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Intelligence Sharing and Preemptive War in the Fight Against Terrorism Ensayo Académico

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RESUMEN

El terrorismo es la amenaza más grande a la seguridad internacional, de tal manera los Estados Unidos (EEUU) y la Unión Europea (UE) han establecido estrategias diferentes para combatir este tema. De acuerdo a lo mencionado anteriormente, este trabajo de titulación analizará como EEUU aplica guerra preemptiva y como la UE comparte inteligencia para combatir el terrorismo. Adicionalmente, las intervenciones de EEUU en Afganistán e Irak serán revisadas al igual que las estrategias de compartir inteligencia de la UE y la Europol y así contrastar que estrategia se presenta como una mejor herramienta en la lucha contra el terrorismo.

Palabras Clave: Terrorismo, Guerra Preemptiva, Compartir Inteligencia, Ataques terroristas del 9/11, Relaciones Internacionales

ABSTRACT

Terrorism is the biggest threat to international security, therefore the United States (US) and the European Union (EU) established different strategies to combat this issue. Given the circumstances aforementioned, this capstone project will analyze how the US use preemptive war and how the EU use intelligence sharing to counter terrorism. Additionally, the US interventions in Afghanistan and Iraq will be reviewed as well as the EU and Europol intelligence sharing strategies to contrast which strategy seems to be a better tool in the fight against terrorism.

Key words: Terrorism, Preemptive War, Intelligence Sharing, 9/11 terrorist attacks, International Relations

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INTELLIGENCE SHARING AND PREEMPTIVE WAR IN THE FIGHT AGAINST TERRORISM

Introduction

The major threat to peace and security that the international nation-State system faces is terrorism. “After 9/11 terrorist attacks (9/11), international terrorism, as exemplified by al-Qaeda, had clearly developed a sophisticated capacity to target some of the critical weak links in the complex and globalized structures of modern society” (Dannreuther 2013, 209). Terrorism has many definitions and different approaches as well as strategies to counter attack it. From Preemptive War (PW) to Intelligence Sharing (IS), terrorism can be tackled in our contemporary world in many ways, but there are some strategies to do so that are more effective than others.

The characteristics of the international system force States to behave differently acquiring different strategies to combat threats. Nowadays, terrorism threatens cultures, ways of life and types of governments. Therefore, the US after the 9/11 implemented a new security and foreign policy strategy to deal with terrorism.

After the 9/11, a wave of increasing terrorist attacks not only threatened and intimidated the US, terrorism expanded its branches and reached the European Union (EU). The EU established a new security strategy to counter terrorism in its territory. Differently from the US, the European strategy was more focused in cooperation, institutions and IS.

The aim of this essay is to demonstrate how IS, a strategy established mainly by the EU, has been more effective in counter terrorism than PW as the strategy adopted by the US. With a literature review about terrorism, PW and IS it is possible to understand

the mentioned topics. Then, a theoretical framework about IS will allow the reader to conceptualize IS under different International Relations Theories and perspectives. To analyze US preemptive war, the wars in Afghanistan and Iraq will be briefly reviewed and finally the EU-IS strategies will be explored to determine if PW or IS are effective strategies to combat international terrorism.

Literature Review

Terrorism

There are different conceptualizations of terrorism. “Terrorism’s definition, as the use of violence for political ends is too similar to the definition of war to be of much use” (Townshend 2013, 268). It should be differentiated that war could be considered legal, while terrorism is considered illegal and illegitimate. “A way of distinguishing war from terrorism is to say that war is what States do, while terrorism is the recourse of those too weak to oppose States openly” (Townshend 2013, 280). War is legitimate because it is created and developed by States which have the legitimate use of force, they are legally obliged to oppress society; terrorism is not legitimate because individuals do not acquire the rightful use of violence.

Terrorism is considered as a method, which looks for a political, economic or social change through the use of violence. “It is necessary to recognize that terrorism, unlike liberalism, communism or conservatism, is not an ideology but a method. As a method of political violence, it is ideologically neutral” (Dannreuther 2013, 206). Accordingly, not only theorists on the matter or experts on security define terrorism, as well as not every nation or international organization shares the same definition of

terrorism. For instance, the US defines it as “the calculated use or threat of violence to inculcate fear, intended to coerce or intimidate governments or societies”, the United Kingdom (UK) as “the use or threat, for the purpose of advancing a political, religious, or ideological course of action, of serious violence against any person or property” (Townshend 2013, 241).

Who defines the other as a terrorist? “In a word, it is labelling, because ‘terrorist’ is a description that has almost never been voluntarily adopted by individual or groups. It is applied to them by others, first and foremost by governments” (Townshend 2013, 238). Furthermore, it is necessary to state that the term terrorist has been used previously against those persons that were looking to change reality, as an example: Nelson Mandela was labelled as terrorist by the British Empire. “Thus, arose the notorious adage that ‘one person’s terrorist is another’s freedom fighter’. This relativism is central to the impossibility of finding an uncontentious definition of terrorism” (Townshend 2013, 256). This relativism regarding its definition now leads to the analysis of the main features of it.

The main characteristics of terrorism will be examined. “Terrorism is a particularly effective strategy for the weak, a method to attempt to apply strategic coercion to a more powerful actor when the conditions for alternative forms of coercion, such as a sustained guerrilla campaign, are insufficient or absent” (Dannreuther 2013, 206). Different from war, that has been regulated by International Humanitarian Law where the principle of recognition has been applied under the “St Petersburg Declaration which states that: the only legitimate object which States should endeavor to accomplish during war is to weaken the military forces of the enemy” (Melzer 2016, 18). On the contrary, the “essence of terrorism is surely the negation of combat. Its targets are attacked in a way that inhibits (or better prohibits) self-defense” (Dannreuther 2013, 285).

