrorist networks.<sup>60</sup> Despite these advancements, it is clear that the UN has to respect member state sentiments in sensitive areas since this is the basis of its neutrality and authority, even if

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<sup>53</sup> Interview with Counterterrorism Expert, New York, February 23, 2011.

<sup>54</sup> For further information, see (Fink 2008).

<sup>55</sup> Interview with Member State Official, New York, February 18, 2011.

<sup>56</sup> Interview with UN Official, New York, February 22, 2011.

<sup>57</sup> For more information see [http://lab.unicri.it/appeal\\_terrorism.html](http://lab.unicri.it/appeal_terrorism.html). March 4, 2011.

<sup>58</sup> Interview with UN Official, New York, February 23, 2011.

<sup>59</sup> 'Governments Go Online in Fight against Terrorism', *New York Times*, January 30, 2011.

<sup>60</sup> Interview with UN Official, New York, February 22, 2011; Interview with Member State Official, New York, February 18, 2011.

mostly Western practitioners and experts often get along very well without a formally agreed upon understanding.<sup>61</sup>

## 5. Conclusion

This paper has made a contribution to the literature on counterterrorism cooperation by highlighting the contested agency of IOs in this sovereignty-sensitive policy-field. It has addressed gaps in the research by elucidating the specific role of IOs as formal organizations, presenting a conceptual framework to understand this role based on three mechanisms of IO agency, and provided comparative empirical evidence from the cases of EU and UN counterterrorism. The empirical comparison of the EU and the UN clearly encountered limits due to the vast individual differences between both organizations. However, some points stand out at general trends and findings.

Member states clearly continue to be in the driving seat in counterterrorism cooperation and are likely to remain there for the foreseeable future. However, the analysis revealed the role of IO agency in specific ways and under specific circumstances. During the initial bargaining processes following 9/11 and subsequent attacks, IOs were able to function as entrepreneurs and to channel action to preferred policies in some instances when they could exploit an existing demand for action, alliances with major states and skilled chairs, and readymade proposals to be suggested to states. However, when the initial momentum ceased and decision-making largely slidded back to event-driven patterns of acceleration and inertia it became clear that a sustained role for IOs in high-politics bargaining on traditional security issues was limited. With the emerging emphasis on long-term practical implementation at the working level and the rise of new comprehensive strategies, IOs could build agency in those areas where they managed to underline their ability to provide bureaucratic management, outreach, and expertise necessary for these implementation of new strategies in a non-political manner. At the same time, the shift to comprehensive counterterrorism has also opened up new avenues for contestation on issues such as radicalization and root causes that have to be balanced by IOs in order to retain their bureaucratic neutrality. Hence, there has been a shift from a role of as IOs as channels and entrepreneurs to a role as managers/coordinators and think-tanks/authorities. The three mechanisms of IO agency have proven their analytical utility for a better understanding of the actual ways and conditions

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<sup>61</sup> Interview with Member State Official Brussels, New York, February 22, 2011; Interview with UN Official, New York, February 22, 2011.

of IO agency and for exploring links to larger debates in IR theory, though especially the latter two mechanisms of IO agency are hard to distinguish clearly in empirical cases. The periods, policy-levels, and sub-fields of counterterrorism cooperation serve as crucial scope conditions for different mechanisms of IO agency. Time and sequencing seem to play a particular role which confirms the argument that power-based and interest-based mechanisms are rather concerned with short-term policy responses and medium-term implementation while knowledge-based mechanisms are more conducive to the study of long-term learning and adaptation processes (Hawkins and Jacoby 2006, 207). Furthermore, the evidence presented here reinforces long-standing insights into the imminent importance of leading individuals within IOs (Kille and Scully 2003). In many cases, member state participation and IO input were contingent on the initiative of and trust in respected figures such as Gilles de Kerckove and Mike Smith with the necessary experience, contacts, and standing who identified a potential value-added and came up with tailored frames and initiatives.

Politics are never completely absent in counterterrorism cooperation and this severely hampered IOs' ability to act in many areas. However, the empirical evidence suggests that existing sensitivities have been alleviated in various cases by a partial decoupling of the working level from the political level. This provided opportunity to exercise agency for IO officials looking for ways to move forward cooperation on delicate issues based on largely shared problem definitions by singling out practical problems that can be dealt with in a problem-oriented manner without fully solving the underlying political issues. However, this usually has not happened in conflict with or at the expense of states but rather in the context of collaborations with like-minded national practitioners that enjoy a certain degree of leverage vis-à-vis political superiors and share a common interest in pragmatic cooperation beyond philosophical debates (Deflem 2007). It therefore seems misleading to establish a clear-cut distinction where state action ends and IO agency begins. The evidence rather suggests a partial strengthening of the working level vis-à-vis the political level and that this process provided opportunities for bureaucratic action beyond formal decision-making. Though it highlights a trend towards bureaucratization within and around IOs, the paper does not lend support to arguments about a dawning rule of power-hungry and control-obsessed bureaucrats (Deflem 2006). The presented evidence rather suggests that IO officials in general seem to follow a primary problem-solving interest, though specific premises of that problem-oriented approach can and often should be challenged. Indeed, I would argue that a strengthening of experts, a stronger inclusion of practitioners, and the use of broader knowledge as such holds the potential to contribute to a partial rationalization of the

myopic, symbolic, and largely coercive political agenda that emerged in response to 9/11 and subsequent events.

However, reappraising IO agency in the described context requires practical and normative caveats. First, the mushrooming plethora of – largely soft and informal – IO initiatives has endowed IOs with new independent capacities and enabled them to provide input that led to concrete pilot projects and discussions on sensitive issues. Yet, most of these activities still have to prove whether they can actually provide a substantial and sustained practical value rather than remaining limited to complacent bureaucratic exercises among narrow experts circles. Existing research suggests that IO action often fails to trickle down effectively to the national level (Minnella 2010). Second, there is a danger of an uncontrolled proliferation of practitioner-led initiatives within and around IOs that lack political focus and loose sight of inherent political problems such as continuing infringements on human rights or an accepted understanding of the factors leading to terrorism. Third, the growing tendency of formal IO bureaucracies to rely on informal arrangements in the absence of formal powers entails a problematic trade-off between the assumed functional effectiveness and the lack of transparency and democratic accountability of informal networks (den Boer, Hillebrand, and Nölke 2008). Fourth, there are important questions on the adequateness of the general assumptions and threat assessments underlying comprehensive counterterrorism in the first place that are beyond the scope of this paper. Taking everything into account, the practical challenge for the development of a more sustained and balanced counterterrorism cooperation will be to align bureaucratic outreach and expertise at the working level with political direction and accountability at the political while preventing politicized symbolism as well as de-politicized technocracy (Millar 2010). As shown in this paper, the different kinds and conditions of IO agency hold potential and pitfalls in this regard and should therefore be considered appropriately in political and scholarly debates on the future development of counterterrorism cooperation.

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