

NATIONAL COUNTER TERRORISM POLICY AS A CRISIS MANAGEMENT TOOL

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Abstract: The current study examines the effects of one of the modern crises nowadays, and that is the terrorism. Today's terrorist threats have changed, and terrorist groups are now more geographically dispersed and their tactics more diversified. To address this evolving terrorist threat across the globe and within the homeland, our approach to counterterrorism must evolve. The preparation for a terrorist attack, a rampage, hostage taking or other violent attacks is an essential part of crisis management these days. Rapid, careful intervention is often vital in situation of terrorism and other external threats. Time is a very decisive factor in exceptional and critical situations. Accordingly, an essential prerequisite to ensuring that our formidable resources are focused where they can have the most effect is a sober and empirical understanding of the threat coupled with a clear, comprehensive, and coherent strategy. Without such a strategy, we risk embracing policies and pushing solutions that may not only be dated, but may have become irrelevant. We also lose sight of current and projected trends and patterns and thereby risk preparing to counter and respond to possibly illusory threats and challenges.

Key words: terrorism, threats, attack, effect, counter.

Counter terrorism and protecting human rights as mutually reinforcing goals

Terrorism is a denial of democracy and human rights, which are at the top priority for our country. Today's terrorist landscape is more complex and fluid than ever. Our principal terrorist enemies are radical Islamist terrorist groups that seek to conduct attacks globally, violate our borders, and radicalize and recruit potential extremists within Republic of North Macedonia and abroad.

We must continually work to stay ahead of an adaptive enemy. We must undertake additional efforts to prevent terrorists from acquiring or using weapons of mass destruction, and other advanced attack capabilities. We must prevent terrorists from exploiting new

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technologies in today's dynamic information environment, and we must counter terrorists' ability to recruit and radicalize alike we through other means.

Preparedness and prevention must be integral parts of our counterterrorism strategy. We must protect our homeland against the terrorist threat by building strong borders, securing infrastructure, and enhancing the preparedness of our people.

The importance of strong partnerships in sustaining our counterterrorism efforts is huge. Whenever possible, we must develop more efficient approaches to achieve our security objectives, relying on our allies to degrade and maintain persistent pressure against terrorists.

This means collaborating so that foreign governments take the lead wherever possible and working with others so that they can assume responsibility in the fight against terrorists. We must empower our frontline defenders – our state and local law enforcement professionals – as well as many other government, civil society, and private sector partners to prevent and counterterrorism.

What is terrorism?

The Republic of North Macedonia holds a strategically important geopolitical position that, combined with its complex social structure, presents diverse challenges and opportunities for the nation. All the citizens of Republic of North Macedonia should demonstrate unity in dealing with organized crime activities and radical ideologies calling for violence and threatening the secreted and constitutional values of the state.⁶⁹

Terrorism represents a growing international threat which significantly motivates the need for an improved and strengthened collective security and international cooperation in the strategic planning and implementation of the activities in our country. In order to develop comprehensive national strategies and action plans, which would build capacities and capabilities to counter terrorism in an effective and affordable manner it is essential to understand terrorism.

Today's terrorist threats have changed and terrorist groups are now more geographically dispersed and their tactics more diversified to address this evolving terrorist threat across the globe and within the homeland, our approach to counter terrorists must evolve. NATO defines terrorism as following: „The unlawful use or threatened use of force or violence, instilling fear and terror, against individuals or property in an attempt to coerce or intimidate governments or societies, or to gain control over a population to achieve political, religious or ideological objectives...“⁷⁰

The broad description of terrorism – “the unlawful use of violence and intimidation, especially against civilians, in pursuit of political aims.”⁷¹

⁶⁹ „National strategy of the Republic of Macedonia for countering violent extremism (2018-2022)“. (2018) Government of the Republic of Macedonia, National committee for countering violent extremism and countering terrorism, Skopje, pg.9.

⁷⁰ „NATO Glossary of Terms and Definitions“ (English and French). (2021), AAP-6, NATO STANDARDIZATION OFFICE, Brussels, pg.130.

⁷¹ „National strategy of the Republic of Macedonia for countering violent extremism (2018-2022)“. (2018) Government of the Republic of Macedonia, National committee for countering violent extremism and countering terrorism, Skopje, pg.10.

