Securing the State

Strategies to Counter Contemporary Terrorism

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Foreword

I am delighted to provide the foreword for this new and important contribution to understanding strategic responses to counter contemporary terrorism. The publication of this paper is timely, set against a backdrop of significant terrorist threat to many nations across the world whose governments would be wise to note the lessons learned following devastating terrorist events detailed in this work. Providing a convenient reference for counter-terrorism professionals, policy-makers and practitioners, this paper chronicles how much all inside and outside of government have to learn from new and changing terrorist events and, most important, how governments can best exercise their primary duty to protect the public in the face of a severe terrorist threat, and yet maintain civic harmony and uphold democratic values and the rule of law at home and internationally.

As the former Independent Reviewer of Terrorism Legislation in the United Kingdom and Independent Reviewer of National Security Policy in Northern Ireland, I came to understand all too well the complexities and challenges of keeping people safe from the violent intentions and vaulting ambitions of terrorist groups. Many counter-terrorism strategies in operation throughout the world today are managing the threats and risks from terrorism, but important lessons are there to be learned. As the author clearly states in this work, even the most sophisticated counter-terrorism strategies do not guarantee a risk free life. Bad things will still happen, which must serve to motivate all in authority to amplify their efforts to keep neighbourhoods and nations safe from all manner of terrorist threats. To support these efforts, this paper proposes a new and increasingly collaborative and community-centred approach to counter-terrorism strategies. The purpose is to bring together the very best of existing responses currently in operation across the world, but enriched and amplified by a greater connectivity and coordination across public and private sectors – all of whom have an integral part to play in tackling today's terrorism.

This new contribution has been authored by a police officer and academic with substantial counter-terrorism experience who sits by invitation as a Non-Resident Fellow in Counter-Terrorism and National Security at TRENDS Research & Advisory. The author has managed to pull together the latest thinking on counter-terrorism strategy, supported by contributions, guidance and advice from leading academics and senior policy makers. This provides a rich blend of theory and operational practice. This work complements the vision and mission of the progressive TRENDS think tank. The paper will serve to improve the design of strategic responses to tackle terrorism, and will directly inform the decision-making processes of counter-terrorism policy-makers to meet the security challenges ahead.

Lord Carlile of Berriew CBE, QC.

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1. State of emergency

Genuine and meaningful reflection upon counter-terrorism policy involves all in authority being prepared to openly challenge existing concepts and approaches. In questioning fundamental assumptions of how governments should protect its citizens there are few better places to begin than with terrorism, for not only are these matters of intense public and political concern, but they raise acute challenges for the entire security apparatus

of the state. In the context of counter-terrorism these challenges arise because terrorism can inflict significant loss of life, yet it is not simply the scale of the atrocities committed in its name that gives terrorism its special status; it is the threat it poses to the state.[1] Terrorism undermines the basis of state legitimacy – the capability and capacity to protect its citizens. Protecting the public from those who seek to destroy a nation's free and democratic way of life remains the primary responsibility – and therefore the primary challenge – for all servants of the state.

The threat from terrorism today remains a clear and present danger for many nations as terrorist groups operating across the world continue to breach security measures at an alarming rate. According to IntelCenter, who provide counter-terrorism intelligence services to military and law enforcement in the United States and around the world, there has been a significant rise in the attacks directed or inspired by Daesh with an attack being committed every 84 hours in cities outside the conflict zones in Syria, Sinai, Egypt and Libya in the last six months.[2] This rate of attack has inevitably increased the number of victims who are largely non-combatants – innocent civilians shopping at a market, travelling on public transport or attending a public event. While recent terror attacks

have been delivered in Iraq, Nigeria, Yemen and Saudi Arabia by various terrorist groups, it has been the significant rise in levels of terrorist violence across Europe that has caught the global media's attention, fuelling concern amongst senior political leaders in the West. Of the European Member States who have suffered recent terror attacks, it is France that has had to bear the greatest number of fatalities and causalities.

To assess the potential failures to prevent the series of terror attacks that killed 147 people in Paris during 2015, the French government established a Parliamentary Commission. The inquiry included the investigation of responses to the 7th January gun attacks on the Charlie Hebdo offices and kosher grocery store, to the coordinated armed assault and bomb attacks on 13th November outside the national sports stadium, at bars and restaurants and at a rock concert at the Bataclan concert hall.[3] Delivering findings in a report published during July earlier this year, the Parliamentary Commission identified multiple failings by French intelligence agencies. The findings of the inquiry were far-reaching, revealing that French authorities were not properly prepared for the terror attacks and were not equipped to provide first aid to victims of terrorism while an attack was ongoing, a shortcoming that inflated the death toll as victims waited

for medical personnel to arrive. [4] The Parliamentary Commission also identified that the state of emergency imposed after the November attacks, as well as the deployment of troops to patrol the streets of Paris under a military operation, had only limited impact on security. Calling for a complete overhaul of the French counter-terrorism apparatus to be led by a new, single, national Counter Terrorism Agency, Georges Fenech, Head of the Parliamentary