That is why terrorist attacks take place in train stations, concerts, business buildings and marathons, because terrorists organizations are looking to produce fear and alter the reality of the people that were victims of the attacks. Terrorism is not regulated, there are no Geneva Conventions or international treaties to agree on the rules to combat it. “Thinking about the terror process leads to the conclusion that the essential distinction between war and terrorism lies in their operational logic: war is ultimately coercive, terrorism is impressive. War is physical, terrorism is mental” (Townshend 2013, 393). Understanding the main characteristics of terrorism is necessary to conceptualize the evolution of the concept.

Contemporary terrorism has shifted from revolutionary to religious terrorism. “At the end of the 20th century the world faced a revival of religious fundamentalism, quite puzzling to many people who had assumed that the process of secularization was, although perhaps erratic, an irreversible one” (Townshend 2013, 1450). But the process of secularization was obstructed by some nations in the Middle East that do not share the western values and its forms of government. Powerful nations such as the US, were interfering in other nations forcing the establishment of a liberal ideology to transform the way of governing and ruling the economy, many extremists saw religious terrorism as a way to counter balance the western influence in the Middle East. “A leading survey in the late 1990s asserted that the religious imperative for terrorism is the most important defining characteristic of terrorism today” (Townshend 2013, 1458). Also, security agencies from sovereign nations are inclined towards the belief that fundamentalism can be a factor that stimuli terrorism. For instance, “The Canadian Security Intelligence Service 2000 Public Report states that ‘one of the prime motivators of contemporary terrorism is Islamic religious extremism’” (Townshend 2013, 1460). The fact that terrorist organizations act on the name of their religion does not mean that religion make people

incline to be violent. Violence happens because of a great number of variables; however, it is necessary to combat it.

To counter attack terrorism and religious terrorism many governments have established a diverse set of strategies. This essay looks to analyze just two of them: PW and IS. In order to understand these two concepts a general review of each approach will be developed.

Preemptive War

PW, as well as preventive war, are different terms that emerged from the Just War Theory. These two concepts are related and are usually confused or misinterpreted by many scholars and International Relations students; therefore, it is necessary to clarify their distinctions for the purposes of this essay. “The most essential difference between preemption and prevention is that the former option, uniquely, is exercised in or for a war that is certain, the timing of which has not been chosen by the preemptor” (Gray 2007, 13). Timing is the essential aspect of these two terms, specifically when a threat has emerged. If there is a threat to peace and security, the State has two options, to attack first before the threat becomes bigger or more powerful (preventive) or to attack after knowing that there is an imminent threat or attack knocking the door (preemptive). “To preempt is to act on the basis of certain, absolutely contemporary knowledge. In the sharpest of contrast, to launch a preventive war is to act bereft of temporal discipline” (Gray 2007, 14). These characteristics lead to the comprehension of the violent impulses of the actors.

Another distinction between these two terms is who decides to create war. “When a State preempts, it has made a choice between the option of receiving the first blow or striking first. The decision for war has been taken out of its hands. Not so with prevention” (Gray 2007, 17). With prevention the State decides to attack first, no matter the cost or

the legal repercussions without even being able to allege for self-defense.

PW rests on six assumptions. First, its perspective implies that “political actions are either right or wrong, regardless of the context in which they occur. Second, the response to violence is based on the fact that wars are justified by perceptions of threat, whether true or false” (Dawoody 2014, 63). Third, the criterion of actions is based on unilateralism, which means that the international systems could do little to avoid a preemptive action. Fourth, the outlook toward the world is that ‘you are either with us or against us’. Fifth, the primary motive to take a preemptive action is fear and self-interest. Lastly, “the theoretical base is based on Hobbes with a Realist perspective of humans and the international system” (Dawoody 2014, 64).

Preemption became the new rule in the international system after 9/11. After a terrorist attack that caused more than 2000 deaths, the US was ready to hit back the attacker. For instance, it established PW as the eye of the hurricane of its new brand foreign policy. “This shift in the foreign policy of the US was known as the “Bush Doctrine,” which appears to have preemption as its centerpiece” (Dawoody 2014, 64). The new doctrine was able to modify the foreign policy of the US towards a more active and aggressive behavior in the international system.

When Preemption was established the US’ old foreign policy was left apart. “Preemption replaced the doctrine of deterrence as the official national security strategy of the US. Consequently, American forces invaded Afghanistan, toppled the Taliban regime in 2001, and then invaded Iraq and deposed the regime of Saddam Hussein in 2003” (Dawoody 2014, 64). Preemption allowed the US to behave differently in the international system after leaving aside the strategy of deterrence that took place during the Cold War period of time.

The hook up to the world under the strategy of preemption is simple but some

issues may arise. “According to this doctrine, there is no difference between terrorists and those who harbor them. By implication, any nation refusing to cooperate with American efforts to attack terrorists would be considered an enemy State” (Dawoody 2014, 65). The US preemptive strategy brought many dilemmas regarding the morality and legality of the military interventions in Afghanistan and Iraq. “Although many ethicists regarded the war in Afghanistan as justifiable because the Taliban regime housed al-Qaeda, the network responsible for the September 11 attacks” (Dawoody 2014, 65). The US intervention in Iraq did not represent a threat for the Americans because there were no weapons of massive destruction as it was alleged.