Terrorism is a serious crime. Terrorism cannot and should not be associated with any nationality, religion, or ethnicity. Some of its common traits include: hazards to life or limb or property, international attempts to undermine the democratic government, in particular by trying to influence policy and legislators; indiscriminate approach to target selection, aimed at inspiring fear and terror through at a population. The threats of terrorism today are combining and compounding and convene at specific geopolitical locations within and outside national-state boundaries presenting transnational and trans regional problems that are straddling boundaries.

As any other sovereign state, Republic of North Macedonia must always maintain comprehensive and robust National Strategies and Action Plans capabilities and capacities for counter terrorism, as distinct challenges, and threats. Comprehensive preparedness is key.

Terrorist radicalizations, is a dynamic process whereby an individual comes to accept terrorist violence as a possible, perhaps even legitimate course of action. There is no single profile that encompasses all terrorists, nor is there a clear-at pathway that leads individual to terrorism. Possible drivers of terrorism radicalization are varied and complex and combine in a unique way in each specific case. Profiles built on stereotypical assumption based on religion, race, ethnicity, gender, socio-economic status, etc. are not only discriminatory, but are also ineffective, and run the risk of worsening and fuelling the spread of both phenomena. For these instrumental reasons we must reject the identification of terrorism with any nationality, religion, or ethnicity.

Building on these foundational tenets, and moreover on the specific and unique context of the challenges and opportunities that lie at the heart of countering terrorism in Republic of North Macedonia, the national strategies also present a contextually – relevant operational description of the Republic of North Macedonian’s set of comprehensive tools for counter terrorism.

Countering terrorism

It is first necessary to briefly examine some of the principal reasons for, and implications of, the absence of a universally agreed definition of countering terrorism, including how key institutional and State actors have approached criminal justice solutions in the absence of one.

Some of the definitions who aim to address the activities taken when countering terrorism are as follow:

„Planning introducing and applying procedures methods and measures for prevention, detection and countering intolerance, hate, and discrimination against other social groups.”⁷²

„Creating and implementing measures and activities for identification and prevention of/against the factor that produce and creators/agents of radicalization that can lead towards terrorism.”⁷³

⁷² „National strategy of the Republic of Macedonia for countering violent extremism (2018-2022)”. (2018) Government of the Republic of Macedonia, National committee for countering violent extremism and countering terrorism, Skopje, pg.11.

⁷³ „National strategy of the Republic of Macedonia for countering violent extremism (2018-2022)”. (2018) Government of the Republic of Macedonia, National committee for countering violent extremism and countering terrorism, Skopje, pg.11.

All preventive, defensive and offensive measures taken to reduce the vulnerability of forces, individuals, and property against terrorist threats and/or acts, to respond to terrorist acts. In the frame of the NATO Comprehensive Approach, this can be combined with or followed by measures enabling recovery after terrorist acts.⁷⁴

One of the basic premises of national counter terrorists' policy making, comes from the point where the public already fears it is a matter of NOT IF a terrorist attack happens, BUT WHEN. National counter terrorist policy must be about preventing and mitigating an attack, preparing the public to survive an attack and the day after. And to be seen to work. National counter terrorist strategies of countries like United States, Singapore, Canada, and Norway invoke some permutation of physical security measures to protect people, information, and assets from compromise or harm through the counter terrorism policy, using action plans, framework for countering terrorism strategy and other useful tools.

The European Union Counter-terrorism strategic commitment stands: „To combat terrorism globally while respecting human rights, and make Europe safer, allowing its citizens to live in an area of freedom, security and justice“.⁷⁵

To prevent people turning to terrorism by tackling the factors or root causes which can lead to radicalization and recruitment, in Europe and internationally. To protect citizens and infrastructure and reduce our vulnerability to attack, including through improved security of borders, transport, and critical infrastructure. To pursue and investigate terrorists across our borders and globally; to impede planning, travel, and communications; to disrupt support networks; to cut off funding and access to attack materials, and bring terrorists to justice. To prepare ourselves in the spirit of solidarity, to manage and minimize the consequences of a terrorist attack, by improving capabilities to deal with; the aftermath; the co-ordination of the response; and the needs of victims.