Commission, stated: "Our country was not ready; now we must get ready."[5] The publication of the report coincided with the deadly attack on 16th July where 84 people were killed and 100 more injured in the southern French city of Nice when a Daesh-inspired terrorist deliberately drove a lorry into a crowd celebrating Bastille Day.[6] The findings of the French Parliamentary Commission were amplified by the loss of life at the Bastille Day massacre which provided worrying evidence that the lessons already identified from major terrorist events in our recent history had yet to be learned. Moreover, it appeared that nations facing a severe terrorist threat had yet to

implement an effective strategic response to counter contemporary terrorist threats.

2. Strategic failures

State failures to protect its citizens from terror attacks is nothing new. The series of coordinated suicide bombings of Al Qaeda's Planes Operation on 11th September 2001 in the United States created a new genre of terrorist conflict which exposed severe fault lines in the national security machinery of President George W Bush's administration. Citizens caught up in the horror of 9/11 had to face a reality formerly known only by war-ravaged nations for the very first time. Amplifying the sense of vulnerability felt by the global audience at that time was another vital feature of the terrorist tactics: the lack of a visible and identifiable enemy. The attacks of 9/11 were not state sponsored, nor were they part of a conventional or even recognisable warfare. Stunned by the attacks themselves the intelligence community across the world had to come to terms with the emerging fact that they been wrong-footed by a tiny band of terrorists dispatched by Al Qaeda, a loosely constructed organisation based in one of the poorest, most remote and least industrialised countries on Earth.[7]

In the years that followed the 9/11 attacks we would come to learn in forensic detail about the attacks themselves and the people who perpetrated them. We would also learn a great deal about the ideology and methodology behind the 102 minutes of terror that would frame the threat and shape the response to terrorist activity across the world. The 9/11 Commission, an independent, bipartisan panel established by the United States Congress and President Bush, was directed to examine the facts and circumstances surrounding the 11 September attacks. Its aim was to identify lessons learned and provide recommendations to safeguard against future acts of terrorism. From its investigations the 9/11 Commission believed that the attacks revealed Al Qaeda terrorists had exploited deep institutional failings within the United States government, including major intelligence gaps and shortcomings which included:

- Over reliance on SIGNIT (signals intelligence: intelligence obtained through the interception of signals and communications) over HUMINT (human intelligence: intelligence obtained through interpersonal contact);
- Lack of coordination and collaboration between the 15 US intelligence agencies;

- Unwillingness of adequate information sharing, especially between the Central Intelligence Agency (CIA) and the Federal Bureau of Investigation (FBI);
- Lack of imagination to interpret information that fell 'outside of the box';
- Inability to process suspicious passport and visa information in time;
- Near-failure to penetrate the Al Qaeda network;
- Lack of sufficient linguistic and analytical skills to exploit relevant information in real time.[8]

The indiscriminate killing of thousands of people by Al Qaeda on 9/11 introduced a new form of relationship between national governments and those who threaten them, a relationship that would evoke a new type of counter-terrorism response. In the United States and throughout the Western world national security used to be considered by studying foreign frontiers, weighing opposing groups or states and by measuring industrial and military might. To be considered a significant risk there had to be an 'enemy' and that enemy had to muster and finance large armies. Threats emerged slowly, often visibly, as weapons were forged, armies conscripted and units

trained and moved into place. Because larger states were more powerful, they also had more to lose. They could be deterred. Following 9/11 it appeared that threats could emerge quickly and from organisations like Al Qaeda whose transnational terrorist network had demonstrated with chilling effect its expertise at recruiting in one location, training in a second, attack planning in a third and delivering mass murder in a fourth.[9] For this reason alone, the methodology practiced by Al Qaeda was both new and shocking; 9/11 represented such a change in the threat and risk to many countries. The uncomfortable truth seems

> *Like a giant jigsaw puzzle, many of the smaller pieces were missing that would have provided United States authorities with a greater opportunity to identify and disrupt the terrorist plot*

to be that a single nation at the turn of the century could not, in reality, comprehend the size and scale of the threat, nor could they meet the challenges of multiple determined terrorists bent on killing themselves and others.