Intelligence Sharing

Nowadays, intelligence incarnates the State’s desire for information and illustrates the importance and advantage that obtaining information represents. “Intelligence is the collection, protection, and analysis of both publicly available and secret information, with the goal of reducing decision makers’ uncertainty about a foreign policy problem” (Walsh 2010, 5). Intelligence helps nations to reduce their mistakes and to tackle their objectives more effectively. “There is a big difference between information and intelligence: intelligence is a type of, but is not synonymous with, information. Intelligence is information, or a process of obtaining information, that someone prefers to be kept secret” (Walsh 2010, 5-6). In the contemporary world intelligence has proved its relevance as it appears helpful to counter terrorism.

After the 9/11, the US and practically the western world adopted a foreign policy and a security agenda focused on combating terrorism. “One of the US top foreign policy priorities is countering Islamic terrorism, especially the al Qaeda network and those groups inspired by or collaborating with it” (Walsh 2010, 110). This foreign policy

priority also came to be relevant to different regions in the world, first the UK and later the EU. It was obvious that in order to combat terrorism it was necessary to unify efforts and information through IS.

In order to combat terrorism under an international coalition it is necessary to have similarities between nations, and a high level of trust and confidence. “Stéphane Lefebvre argues that; trust in, and respect for, other [countries’ intelligence] agencies is foremost when the time comes to decide on the extent of IS arrangements and that confidence and trust are essential ingredients for IS” (Walsh 2010, 13). (IS) is a delicate topic, especially if nations are combating terrorism, because if a nation provides false information it could lead to the death of military personnel as well as diplomatic crises between nations.

There are many examples that illustrate the States’ desire to share intelligence to combat terrorism effectively. “Both the UK and USA subscribed to several multilateral counter terrorism efforts. An increase in international IS throughout the world was quickly identified as being a ‘practical help’ to the USA in its response to the 9/11 attacks” (Svendsen 2012, 37). As established before, the US and the UK were some of the first nations that adopted a foreign policy focused on IS to combat terrorism but, this link between the US and the UK is not the only one that the US has to tackle terrorism. The US has created many liaisons with nations from the Middle East and south-east Asia. Yet, it is difficult to trust due to the fact that, different ideologies and different approaches to combat terrorism are evident, as well as information that these States choose not to share because of national interest.

The US and the EU present a high level of cooperation with IS. “American agencies maintain contact with their counterparts in Europe, analysts from European countries meet with their American counterparts, devoting much of their time to sharing intelligence” (Svendsen 2012, 42). Furthermore, the European police Agency (Europol)

enforces the access to law and intelligence data. This has promoted the analysis on terrorist activities. “Also, Europol and the US have liaison officers to facilitate the exchange of information. They regularly compare and discuss their assessments of the threats posed by various terrorist groups” (Walsh 2010, 115). As terrorism was spreading in the EU, intelligence assistance appeared between European nations.

Not only the US is willing to cooperate to combat terrorism, the EU also enhances cooperation between the nations of its territory. “The EU’ law enforcement agency and the Europol supports their Member States in preventing and fighting against all forms of serious international crime and terrorism, through the exchange and analysis of criminal intelligence” (Walsh 2010, 116). This institutionalized cooperation is prolific in the fight against terrorism showing that preemption is not the only strategy to combat this threat.

It is possible then, that by sharing intelligence inside the EU that terrorism could be tackled by disarticulating terrorist attacks instead of using PWs. IS could be used to prevent terrorist attacks and capturing terrorist, while PWs are used to destroy terrorist organizations by invading nations which lead to a scalability of the conflict. To develop the debate whether IS or PW is better to counter terrorism, it is necessary to analyze the PW in Afghanistan and Iraq and the EU’s IS strategies to obtain information regarding the effectiveness of this tactic to counter terrorism. To do so a theoretical framework of IS needs to be developed.

Theoretical Framework

IS, also known as intelligence liaison, is considered one of the most important fields regarding intelligence as a whole. “Although it is highly relevant for security

studies it is under theorized and largely under studied” (Svendsen 2009, 700). Two of the main IR theoretical perspectives must be analyzed to have an appropriate understanding of IS and how it promotes the fight against terrorism in an effective manner. Therefore, once the theories are understood the same will be analyzed under the IS perspective. It is essential to take into consideration that the following theories will be examined regarding the abovementioned; Realism and Liberalism even though these theories have successes and failures to explain the international system and the relations between nations.

The main assumptions of realism can illustrate the motives for a government to share intelligence with another actor in the international system. “For realists, the international system is defined by anarchy, meaning the absence of central authority” (Slaughter 2011). This implies that there is no such a thing as a global governor; therefore, every nation is sovereign, independent and autonomous from each other. Bearing this in mind, if the nature of the system where States interact has not a regulator power becomes the main factor or variable that States pursue. The more power the better, because that is the only and best way to assure State’s survival. Under realism power could be understood as military, economic or diplomatic capability.

Sherman Kent, Yale professor and a CIA agent is considered as the father of intelligence analysis demonstrating the importance of IS regarding power. He “defined strategic intelligence as the knowledge vital for national survival. States protect their own national security, they arm themselves and create alliances to augment their capabilities in the face of threats. In short, they seek power” (Munton 2009, 127). This could be portrayed or incarnated in IS. As it was defined before intelligence is the process of gathering relevant information, which is also a form of power. States look forward to sharing their information through intelligence because that could increase their power and hence their odds of survival. “What most IR theorists tend to ignore is that all States, but

especially Great powers conduct intelligence as a critical element of maintaining and expanding their power. Good intelligence is thus itself a capability, an instrument of power, a force multiplier” (Munton 2009, 127). It is coherent to share intelligence because it not only represents a bigger amount of power but also promotes cooperation.