Using the crisis management cycle by following thoroughly the emergency management phases, we will be in better position to respond on changing and unpredictable circumstances and potential risks. Initial phase of crisis management is the mitigation of terrorist attacks, by taking sustained actions to reduce the risk to people and property from an attack by identifying likely targets, and hardening them. Sustained actions to reduce risk to people and property from an attack and its impact, i.e., objective is to: protect people and structures and reduce the costs of response and recovery. This includes risk assessments to identify: likely perpetrators and their targets – Who, what, where, When, and how and target hardening measures required. And another important step is to add it as a continuing activity that is integrated with the other phases for a long-range, community-based approach to mitigation. The next phase is developing emergency operations plans that address potential targets of attacks, risks, and response measures. And from there to be able to conduct emergency operations to save lives and property. The cycle follows the phase of recovery where we rebuild communities so that individuals, businesses, and governments can function on their own, return to normal life, and protect against future attacks.

⁷⁴ „NATO's military concept for defence against terrorism“ (2016), International military staff. Available at: https://www.nato.int/cps/en/natohq/topics_69482.htm

⁷⁵ „The European Union Counter-terrorism strategy“ (2005) Council of The European Union. Available at: <https://data.consilium.europa.eu/doc/document/ST%2014469%202005%20REV%204/EN/pdf>