Reflecting on the events leading to 9/11 it is difficult to comprehend the United States

authority's failure to recognise the signs that a major terrorist plot was being developed within their communities but the lessons to be learned indicated that despite the sheer size and scale of the United States security machine, it did not correctly analyse, assess or prioritise intelligence on a national level.[10] A large number of agencies that held critical data did not share its information. These organisations were working in isolation each with their own 'need to know' principles and limited 'need to share' protocols. A full national picture of the emerging threat was not put together.[11] Like a giant jigsaw puzzle, many of the smaller pieces were missing that would have provided United States authorities with a greater opportunity to identify and disrupt the terrorist plot. Despite collating intelligence to develop a picture of unfolding events the United States authorities were behind the activities of the terrorist cell, and as the Al Qaeda Planes Operation drew into its final phases, time to prevent the plot and detain the suspects simply ran out.

The 9/11 Commission concluded that the United States: "domestic agencies were not mobilised in response to the threat. They did not have direction, and they did not have a plan to institute. The borders were not hardened. Transportation systems were not fortified. Electronic surveillance was

not targeted against a domestic threat. State and local law enforcement were not marshalled to augment the Federal Bureau of Investigations efforts. The public was not warned."[12] The message was clear: to effectively manage the new and emerging threats from international terrorism would require a new type of strategic response.

3. A model approach

At the time of the 9/11 attacks, governments across the world had no sophisticated nor coherent cross-departmental strategy to counter international terrorism. In short, nation's had no plan to institute of any rigour that would have been able to effectively respond to a major indiscriminate attack from an international terrorist group – and especially attacks that included such a deadly and determined suicidal component. In the immediate aftermath of 9/11 the prevention of terrorist attacks remained the primary objective of counter-terrorism strategies operating throughout the world. This was closely combined with the need to pursue terrorists to ensure that a hostile environment was created for the terrorists to operate but governments also had to prepare its emergency services to respond to the wider consequences of terrorism.

The sheer size and scale of 9/11 provided a warning to other nations that they too may suffer such attacks, so they needed to prepare by revising and refreshing their existing emergency responses. Not only did governments have to increase their capacity and capability to be able to prevent mass murder on an unimaginable scale but they also had to consider the economic impact of major attacks as 9/11 shook the financial foundations of global trading. In New York, many of the companies in the World Trade Centre sustained huge losses, personal and financial. Canto Fitzgerald, whose footprint spanned the 101st to the 105th floor of the North Tower, lost 658 employees in the attack.[13] The impact of losing such an influential trader and investor alongside others such as Morgan Stanley, the Atlantic Bank of New York, Bank of America, Fuji Bank, Lehman Brothers and Ashai Bank in New York itself, who represented just some of the financial institutions operating in the Twin Towers, served to exasperate the economic repercussions of Al Qaeda's attack.[14] The impact upon the New York Stock Market was devastating. Altogether, the United States Stock Market posted losses in terms of de-capitalisation of the Dow Jones Industrial and NASDAQ of $1.7 billion.[15]

Devising an effective counter-terrorism strategy to combat international terrorism is complex as a free and democratic society offers terrorists the very same freedoms in which to operate, and any counter measures must be able to preserve the very freedoms that the terrorists wish to exploit. When terrorist attacks do succeed, the political stakes are high: legislators fear being seen as lenient or indifferent and often grant the executive broader authorities without thorough debate. New special provisions intended to be temporary can turn out to be permanent and although governments may frame their new provisions in terms of a choice between security and liberty, sometimes the loss of liberty is not necessarily balanced by the gain in safety and the measures introduced become counter-productive. In the post 9/11 era, governments across the world have devised counter-terrorism strategies to meet the terrorist threat from which have emerged four broad but distinct response types which includes the use of the military, criminal justice and, more recently, community and cyber based models.

3.1 Military model

A military model is used by governments to tackle terrorists who pose a significant threat to their nation's security. Terrorist groups who possess and utilize conventional weapons and aspire to possess chemical biological or nuclear capabilities require a military system for countering terrorism. A military model may also be required when domestic law enforcement agencies can no longer contain a specific terrorist threat. Armed forces have an increased capability of managing severe

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threats so governments authorize their military to plan and implement counter-terrorism strategies in such circumstances which require military aid to support civil power.[16] The use of the military to counter terrorism very often meets the demand of the public and the media for swift and tough action to be taken against terrorists and their sponsors. The military can deliver a clear message to those who seek to further their cause through acts of violence but using the military effectively requires strong support from domestic intelligence and law enforcement agencies. Governments are acutely aware of the challenges when deploying military measures to counter terrorism which may have severe and long-

term consequences if not carefully considered and implemented. A military response may increase the likelihood of further innocent casualties, which could lead to sympathy and support for the terrorist group and the potential of an escalation of violence.[17] The actions of the military may therefore undermine democracy and raise concerns about human rights—the very values being protected. Military action taken in response to terrorist activity may actually lose support for their measures, leaving wider society to question the validity of the action taken. It is now understood that military interventions to counter terrorism may produce false expectations of an early success and that the use of the military alone may not be completely effective in tackling terrorist groups in the long term.[18]