States agree to share intelligence because of its possible outcome meaning that, they behave as rational actors. They do so in a way that sharing intelligence represents a reliable opportunity to gather information to combat any imminent threat that risks their survival. This could be illustrated after the 9/11 where the US and Europe decided to cooperate through intelligence liaison to combat international terrorism.

The fundamental insight of the liberal theory is that the internal characteristics of States are relevant for their relation with other actors in the international system. “For liberals a democratic peace could be achieved within democratic nations; therefore, States are trustable actors to develop relationships and agreements with” (Slaughter 2011, 14). Also, under liberalism, institutions play an essential role due to the fact that they foster cooperation among actors. Meaning that, “they promote norms and rules that help create certainty and change actor preferences. Institutions matter particularly amongst democratic States” (Slaughter 2011, 14). This provides States a cooperation dynamic based on long terms, where it is preferable to trust and cooperate for development rather than to seek power for survival.

Liberalism takes for granted that international regimes, as well as institutions, assure cooperation and allow relationships between States to be more trustworthy. This leads to bilateral or multilateral agreements and arrangements of all kind. In the sub field of IS the EUROPOL liaisons between the European nations can illustrate this point. After the 9/11 the Counter Terrorism Task Force (CTTF) was established, “it was composed of national liaison officers from police and intelligence services and its tasks consisted in

collecting in a timely manner relevant counterterrorist information and intelligence; carrying out operational and strategic analysis” (Bosilca 2013, 9). The members of the EU are democratic States that portrayed a behavior based on cooperation and institutions, therefore sharing information to counter a common threat is not a matter of discussion. Liberalism in IR theory also helps to explain the motives and purposes that nation States have in order to cooperate by sharing intelligence.

United States Preemptive Wars and European Union Intelligence Sharing

It is commonly understood that the US and the EU have a similar approach to the international system and use the same strategies to defend themselves from any threat. At certain times, international relations theorists tend to see the US and the EU as two different actors with the same approach due to their cultural similarity. “This is not the case with European intellectuals, they are nearly unanimous in the conviction that Americans and Europeans no longer share a common strategic culture. There are profound differences in the way the US and the EU conduct foreign policy” (Kagan 2004, 7). This reality is rooted since WWI and WWII and the military capabilities of each actor.

As the US and the EU have different historical, economic and military backgrounds they see, understand and act differently in the international system. Understanding this issue means to shift the focus of this analysis to the amount of power. Because of different amounts of power States behave differently towards each other. The EU is not interested on intervening directly over an enemy that could represent a threat to the western society and way of living while the US is willing and able to take that risk. “Europe is turning away from power, it is moving beyond power into a self-contained

world of laws and rules and transnational negotiation and cooperation. They are approaching an Emmanuel Kant perspective of a perpetual peace” (Kagan 2004, 8). The contrary happens to the US. “It remains mired in history, exercising power in an anarchic Hobbesian world where international laws and rules are unreliable” (Kagan 2004, 8). As a consequence of this different world perceptions and capabilities the actors behave differently.

When analyzing US behavior, it is easy to realize that the US have different strategies towards the international system. On one hand “Americans generally favor policies of coercion rather than persuasion, emphasizing punitive sanctions over inducements to better behavior, the stick over the carrot. Americans tend to seek finality in international affairs: they want problems solved, threats eliminated” (Kagan 2004, 8). On the other hand, Europeans show the opposite. “They try to influence others through subtlety and indirection. They are more tolerant of failure, more patient when solutions don't come quickly. They generally favor peaceful responses to problems, preferring negotiation, diplomacy, and persuasion to coercion” (Kagan 2004, 9). As mentioned before, these different approaches are related to a power gap, the EU is not as strong as the US therefore they tend to favor different strategies to counter threats.

Because of different roles and capabilities in the international system the US tends to practice preemption or PWs while the EU tends to favor IS to counter terrorism. PW and IS will be analyzed to emphasize and demonstrate that the EU and the US do not share the same foreign policy towards their enemy.

Preemptive War in Afghanistan

When the 9/11 took place, the US already had information about a possible threat and an imminent attack from Al Qaeda. “The problem was that it was not possible to

know when or by what means the attack would take place” (Lansford 2012, 25). As a response to the terrorist attack, George W. Bush in his speech to the Congress, stated that they will fight against any terrorist organization or any nation that harbor them. He also stated a deep rejection to the Taliban regime and asked to Afghanistan to give all the Al Qaeda leaders to US justice and to destroy the terrorist bases of operations. With this speech the war on terror and the Afghanistan invasion became a reality. “Once it became clear that bin Laden and al Qaeda were responsible of the 9/11, U.S. military officials quickly developed a plan to invade Afghanistan since it was assumed the Taliban would be unwilling to turn over the al Qaeda leader for prosecution” (Lansford 2012, 679). This response was not only because the 9/11, Al Qaeda was attacking the US long time before.

Before the US intervention in Afghanistan, Al Qaeda had targeted many US embassies around the world. This caused a retreat of US forces from some nations. As a consequence, Al Qaeda and his leader Osama Bin laden thought that with a strong and heavy terrorist attack the US will retreat from the Middle East. “That’s why Al Qaeda was trying to hit the financial, political and military US institutions, to weaken their enemy and to show that the US was not as determined as the international system believed” (Lansford 2012, 643). Al Qaeda and Bin laden had a strong relationship with the Taliban, both of them were based on Islamic fundamentalism with the aim of spreading Islam all over the world.