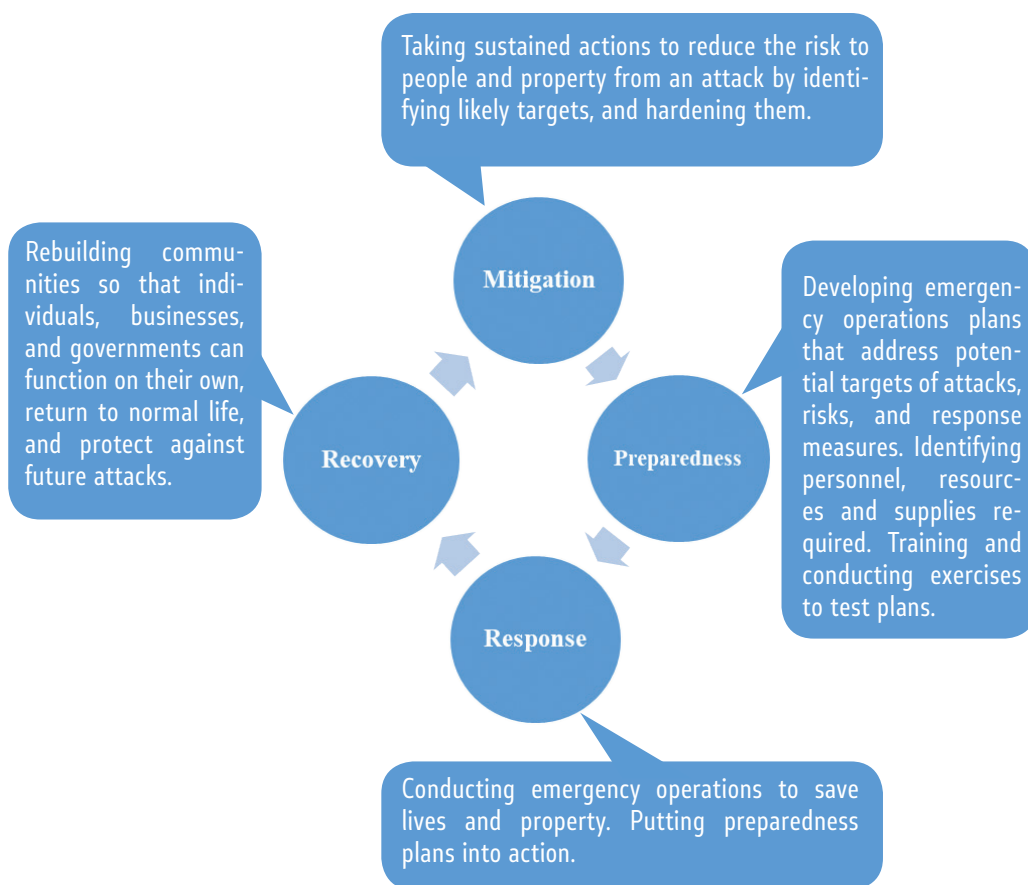


Figure 1. Crisis Management Cycle⁷⁶

Using lesson learned to Counter-Terrorism Policymaking

The UN’s Counter-Terrorism Executive Directorate (CTED), which has the job of conducting expert assessments of Member States’ efforts to fulfil their obligations under various UN resolutions and conventions, identify short-falls, and recommend best practices, describes a best practice “as a technique, an activity, a strategy, a methodology or approach that has been shown, through application and evaluation, to be effective and/or efficient in achieving a desired result”.

For governments to get buy-in from stakeholders, being able to point to the effectiveness of counter-terrorism policy is not just an academic exercise, but an important political issue. The study of policy effectiveness is, however, plagued by both theoretical underdevelopment and a lack of methodological grounding. Indeed, there are experts who believe that “a community of practice cannot reliably address the question which policy intervention or program deserve to be labelled as ‘good’ or ‘best’ practice” and with preventive

⁷⁶ Emergency Management in the United States (2013), Livestock in Disasters / Unit 4. Available at: https://training.fema.gov/emiweb/downloads/is111_unit%204.pdf

counterterrorism policy, the attribution problem is particularly acute because a successful attack does not necessarily mean a particular preventive policy has failed, and if no attacks take place, it is even more difficult to establish causality.

It does not help that national strategy documents may not be as salient as they used to be, particularly those issued in recent years. In late 2015, alarmed by the “barbaric crimes” of ISIS and Boko Haram, and the large numbers of foreign fighters drawn to Syria, then UNSG Ban Ki-Moon urged Member States to draw up national plans of action to prevent or counter violent extremism.⁷⁷ Thus began a new surge in the publication of national PCVE strategy documents, with various UN agencies providing substantive guidance on promising practices. But the similarity in language in many of these national strategies has also raised concerns that some governments are doing a copy and paste, more intent on ticking the suggested boxes than in ensuring they have a coherent, integrated and coordinated response that specifically addresses their domestic context. An independent review of several national PCVE strategies shows “certain measures are listed across strategies with a significant degree of regularity and consistency”, although as authors Feve and Dewes (2019) note: “This is not necessarily problematic, and it is reasonable to expect that countries will source inspiration from each other and from a common body of international good practice.”

The problem, however, is that there is no one-size-fits-all model. If countries are not developing policies through a rigorous process that includes stakeholder consultation, risk assessment, evidence gathering, and policy synthesis, testing and calibration,⁷⁸ are they adopting practices that meet their needs?

The complexities and limitations of evaluating the effectiveness of policy measures in counter-terrorism has led at least one NATO document to define best practices simply as “what works”. A slightly more useful definition of best practice might be this: an approach or technique or activity or strategy

- that has been successfully implemented in at least one country (i.e., field tested),
- shown to achieve a desired result without causing further harm or damage,
- is superior to other methods, and
- is transferable elsewhere.

Almost all national, regional, and international counter-terrorism strategies have a line about sharing best practices. But as terrorist groups are also learning organizations, countries sometimes classify highly effective practices that might lose their efficacy once publicized. At the same time, policy cannot in the face of a threat wait for perfect analysis. Recommendations for good or best practices thus must be based on a survey of what has already been tried out and the known results as shared by practitioners. Ultimately, however, what is best practice must be contextually mediated – what is optimal for a specific society?

When the EU conducted its first ever assessment of the national anti-terrorist arrangements of its Member States through a peer evaluation beginning 2003, it carefully

⁷⁷ Plan of Action to Prevent Violent Extremism. (2016) UN. General Assembly. Available at: <https://digitallibrary.un.org/record/819844>

⁷⁸ Reference Guide, Developing National and Regional Action Plans to Prevent Violent Extremism. (2017) United Nations office of counter terrorism. Available at: https://www.un.org/counterterrorism/ctitf/sites/www.un.org.counterterrorism.ctitf/files/UNOCT_PVEReferenceGuide_FINAL.pdf

identified national good practices with a significance for all or most other Member States as best practices to be offered as recommendations to close security gaps and enhance existing capacities from an operational and practical perspective. With the first review focused on national responsibilities at government ministry, security and intelligence service and law enforcement agency level, the final report also noted that each State was free to implement the recommended practices according to its national legal and political framework.