3.2 Criminal justice model

A criminal justice model can be effectively employed to counter terrorism as it provides the scope for the trial and conviction of suspected terrorists. The foundation of a democratic criminal justice system is the premise that an individual is innocent until proven guilty and the process is conducted in a recognized court of law, following a fair trial with legal representation. Using criminal justice to counter terrorism protects the democratic

values of the prosecuting states while ensuring the rights of all concerned are maintained. The use of a criminal justice system to counter terrorism ensures that the process of dealing with terrorist suspects is legitimate. A criminal justice response to terrorism acknowledges that first and foremost terrorism is a crime, a crime which has serious consequences and one which requires to be distinguished from other types of crime, but a crime nonetheless.

A criminal justice approach has a number of key advantages, none more so than the element of trust in a system which ensures that an individual's human rights are maintained when compared to the use of military measures to combat terrorism. A criminal justice system depends upon effective domestic law enforcement agencies and their ability to conduct complex terrorist investigations.[19] Countering a global terrorist threat via a criminal justice system also depends upon efficient bi-lateral and multi-national co-operation. The most significant challenge in establishing and maintaining an effective criminal justice system to counter terrorism is ensuring that robust legislation is in place that has the scope to keep pace with new and emerging terrorist threats, but yet remains a necessary, justified and proportionate response.

3.3 Community model

The community model to counter-terrorism is underpinned by the notion that communities can defeat terrorism. It is now understood by policy-makers that the socioeconomic issues which give rise to anti-social behavior and low level criminality are also those which give rise to serious and organized crime and to terrorism, and they begin at the most local level.[20] Terrorists live within communities and terrorists operate within communities. The community model therefore seeks to harness the collective attributes of communities by creating long term trusted relationships between charities, groups, residents, schools, clubs and associations, all of whom have a role in challenging unacceptable behaviors and extremist views which may, overtime, evolve and lead to acts of violence and to terrorist activity. The community model serves to support the community in its own efforts to create a strong, fair and tolerant society for itself. The community model emphasizes that communities as well as governments have a direct responsibility for increasing confidence and cohesion in their own community. Most importantly, the community model provides all in authority with an opportunity to identify where pockets of extremism are emerging and where potential terrorist activity is taking place. Empowering communities, listening to their grievances, concerns and supporting their activities and aspirations will all serve to build confident communities that are robust and ready to reject not just anti-social behavior or low level criminality, but also violent extremism leading to terrorism. The community model is based upon trust between all of its partners working together side by side and being united in the rejection of extremist rhetoric. Developing an effective community model requires time, dedication and commitment from all in authority but especially law enforcement agencies and local authorities who are very often the public face of this counter terrorism model. Harnessing the good will of the community to tackle violent extremism and terrorism is important. Communities can create a hostile environment for terrorists to operate as well as providing early warning signals where appropriate interventions from authorities can be made.

3.4 Cyber model

The cyber model to counter online threats recognizes that the internet has changed – and continues to change – the very nature of terrorism. The internet is well suited to the nature of terrorism and the psyche of the terrorist. In particular, the ability to remain anonymous makes the internet attractive to

there is a continuous need for governments to stay one-step-ahead of the terrorist and a key aspect of the cyber model approach is to develop early warning systems to monitor new technologies' potential for terrorist misuse

the terrorist plotter. Terrorists use the internet to conduct cyber-attacks, as well plan the activities and propagate their ideologies, motives and grievances and the cyber model to counter terrorism serves to address all of these online hazards. While the threat from cyber-terrorism is now recognized, and especially the vulnerabilities of critical national infrastructures and the continued rise in the number of interconnected digital devices to the internet, the most powerful and alarming change for modern terrorism, however, has been its effectiveness for attracting new terrorist recruits, very often the young and most vulnerable and impressionable in our societies. Modern

terrorism has rapidly evolved, becoming increasingly non-physical, with new terrorists joining groups being recruited, radicalized, trained and tasked online in the virtual and ungoverned domain of cyber space. With an increasing number of citizens putting more of their lives online, the interconnected and globalized world in which we now live provides an extremely large pool of potential candidates to draw into the clutches of disparate terrorists groups and networks. The open and unregulated expanse of the internet knows no geographical boundaries, thus creating a space for radical activists to connect across the globe. This is especially problematic as the easy access to like-minded people helps to normalize radical ideas such as the use of violence to solve grievances. The tools to tackle cyber terrorism and the terrorist use of the internet to recruit and radicalize potentially vulnerable individuals on-line are the primary objectives of the cyber model. In this area, perhaps more than any other, there is a continuous need for governments to stay one-step-ahead of the terrorist and a key aspect of the cyber model approach is to develop early warning systems to monitor new technologies' potential for terrorist misuse.