After the 9/11 the US government had no choice but to defeat their enemy at all costs. The president was determined, Congress was unified, and with a 90% of the population approval the Afghanistan invasion was irrevocable. Every American citizen and politicians, international organizations such as the United Nations (UN) and the North Atlantic Treaty Organization were in favor of the US proposals. “For instance, on September 12, the UN Security Council unanimously adopted Resolution 1368, which

condemned the 9/11 attacks and called upon all nations to assist in identifying the perpetrators and bringing them to justice” (Lansford 2012, 624). The support not only for the intervention was not only backed up by international organizations as the UN, other actor on the international system backed up US proposal.

More than 100 nations provided intelligence information or increased cooperation with the US, while 30 States increased law enforcement collaboration. “By September 30, there were 46 multilateral declarations of support for the US” (Lansford 2012, 631). Political scientists dedicated their time and knowledge to study the phenomena that was taking place. “The polls revealed that 80% of Danes, 70% of Britons, 73% of the French, 70% of the Portuguese, and 66% of both Italians and the Dutch supported military action by their countries in concert with the US” (Lansford 2012, 653). Not only Western countries showed solidarity to the US, many Asian and middle Eastern nations shared the US commitment to combat terrorism.

The 9/11 attacks led to a series of events that favored the US government, internally it was possible to establish the PATRIOT act and externally international cooperation took place as never before. “The UN established Resolution 1373, which enacted new measures to prevent the financing of terrorist groups and also encouraged countries to increase intelligence and law enforcement cooperation” (Lansford 2012, 626). All the political environment was in favor of a US intervention. Al Qaeda believed that by damaging the WTC and the Pentagon they will detain or slow down the US answer. But with all the national and international support the US was able to deploy the Operation Enduring Freedom in less than a month after the attack.

The US invasion took place on October 7th of 2001, with 5 objectives. To “destroy the al Qaeda terrorist network in Afghanistan, leaders had to be killed or captured, establish a democratic government preventing terrorist activities, keep U.S. casualties to

a minimum and provide humanitarian assistance and create the conditions for future economic development” (Lansford 2012, 682). With objectives the US was able to develop the main phases of the operation.

The strategy to end with the Taliban regime and with the Al Qaeda network was concrete. It contained four main phases: “In the first phase, the coalition would launch a broad aerial campaign against the Taliban” (Lansford 2012, 698). Taking into consideration the five objectives of the invasion, the US forces used their military and technology advantage: 70% of the attacks were airstrikes which reduced the risk for military personnel. “The second phase would be the initial ground assault led by Northern Alliance troops” (Lansford 2012, 698). The Northern Alliance was an anti-Taliban organization, therefore the US used their support to combat the Afghanistan armed forces. “The third stage of the campaign would be the capture of the major cities, including Kabul, Kandahar, and Jalalabad” (Lansford 2012, 698). These cities were extremely relevant for the Taliban regime because they worked as operation bases. The fourth and final phase of the war would consist of operations “to capture, destroy, or dismantle any remaining terrorist camps or Taliban bases” (Lansford 2012, 700). These objectives promoted the scalability of the conflict leaving Afghanistan unstable.

Even though Operation Enduring Freedom succeeded in certain objectives, after almost 17 years since the invasion took place there has been destruction, death, displacement, suffering and horror. The Physicians for Social Responsibility (FSR) developed a study about how many people have lost their life after 10 years of conflict. They took estimated values from different sources and divided the deaths in different samples: Afghan civilians, journalists, “NGO workers, Afghan security forces, private US security forces, ISAF and OEF soldiers and Taliban fighters. If all categories of war

deaths are added, we can estimate the number for Afghanistan as around 200,000 until the end of 2013” (Physicians for Social Responsibility 2015, 66).

The PW in Afghanistan was an effort by the US to dismantle and defeat terrorism, first in Afghanistan and later in Iraq, but the scalability of the conflict kept rising, bringing instability and insecurity with it until today. Another study developed by the UN revealed that civilian death numbers are very high. These statistics, revealed by the Human Rights Service of the United Nations Assistance Mission in Afghanistan (UNAMA) report, show that “between 2009 and 2017 there have been 28,291 civilians killed. Anti-government elements caused 20,080 deaths, pro-government forces caused 5,112 deaths and other actors caused 3,099 respectively” (United Nations Assistance Mission in Afghanistan 2018, 5). Even though the aim of the Afghanistan invasion was to defeat and fight terrorism to bring liberty, democracy and economic development to the afghan people it failed and created a State which is immersed in constant war and conflict disabling people to develop a dignified life.

Preemptive War in Iraq

Iraq and the US had a relatively good relationship before Iraq’s invasion to Kuwait. A decade before, during the Iraq-Iran war in 1980 the US decided to support Iraq with military personnel, technology and financial aid. During the conflict Iraq used Weapons of Massive Destruction (WMD), such as nerve agent and mustard gas. The US actions backed up Iraq because Iran was looking to become the regional hegemon with values that were not in concordance with the US. When the war ended, the US government and the Iraqi government had a close relationship, until Iraq decided to invade Kuwait because of its oil reserves. In August 2nd of 1990, more than 120,000 Iraqi

troops invaded the neighboring nation. “The US was against this maneuver and attacked the Iraqi forces to assure Kuwait’s sovereignty because it was not convenient for the American regime to allow Iraq to have such oil reserves” (Lansford 2012, 1240). Eventually, more than 530,000 soldiers were mobilized to the region to assure not only Kuwait’s sovereignty but also of Saudi Arabia and to restrain Hussein’s invasion.