In 2005, the EU itself adopted a counter-terrorism strategy with a 3PR matrix not unlike the UK's 4Ps template, which the UK had advocated during its EU presidency that year. The 3PR framework allows the EU to analyse the national strategies of Member States in a more systematic manner, and to offer guidelines on the specific resources required to counter the threat.⁷⁹

When it became obvious that the phenomenon of homegrown radicalization was not going away, the EU adopted a strategy for combating radicalization and recruitment to terrorism in 2008. More recently, in light of evolving trends precipitated by the rise of ISIS – lone-actor terrorism, foreign fighters, use of social media by terrorists – the EU revised this strategy and in December 2014, adopted an expanded set of guidelines for its implementation. Among the key points:

- Experiences from the past years have revealed that countering radicalization and recruitment to terrorism effectively requires a balanced approach between security related measures and efforts to tackle those factors that may create an environment conducive to radicalization and recruitment to terrorism.
- The challenge will not be met by governments working alone, but by collaboration with communities, civil society, NGOs and the private sector. It requires a joint effort at local, regional, national, European, and international level.

The good practices recommended include:

- Enhancing government communications to not just describe policy decisions and support their implementation clearly and consistently, but also to communicate what the EU stands for, its norms and values: international law, human rights, and the rule of law,
- Challenging the terrorist narrative, especially online,
- Supporting and amplifying counter-narratives emanating from those with local influence,
- Training and equipping first line practitioners like teachers, social and health care workers, religious leaders, community police officers, and prison staff to provide them with a better understanding of radicalization and recruitment to terrorism, and skills to discuss related issues,
- Supporting individuals and civil society to build resilience,
- Supporting disengagement initiatives,
- Supporting further research into the trends and challenges of radicalization and recruitment.⁸⁰

⁷⁹ „The European Union Counter-terrorism strategy“ (2005) Council of The European Union. Available at: <https://data.consilium.europa.eu/doc/document/ST%2014469%202005%20REV%204/EN/pdf>

⁸⁰ Asad-ul Iqbal L. (2011), Hearts of Resilience, Institute of Southeast Asian Studies, Singapore, pg 60.

Conclusion

Terrorism has long been associated with unprecedented, sustained and continued violent attacks, loss of lives and destruction of property. The actions and activities of terrorists' impact on safety and security of population, infrastructure, and installations. Terrorism and related operations have been responsible for the mass commission of crimes including forced settlements, mass transfer of the population, persecution, and murders among other vices. Countries experiencing terrorism related actions have not been able to register any growth in the economic, social, political and technological spheres and in the process are unable to discharge their primary responsibilities. Due to its negative consequences, terrorism needs to be countered through the adoption of the most effective mechanisms.

The need for creating and improving an effective national counter terrorism policy is essential for each country. An effective national counter terrorism policy influences public confidence in the government's effort to deal with terrorism and hence its crisis management capabilities. One country's counter terrorism model may not be transferrable to another. But good principles are, including: political will to take ownership of the problem and its solutions, clarity of goals and fairness in implementation.

A whole community approach is necessary to prepare for acts of terrorism and targeted violence. Terrorism is a complex phenomenon with high uncertainties in user strategy. Uncertain nature of terrorism is a main challenge in the design of counter-terrorism policy. Government agencies cannot always use social media and telecommunication to capture the intentions of terrorists because terrorists are very careful in the use of these environments to plan and prepare attacks.

One of the most relevant consequences of the fight against terrorism is the social claim for short-termed and urgent measures. The question of whether the „global war on terror“ is really a war becomes fundamental because its possible conclusions affect directly how the conflict is seen as an armed one, which implies legal obligations to the parties involved or not. In this regard, The Geneva Conventions, which are not totally adapted to global terrorism and its repression, are applied only to certain specified circumstances. The common claim that the Geneva Convention do not protect terrorist might mean either that the Conventions do not apply at all to military operations directed against terrorist organization or that individual terrorist do not fall into one of the categories of protected persons.

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