4. Contesting terror

The model approach to counter contemporary terrorism has emerged from various countries who not only identified their own vulnerabilities but who quickly acted to strengthen their responses. An example of the ability to amplify efforts against a new and emerging terrorist threat is best illustrated in the strategic approach of the UK following the 9/11 attacks who, like many other countries across the world, had no sophisticated strategy to counter international terrorism. Of course, the UK security apparatus had memories of the long counter-terrorist campaign in Northern Ireland to draw on, and the foundations that had been laid down in terms of a corpus of emergency terrorism legislation on the statute book. Nevertheless, the characteristics of Al Qaeda inspired terrorism, with its vaulting ambitions, strident ideology and disregard for civilian casualties – indeed for all human life, with adherents prepared to give their lives in their attacks – represented very new challenges for Parliament and public, government and law enforcement alike.

In the immediate aftermath of 9/11, Sir David Omand GCB, was appointed in the new position of UK Security and Intelligence Coordinator in the Cabinet Office in London. He initiated work on developing a comprehensive national counter-terrorism strategy to tackle the threat from Al Qaeda which had been assessed as severe and numerous plots affecting British interests were of great concern to the security authorities. The strategy that emerged from his work was called CONTEST (CouNter-TErrorism STratgey). Building the CONTEST strategy commenced with assessing the strategic risks to the UK. From identifying these key issues counter measures could then be constructed but such a strategy could not be so bold as to state that it could stop terrorist attacks. An important and implicit assumption was therefore contained within CONTEST from the outset that there was no complete defence against contemporary determined terrorists, especially as they continued to develop new

Local authorities, the police, and their partners in schools, other educational institutions and elsewhere, have a critical role in preventing violent extremism.

ways in which to deliver death and destruction on an unimaginable scale. Even during its early stages of development, CONTEST indicated that there were no frameworks that could guarantee peace. The aim of the strategic approach was to take sensible steps to reduce the risk to the public domestically

and internationally, on the principle known as ALARP, to a level 'as low as reasonably practicable'.[21] CONTEST provided measures to counter the identified 'ends, means and ways' of Al Qaeda's terrorist strategy. Therefore, to mitigate the ends of Al Qaeda's intentions, CONTEST must 'protect the UK and its interests from security risks including terrorism in all of its forms'.[22] The ways in which to do this were to 'work systematically to reduce terrorism risk through concerted action by government.'[23] From these were mapped what became known as the '4P's' which included:

- **Pursue**, to stop terrorists attacks;
- **Prevent**, to stop people becoming terrorists, or supporting violent extremists;
- **Protect**, to strengthen protection against terrorist attack; and
- **Prepare**, where an attack cannot be stopped, to mitigate its impact.[24]

The CONTEST strategy had a clear strategic aim: 'to make it possible for society to maintain conditions of normality so that people could go about their normal business, freely and with confidence, even in the face of suicidal terrorist attacks.'[25] The conditions, freely and with confidence, were an important reminder to seek security

in ways that upheld British values such as liberty and freedom under the law. In developing the Prevent, Pursue, Protect and Prepare structure of CONTEST, Sir David Omand believed that the strategy was easily understood as a logical narrative, translated into specific programmes of action across government, the private sector and the voluntary sector, and as has been shown, capable of being updated and extended in response to developments in the threat and in technologies for countering it. It was important that the complexities of such a wide ranging strategy were simplified and focused as successful delivery would depend upon a joined-approach and the strength of partnerships. As CONTEST has developed, additional focus has concentrated upon amplifying the principles of the 4P's.

4.1 Pursuing terrorists

The 'Pursue' strand of CONTEST was purposefully designed to be concerned with reducing the terrorist threat to the UK and to UK interests overseas by disrupting terrorists and their operations. Pursue was the first 'P' to be developed given the critical and imminent threat posed to British citizens from Al Qaeda. The pursuit of terrorists focused upon gathering intelligence and improving the ability to identify and understand the terrorist threat –

the traditional covert and overt activities of intelligence and law enforcement agencies. Pursue therefore is grounded in the military and criminal justice models of counter-terrorism strategies. It ensures that military action in the theatre of conflicts yields vital intelligence about potential terrorist plots in the UK. It also simultaneously takes action to frustrate terrorist attacks and to bring

terrorists to justice in response to the global terrorist threat by developing a strong legal framework and criminal justice processes. Bringing terrorists to justice involves international co-operation and the joint-working with partners and allies overseas. This is an important element of the 'Pursue' strand which also aims to reduce the global threat by strengthening the intelligence effort to achieve disruption of terrorists and their operations outside of the UK.