When the US and the Iraqi governments became enemies, the US pressured the international community to sanction Iraq because of using chemical weapons. In 1991, the United Nations Security Council RES/687 command Iraq to immediately disclose all of its WMD’s and WMD programs. “To assure the disarmament of Iraq the UN created a commission under the International Atomic Energy Agency (IAEA), labelled as the UN Special Commission (UNSCOM) to control the Iraq’s dismantling” (Lansford 2012, 1241). UNSCOM completed the destruction of Iraq’s known stockpile of chemical weapons and equipment and materials used to make WMDs in October 1997. Iraq’s strategy was to lie to the UN about the destruction of their chemical and weapons of massive destruction, but the UN didn’t delay in discovering this strategy.

American security officials were worried that Saddam Hussein’s regime might transfer or sell WMDs to a terrorist organization. These events provided the US with the needed arguments to invade Iraq in the name of “peace, freedom and democracy”. President Bush addressed the UN on September 12th, 2002. He “alleged that Iraq was a major threat to world peace because it violated a range of UN resolutions and continued to support terrorism and pursue WMDs” (Lansford 2012, 1344). After the Afghanistan invasion, the US received proof from the United Kingdom government that Iraq still had WMD. “Also, Hussein’s regime was offering 10,000 dollars to the families of those men that decided to perpetuate suicide bombings against Israel” (Lansford 2012, 1345).

Therefore, the US could argue that the WMD and Iraq's support to terrorism represented a direct threat to peace and security.

The US led an international effort to force Iraq to allow UN personnel to resume inspections and monitoring of the country's weapons of mass destruction (WMD) programs. At the same time the Bush administration, led by neo-conservatives, acquired Congress approval to take military actions against Iraq. On October 16th, following briefings with U.S. intelligence and military officers, Congress adopted a resolution authorizing the use of force against Iraq. "The House of Representatives passed the measure on a vote of 297-133, while the Senate voted 77 in favor and 23 opposed" (Lansford 2012, 1319). With this, Bush was able to deploy his new security strategy. The "codification of Bush's more aggressive security was the National Security Strategy of the US, published in September 2002" (Lansford 2012, 1320). The neo-conservative movement was in favor of military action and believed that the US role was to enhance democracy and free trade over the world, advocating a war with Iraq. Basically it was in favor of the new US security strategy.

The national and international support for the US intervention in Iraq was not the same as with Afghanistan. This topic was highly controversial because only 58% of the US population supported the military intervention. "Along with the governmental campaign in favor of the intervention many anti-war movements emerged. There was a great number of people protesting against the war in Iraq" (Lansford 2012, 1224). Also the international support resembled many controversies as there were many interests on the table. France and Russia had long standing economic and political ties with Iraq. In the same manner, China and Russia were the main Iraq's suppliers of weapons between 1991 and 2001. "Only the NATO Eight, the Czech Republic, Hungary, Italy, the Netherlands, Poland, Portugal, Spain, and the United Kingdom supported the US. The

leaders of the eight countries declared that they were totally in favor of intervening in Iraq” (Lansford 2012, 1362). The US needed the approval of the UNSC to intervene in Iraq but they weren’t able to achieve it, as a consequence and as it is natural in preemptive strikes the US acted unilaterally and invaded Iraq with the Operation Iraqi Freedom.

The US strategy was to invade Iraq from the north and from the south, but the strategy seemed impossible since Turkey denied the US the chance to invade Iraq from the Eurasian nation. “In September 2002, the US began to pre-deploy tanks and other mechanized vehicles in Kuwait for potential military action against Iraq” (Lansford 2012, 1476). For instance, the US military invaded Iraq from the south, meaning from its neighboring nation Kuwait. “The U.S.-led coalition numbered about 300,000, far less than the number engaged in the 1991 Persian Gulf War. The majority of troops were American, but the British deployed 45,000 and the Australians 2,000. About 200 Polish special forces troops also participated” (Lansford 2012, 1476). The US led coalition were reduced in number in comparison with the Iraqi regime but they were better prepared in armament with advanced technology. The Hussein’s armed forces counted with 450,000 soldiers but were in disadvantage regarding aircraft, tanks and navy force.

The attacks against Hussein’s regime started the first day of April and advanced very quickly. “By April 9th the coalition forces had control of Baghdad, Bush announced the end of major combat operations in Iraq” (Lansford 2012, 1476). The war in Iraq left many consequences on the ground for the Iraqi regime stability, its people and for the neighboring nations. “According to Iraq Family Health Survey Study Group the number of violent deaths may reach 151,000 (95% uncertainty range, 104,000 to 223,000) from March 2003 through June 2006” (The New England Journal of Medicine 2008, 2). The numbers cannot be certain since there are different indexes, even though they show

different numbers something that must be kept for granted is that those numbers will keep raising.

Under international law, a nation that invades another nation or that declares war has the obligation to restore peace and security as well as to leave the nation in the status quo before the war. For that reason, and also for the neo conservatism perspective, the US has been intervening for so long in Afghanistan and Iraq, because they tried to implement provisional governments in order to achieve democratic governance. In order to have democracy there is the need to have institutions, legitimacy and values in the people that support that kind of regime. But that is the last thing to happen. Since the US coalitions left Afghanistan and Iraq many insurgencies have taken place in both nations, as an example Iraq is an ongoing civil war since 2014 and Afghanistan had experienced so many insurgencies that they still suffer of violent attacks by the Taliban.