4.2 Preventing terrorism

The 'Prevent' strand of CONTEST is focused towards tackling the radicalisation of individuals. It set out to do this by addressing structural problems in the UK and overseas that contribute to radicalisation, such as inequalities and discrimination. To prevent terrorism and its underlying causes requires a long-term approach. Prevent intends to deter those who facilitate terrorism and deter those who encourage others to become terrorists. This requires a change in the environment where extremists and those radicalizing others operate. The Prevent strand also aims to engage in the battle of ideas, to win hearts and minds by challenging the ideologies that extremists believe can justify the use of violence. Preventing violent extremism is a key area of CONTEST and is the proactive element of the strategy. The government believes that the UK, like many other countries, faces a challenge from terrorism and violent extremism where a very small minority seeks to harm innocent people in the name of an ideology which causes division, hatred, and violence. The role of the government is to take tough security measures needed to keep people safe but a security response alone was considered insufficient to reduce the terrorist threat. A response led and driven by local communities was however believed to be a vital component to tackle the home-grown Al Qaeda inspired terrorist threat. The very essence of the Prevent pillar seeks to engage partners to work together to challenge and expose the ideology that sanctions and encourages indiscriminate violence. Prevent prioritised its response,

revealing that the government needed to expose and isolate the apologists for violence and protect the places where they operate. The government also revealed that: 'Local authorities, the police, and their partners in schools, other educational institutions and elsewhere, have a critical role in preventing violent extremism. They understand the local context. They are in a unique position to talk to local communities, hear their concerns and enable people to stand shoulder to shoulder, confident in their rejection and condemnation of violence.'[26]

The Prevent strategy drilled deep into the core of British values, the government revealing that 'everyone has a right to live in a safe and welcoming neighbourhood where they feel they belong.'[27] At the same time it was also acknowledged that no neighbourhood could truly succeed unless local people define their future by working together to tackle the challenges they face. CONTEST revealed that the government firmly believed that when people have a say in the design and delivery of public services, those services better meet their needs, going on to state that: 'Places where local people have the opportunities, skills and confidence to come together and address the problems they face are more likely to resolve them.'[28]

4.3 Preparing for terrorism

The 'Prepare' strand of CONTEST IS designed to ensure that the UK is as ready as it can be to manage the consequences of a terrorist attack. It aims to identify the potential risks that the UK faces from terrorism and assesses its impact. It also aims to build the necessary capabilities to respond to any attacks and to continually evaluate and test preparedness. Achieving the aims of the 'Prepare' strand involves developing the resilience of the UK to withstand such attacks. This requires improving the ability of the UK to respond effectively to the direct harm caused by a terrorist attack, and in particular those individuals affected by it. It must also develop the UK's ability to quickly recover those essential services which are disrupted by an attack and to be able to absorb and minimize wider indirect disruption. Preparing for emergency incidents and planning for 'worst-case scenario' will reduce the impact of a terrorist attack which are central aspects of the Prepare approach.

4.4 Protecting the public

The 'Protect' strand of CONTEST is concerned with reducing the vulnerability of the UK and UK interests overseas. It aims to strengthen border security, protect key utilities, transport infrastructures and crowded places. Protecting the UK is a vital

component of the strategy as target-hardening key and vulnerable sites will deter terrorist attacks from taking place and a major aspect of the Protect strand is not just focused on the physical protection of critical infrastructures but also protecting national assets online from cyber related attacks and hostile activities.

5. Strategic challenges

The construction of CONTEST as a strategic approach to preventing and combatting terrorism not only included the four model approach but it was also aligned to existing theoretical frameworks. As part of a major study which synthesised more than two decades of scholarly research in the field of terrorism studies, Professor Alex P Schmidt, Director of the Terrorism Research Initiative (TRI), identified twelve rules for preventing and combating terrorism. The twelve rules, illustrated in Table 1, were drawn from the responses of 100 experts in 20 countries who shared their experiences of counter-terrorism and the lessons they had learnt from the counter-measures they had deployed. The twelve rules provide policy makers with a framework to construct effective counter terrorism strategies and support the interpretation and application of such strategies.

Table 1 - Twelve Rules for Preventing and Combating Terrorism

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1. Try to address the underlying conflict issues exploited by the terrorists and work towards a peaceful solution while not making substantive concessions to the terrorists themselves.
2. Prevent alienated individuals and radical groups from becoming terrorist extremists by confronting them with a mix of 'carrot' and 'stick' tactics and searching for effective counter-motivation models.
3. Stimulate and encourage defection and conversion of free and imprisoned terrorists and find ways to reduce the tacit or open support of aggrieved constituencies for terrorist organizations
4. Deny terrorists access to arms, explosives, false identification documents, safe communication, and safe travel and sanctuaries; disrupt and incapacitate their preparations and operations through infiltration, communications intercepts and espionage, and by limiting their criminal and other fund-raising capabilities
5. Reduce low-risk/high-gain opportunities for terrorists to strike by enhancing communications security, energy security and transportation security, by hardening critical infrastructures and potential sites where mass casualties can occur, and by applying principles of situational crime prevention to the countering of terrorism
6. Keep in mind that terrorists seek publicity and exploit the media and the internet to gain recognition, propagate

their cause, glorify their attacks, win recruits, solicit donations, gather intelligence, disseminate terrorist know-how and communicate with their target audiences.

7. Prepare for crisis and consequence management for both 'regular' and 'catastrophic' acts of terrorism in coordinated simulation exercises and educate first responders and the public on how best to cope.

8. Establish an all-sources early detection and early warning intelligence system against terrorism and other violent crimes on the interface between organized crime and political conflict.

9. Strengthen coordination of efforts against terrorism both within and between states; enhance international police and intelligence cooperation, and offer technical assistance to those countries that lack the know-how and means to upgrade their counter-terrorism instruments.

10. Show solidarity with, and offer support to, victims of terrorism at home and overseas.

11. Maintain the moral high ground in the struggle with terrorists by defending and strengthening the rule of law, good governance, democracy and social justice and by matching your deeds with your words.

12. Last but not least: counter the ideologies, indoctrination and propaganda of secular and non-secular terrorists and try to get the upper hand in the war of ideas – the battle for the hearts and minds of those the terrorists claim to speak and fight for.[29]

The CONTEST strategy provided the UK government with a framework to coordinate, direct and shape the response to international terrorism which follows the twelve rules for preventing and combating terrorism. Over time CONTEST has grown in size, scale and scope and is now one of the world's most sophisticated counter-terrorism strategies. An endorsement of the CONTEST approach followed the terrorist attacks in Madrid, Spain on 11 March 2014 where 191 individuals were killed and which remains Europe's worst terrorist atrocity this century. To strengthen the approach of Europe, the CONTEST strategy was recognized by the European Commission as an important tool in providing improved levels of security to EU citizens. Mirroring the structure and mechanics of CONTEST, the EU Counter-Terrorism Strategy was also divided into four pillars – Prevent, Protect, Pursue and Respond.[30] The strategy was welcomed by the heads of Member States and governments which sought to take the agenda of work set out at the March 2004 European Council constituting the European Union Action Plan on Terrorism into the next phase.[31] The strategy committed the European Union 'to combat terrorism globally while respecting human rights, and to make Europe safer, allowing

its citizens to live in an area of freedom, security and justice.'[32]   The strategy bore the hallmarks of the UK's CONTEST strategy which had been viewed by the European Commission as an effective way in which to augment all Members States counter-terrorism efforts.

> *The lack of evaluation and knowledge about what works still remains an inherent weakness in the CONTEST strategy, a weakness shared with other strategic responses to tackle international terrorism.*

The design of CONTEST provided evidence that its' creators understood that a united and combined response to terrorism had to be both tough on terrorism and on the causes of terrorism.   Though this was considered necessary, it nevertheless proved to be an ambitious undertaking and one which served to encourage the 'mainstreaming' of counter terrorist policy and action.[33] Efforts and initial approaches by government to implement preventative counter terrorism action through CONTEST was by no means welcomed and supported by all and the practical delivery of CONTEST encountered – and continues to encounter – many operational challenges. Opposition to CONTEST, and especially the local community focused

elements of Prevent, suggested that it was a knee-jerk reaction to the terrorist threat, and unlike previous provisions for Northern Ireland, which were supposed to be subject to annual review, the response had failed to create a coordinated, comprehensive policy, and was an approach which played to the emotions of the general public as aroused by the media.   In developing the prevent aspects of counter-terrorism policy at a local community level, the Government was entering uncharted waters.   Never before had national central government counter-terrorism policy been directly linked to local community issues in this way.   Some local community leaders suggested that the Prevent approach had been a failure from the outset, as it confused, and subsequently lost itself between social engineering, cohesion and combating terrorism, also criticising the policy for criminalising entire communities as being either terrorists, potential terrorists, or potential future terrorists.[34] The Prevent aspects of the CONTEST strategy are believed to have fuelled misconceptions of spying, marginalising communities and the policing of ideology;

initially using a very hard-lined and stringent criteria that allowed Prevent schemes to be focused on specific communities.