PW includes a great responsibility for the nation that is taking the step to put in danger different forms of life, cultures and civilizations. Just for the name of democracy, security, peace and the war on terror many have fled their homes, lost their lives and lost their loved family members. The death of so many civilians is unacceptable but the economic benefits of war, for those that sell weapons, as well as the control of oil reserves for those that produce and export oil, may be something that nations are willing to accept for the sake of economic profit. PW increased terrorist acts in a worldwide aspect but what other strategy could be used to counter terrorism in our contemporary era?

European Union Intelligence Sharing Strategies

The EU strategy differs from the US preemptive framework. The EU is more inclined to institutions, cooperation and trust within the EU members. “The EU counter-terrorism policy has four main strands of work, which have been presented in the 2005

EU Counterterrorism Strategy under the headings of ‘prevent’, ‘protect’, ‘pursue’ and ‘respond’ (Kaunert 2013, 128). Each of these phases are focused on counter terrorism but not with an offensive intention but with a defensive one by sharing information. “It can therefore be argued that information-sharing is one of the most crucial aspects of EU counter-terrorism cooperation” (Kaunert 2013, 128). To understand how IS is highly relevant the main principles should be presented.

The EU’s IS strategies are based in four substantial principles. “Safeguarding fundamental rights, the necessity of collecting and sharing data, ensuring that EU activities do not violate the subsidiarity principle, and the basing the sharing of risk assessments on accurate evidence and not merely hypothetical threats” (Kaunert 2013, 124). With these principles the EU is able to operate within a moral framework that respects individual privacy and work under international law.

There are different systems that the EU applies as security strategies. For instance, the Eurodac and the VIS data bases as well as the EUROPOL’s strategies will be reviewed to understand how IS works in the EU to combat terrorism in an effective manner. “It is necessary to highlight that Eurodac was established pre 9/11 and VIS in post 9/11” (Kaunert 2013, 125). Both of them are data bases that are used by the EU nations as channels of information. According to Connolly and Begg, “a database can be defined as ‘a shared collection of logically related data (and a description of this data), designed to meet the information needs of an organization” (Kaunert 2013, 125). This definition is helpful to comprehend how Eurodac and VIS work in the EU.

Eurodac functioning is useful for every nation inside the EU and for their respective security agencies. Eurodac’s “central database stores fingerprint data of asylum seekers, which national authorities collect at the time of the asylum application, as well as the fingerprint data of persons who have been apprehended while attempting

to cross an external border irregularly” (Kaunert 2013, 126). This means that intelligence analysts are able to compare fingerprint data to deduce if a person has asked for asylum on another State. “National databases that contain the fingerprint data of asylum seekers for the purpose of combating crime, and that those who consult such databases for criminal investigations consider the hit rate significant” (Kaunert 2013, 126). Eurodac is a fundamental tool for gathering and sharing information to combat threats, as there are many nations uploading information it becomes easier to track any person or group which aims to provoke instability.

VIS has a similar functioning and objectives than Eurodac as both of them were related databases to exchange information regarding different data. “In February 2002, the European Council called for the development of a ‘European Visa Identification System’, as part of a plan to combat illegal immigration and the trafficking of human beings in the EU” (Kaunert 2013, 127). This data base is also used by the EU intelligence services to analyze and track terrorist members and their organization. “The VIS records alphanumerical data concerning the visa applicants, biometrical data, including digital photographs and fingerprints, as well as links to the application files of those travelling together and to previous visa applications” (Kaunert 2013, 128). VIS is also useful for exchanging data between the EU members. It allows them to analyze “concerning applications for short-stay visas in order to check the authenticity of visas and the identity of their holders” (Kaunert 2013, 128). This information is useful for controlling human migration as there could be criminals or terrorist moving freely.

This database system also allowed the Europol to acquire relevant information to tackle terrorism. “Council Decision 2008/633/JHA of June 23th, 2008 concerning access for consultation of the VIS by designated authorities of Member States and by Europol for the prevention, detection and investigation of terrorist offences and of other serious

criminal offences” (Kaunert 2013, 135). This leads us to analyze the Europol’s strategies to counter terrorism in the EU.

With emerging threats and security problems Europol needed to evolve. “After the 9/11, the Madrid attacks on 2004 and the London 2005 terrorist attacks Europol was attributed a more expanded counterterrorist mandate” (Bosilca 2013, 10). For instance, under the Europol command the European Counter Terrorism Centre (ECTC) was established. Its mission was “to engender trust and raise awareness among national counter terrorism authorities about exiting cooperation instruments at EU level” (Kaunert 2013, 136). With this Centre it was possible to develop the Europol Information Systems (EIS).

Europol also acquired tools that allow the organization to receive relevant information regarding criminals. “The EIS is Europol’s central criminal information and intelligence database covering all of Europol’s mandated crime areas. It contains serious international crime- related information on suspects, convicts and potential future criminals” (European Police Office 2011, 10). The EIS is composed by the Secure Information Exchange Network Application (SIENA) and Terrorism Financing Tracking Program (TFTP).

The EU needed to create a system which permit them to transfer information and upload intelligence from different nations, as a consequence they developed SIENA. “SIENA is a next-generation tool designed to enable swift, secure and user-friendly communication and exchange of operational and strategic crime-related information and intelligence between Europol, Member States and third parties that have cooperation agreements with Europol” (European Police Office 2011, 13). In December SIENA only had information about 18 terrorist fighters, but after almost a year of IS between security

agencies and third parties by “November 2015, the figure has increased further, to 1595 foreign terrorist fighters” (European Police Office 2011, 13).