A further challenge for delivering a counter terrorism strategy as far reaching as CONTEST is the practical scale of the task in developing an agreed approach which can quickly overwhelm government planners unless efforts are made to prioritise areas of activity. Developing a sophisticated strategic response to counter terrorism requires support from a plethora of government departments, intelligence and law enforcement agencies, local government and other partners. Ensuring everyone agrees on the approach, is prepared to invest resources and sustain the project and programme requires a great deal of time and effort. Often individual government departments will have other priorities, and the tension between investing in short term initiatives based on intelligence needs against the longer-term policy that will show no immediate results but have been identified as key to the strategic response, are significant issues to address. While there are positive and practical examples of CONTEST making a difference, it is not a view shared by all. It is doubtful whether the strategy is achieving its aim of 'reducing the threat' and 'promoting resilience' as there remains

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a lack of evidence to demonstrate that CONTEST – or any other counter-terrorism strategy operating today – is achieving these objectives. Conversely, there is considerable evidence that the application of such strategies has raised concerns about its compliance with human rights law; distorted policing practices; assigned funding to bodies and processes that have not yielded the results expected; lacked transparency; not been subject to robust oversight; resulted in few convictions; and alienated communities. The lack of evaluation and knowledge about what works still remains an inherent weakness in the CONTEST strategy, a weakness shared with other strategic responses to tackle international terrorism.

6. A way forward

An effective counter-terrorism strategy to tackle all forms of contemporary terrorism must effectively fuse the community, criminal justice, military and cyber models,

each being underpinned by the holistic approach of *Prevent*, *Pursue*, *Protect* and *Prepare* while adhering to the *Twelve Rules of Preventing and Combatting Terrorism*. Bringing these elements together, and directing programmes of action under the 4P's, provides authorities with a comprehensive and flexible range of options that can be applied as a justified, proportionate, necessary and legitimate response to the threats to be tackled. The next generation of counter-terrorism strategies must seek to embed a new and increasingly collaborative and community-centred approach. Contemporary counter-terrorism strategies should bring together the very best of existing responses currently in operation across the world, being enriched and amplified by a greater connectivity and coordination across public and private sectors – all of whom have an integral part to play in tackling today's terrorism.

The simple presence of a strategy to counter-terrorism provides the opportunity to develop a co-ordinated approach across government departmental responsibilities and critical to the success and effectiveness of a strategic response lies in the ability of the strategy to be brought to life, being positively activated by all arms of government, key stakeholders and partners.

The strategic aim and objectives of contemporary counter-terrorism strategies require operational translational and application to the reality of countering an unprecedented scale of threat posed by global terrorist networks. In designing a blueprint for the next generation of counter-terrorism strategic responses, the importance of intelligence in the prevention of terrorism cannot be underestimated. Intelligence in all of its forms remains the key to defeating terrorism but changes in the covert cultural approach to gathering intelligence must change as not all preventative measures to tackle terror need to be cloaked in secrecy in order for them to be effective. Closely aligned to intelligence, there is a growing need for counter-terrorism responses to be increasingly collaborative. The inter-agency and international information sharing and cooperative action is absolutely essential to tackle terrorism. No single agency or government can reduce the extent of terrorist threats alone – collaboration in counter-terrorism is vital to keep people safe and feeling safe. Also of great importance is the requirement to monitor and evaluate the effectiveness of responses, which means not only capturing lessons learned but identifying, investing and amplifying efforts in those activities that are working well. The development of the next generation of counter terrorism

strategies must inform and improve an evidence base of what measures are proving effective.

The lack of an evidence base upon which to build strategic responses reflects the gradual evolution of counter-terrorism strategies across the world which has been reactionary; taking the form of major developments following a major attack. The changes of a state's apparatus to protect and preserve its security from acts of terrorism can be plotted throughout history by joining the dots represented by catastrophic events. The collaborative approach to counter terrorism has also largely been a series of terrorist actions and counter-terrorist reactions. The collaborative framework within which state agencies find themselves working today is in many ways in direct response to the achievements of the terrorist, as opposed to any long term, carefully orchestrated strategic vision of government policy-makers.

The evolution of counter terrorism strategies across the world has shown that complacency founded upon the absence of fatal terrorist attacks, whether among politicians, policy-makers, practitioners or the public, is both misplaced and unwise. Throughout the history of counter-terrorism practice, shocking events have only served

to deepen the resolve of governments to develop and strengthen their response. Recent terrorist events, such as the devastating attacks in France, will doubtless provide the genesis for the development of a stronger and more sophisticated approach to counter-terrorism designed to meet the future challenges of an unpredictable world. Yet beyond resolute determination, such events must instil a re-dedication to preparedness so that new strategic approaches can be identified that embed progressive developments to ensure that the primary driver for change in counter-terrorism strategies is not simply the next successful attack.

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