The TFTP allows to share information regarding funds or financial movements that terrorist or people linked to terrorist organizations do. This has become one fundamental tool to combat terrorism since it allows to prevent it by cutting down their incomes. The “value of the TFTP in the area of counter terrorist financing activities remains high. Overall, to date, more than 14,500 intelligence leads have been generated by the TFTP since it came into force in 2010” (Europol 2017, 21). SIENA as well as TFTP are effective IS strategies that allow security agencies to identify, track, combat and eliminate terrorist threats in the EU as it can be shown in Eurpol’ report.

On 2017 the Europol developed the Terrorism Situation and Trend Report revealing information about the number of terrorist attacks that took place and that were aborted, also it shows how many people have been arrested and killed. “In 2016, 142 failed, foiled and completed attacks were reported by eight Member States. 76 of them were by the UK. France reported 23 attacks, Italy 17, Spain 10, Greece 6, Germany 5, Belgium 4 and Netherlands 1. Of the 142 attacks, less than half (47) were completed” (Europol 2017, 10). Because of the EIS it was possible to dismantle 95 terrorist attacks, this demonstrates the relevance of IS and cooperation in enhance communication channels by that bases previously mentioned.

Along time Europol’s strategies become more effective, the report provided by the security organization have shown that terrorist attacks were reduced while the numbers of terrorist that were arrested increased. “In 2014 there were a total of 226 terrorist attacks in Europe, after two years this number was reduced to 142 attacks” (Europol 2017, 17). Regarding the numbers of arrested terrorist and people related to terrorist organizations in 2014 also increased. “There was a total of 774 arrests while on

2016 the figure increased to 1002” (Europol 2017, 17).

Not only the dismantling of terrorist attacks is product of an efficient IS program but also the arrested terrorist fighters that will not be able to attack civilians. “Over time terrorist attacks were reduced and the number of arrested terrorist fighters are the cause of the effect. In 2016, 1002 terrorist related arrests took place, while on 2015 only 1077” (Europol 2017, 17). The TFTP was also helpful in tracking the financing of terrorism and in arresting 169 people because of terrorist activities like preparing, financing, assisting, attempting or executing attacks.

The Europol strategies regarding IS led to an increasing number of individuals in concluded court proceedings for terrorist offences. “The individuals that were tried in 2014 sum 444, in 2015 a total of 513 and 580 in 2016 respectively” (Europol 2017, 15). Each of these individuals had different punishments according to the severity of their offenses. “The guilty verdicts pronounced by courts in the EU in 2016 resulted in various penalties including imprisonment, fines, treatment in mental health care facilities, community service and restraining orders” (Europol 2017, 15). It should be considered that Jihadists and separatist terrorist offences were punished with an average prison sentence from 5 to 20 years. The fact that terrorists will be imprisoned or treated in health care facilities may assure the weakening of terrorist organizations, due to the fact that they are being reduced in number with no further purpose for the recruitment of individuals in conflicted nations.

One factor that is determinant when combating terrorism is to tackle terrorist messages and propaganda in the web. “Terrorists have an interest in ensuring that their messages reach the audiences that they want to address. As they perceive themselves to be fighting for a legitimate cause, they need to justify their violent actions to supporters and opponents” (Europol 2017, 18). Through media terrorist organizations are able to

promote the recruitment of fighters, procure material and financial support and produce terror in the society that could be considered as the enemy. In order to tackle this Europol has a strict control of the means of communication within the European territory. In 2016 terrorist groups continued to use online services for communication in targeted and diverse ways. “Terrorist propaganda was spread primarily through social media platforms and file sharing sites. Because of lower production rates and containment of dissemination it was possible to reduce the terrorist propaganda in 2016” (Europol 2017, 18). Europol strategies have been reviewed demonstrating its efficacy, however there is still terrorist activities.

Even though Europol efforts to counter terrorism may be very effective in dismantling terrorist attacks, capturing and prosecuting terrorist attackers and tackling terrorist propaganda it is not perfect. “In 2017 the European states declared that terrorist attacks lead to the death of 142 and 379 people injured” (Europol 2017, 16). This show that the Europol efforts may not be enough but may become sufficient in the future as more technological and IS strategies are discovered or enhanced.

Conclusion

The objective of this article was to determine which strategy, PW or IS was better to combat terrorism. With a review of the Afghanistan and Iraq wars it was possible to understand how preemption and US’ PW work. It was also possible to explore the EU security strategies established by Europol focused on IS to combat terrorism.

Because of superior military capability the US was able to manage the war, but after the war many insurgencies took place allowing extremist groups to develop such as ISIS and to allowing the raise of terrorism as more terrorist attacks took place after the

US interventions. The war in Afghanistan and Iraq left many casualties and the death of hundreds of thousands of innocent and non-innocent people. These wars created economic, social and political instability, failing to liberate the Afghan and Iraqi people from terrorist groups and from a violent reality.

The EU with Europol and their IS strategies were able to develop effective channels to counter terrorism from a non-offensive perspective. Their strong institutions and data base systems allow the EU and the Europol to counter terrorism in an effective manner. This strategy is not perfect, but in a world full of violence and an imminent growing threat as terrorism it is better to defend ourselves than attacking the nations that harbor them creating more instability, death and motives or incentive for the rising of terrorism.

It was possible to analyze that because of different military and institutional capability the US and the EU counter terrorism differently. It is not possible to state which strategy is the best or better to tackle contemporary terrorism because this conflictive problematic is composed by many variables that need to be fought at the same time. PW and IS incarnate the diverse forms of combating terrorism and each sovereign state may be able to decide which strategy is preferable. Even though these strategies arise moral debates the national and international context will shape the states decisions towards each strategy.

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