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EU & OIC Positions on International Terrorism
A Comparative View on Definitions & Strategies*

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Abstract

Terrorism in all its forms constitutes a grave threat to the international peace and security.

The EU considers itself a key player in countering terrorism, with a broad number of relevant activities and instruments crossing the internal-external divide of EU competences. On the external side, initiatives encompass enhanced cooperation with international bodies, stemming the flow of terrorist financing, strengthening international intelligence sharing, and working with third countries to dismantle terrorist infrastructures through capacity-building to raise local competence.

The Organization of Islamic Conference (OIC) has been at the forefront in its efforts to deal with domestic, regional & international terrorism. It has been an important concern of the OIC. The OIC has repeatedly taken position that the subject of International and regional terrorism needs to be reviewed comprehensively.

Based on legal and international instruments, as the major question, I want to compare the views, definitions and strategies of the EU & OIC concerning the International Terrorism. Which are the common points and which are the differences?

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EU. OIC. Terrorism. Comparison

1. Introduction:

Terrorism in all its forms constitutes a grave threat to the international peace and security. It is a threat to all States and to all peoples. It poses a serious threat to the world security, to the values of democratic societies and to the rights and freedoms of all citizens, especially through the indiscriminate targeting of innocent people.

Terrorism has plagued World for decades, with few countries being spared the wrath of terrorist activities. For a period of time these terrorist activities were mainly committed by groups with separatist motivations, and thus were handled by national governments. Terrorism's threat to democracy, human rights and general social development has been reverberated in numerous conventions and official government documents.

The EU considers itself a key player in countering terrorism, with a broad number of relevant activities and instruments crossing the internal-external divide of EU competences. On the internal side, efforts include border cooperation, improved information sharing, critical infrastructure protection, and common arrangements for pursuit and prosecution. On the external side, initiatives encompass enhanced cooperation with international bodies, stemming the flow of terrorist financing, strengthening international intelligence sharing, and working with third countries to dismantle terrorist infrastructures through capacity-building to raise local competence.

The Organization of Islamic Conference (OIC) has been at the forefront in its efforts to deal with domestic, regional & international terrorism. It has been an important concern of the OIC. Terrorism has become an issue where the OIC member states have fully supported a consensus in the UN General Assembly. This in accordance to the implementation of the UN Global Counter-Terrorism Strategy and the conclusion of the drafting of a international comprehensive anti terrorism convention where the definition of terrorism has yet to be identified.

The OIC has repeatedly taken position that the subject of International and regional terrorism needs to be reviewed comprehensively. Such comprehensive review would include examination of substantive issues. Conceptual and definitional problems would also need to be revisited. In its Ninth Summit (in Doha, the State of Qatar during November 2000,) the final communiqué dealt with the issue of definition of terrorism in the following concepts. The OIC expressed again its support for the convening of a conference under the aegis of the UN to define the concepts of terrorism and make a distinction between terrorism and people's struggle for national liberation. OIC has stressed the importance on differentiating the struggles of the Palestinian people for independence and acts of terrorism.

Based on legal and international instruments, as our major question, we want to compare the views, definitions and strategies of the EU & OIC concerning the International Terrorism. Which are the common points and which are the differences?

2. History and Background

2.1. EU initiatives:

The beginning of the modern era of European counter-terrorism can be located in the 1970s with the establishment in 1975 of the Terrorism, Radicalism, Extremism, and International Violence group, or TREVI group, and with the European Convention on the Suppression of Terrorism (ECST) in 1977.

The TREVI group was formed by European police officials in order to exchange information and provide mutual assistance on terrorism and related international crimes. It was initially a forum for exchanging information regarding organized crime and terrorism. It consisted of high level gatherings of Interior and Justice Ministers and top national security officials. The co-operation activities of the TREVI group were subsequently formally approved by the Ministers of Justice and Home Affairs of the then European Economic Community. The TREVI group lasted until 1992, when it was replaced by the provisions of the Maastricht Third Pillar involving immigration and asylum, policing, customs and legal co-operation.(Peek.1994 :201-207)

Beyond TREVI, unified Europe created additional co-operative arrangements to combat terrorism, such as the Police Working Group on Terrorism and the Counter Terrorist Group. In 1993, the TREVI Group and other European institutions dealing with judicial, customs, and immigration issues were brought together in one new structure under Title VI of the Treaty of European Union.(TEU.1992) Title VI concerned all the compensatory

measures that would have to be taken once the removal of border controls between the Member States of the EU had been accomplished.(Benyon.1997 :103-122)

The Maastricht Treaty also mandated the creation of the European Police Office (Europol). In 1997, a counter-terrorism preparatory group was created to formulate Europol's role in matters of counter-terrorism and Europol became operational in 1998. (Rauchs.2001:43-62)

In spite of the increasing police co-operation through the TREVI Group and other similar organizations aimed at strengthening bilateral co-operation, it is nonetheless to underline that till the 11 September 2001 attacks in New York and Washington the European co-operation in the field of counter-terrorism remained fairly limited due to the resistance of the EU Member States to ceding to the EEC (and then to the EU) part of their sovereignty, in a delicate field such as security.(Wilkinson.2005 :29-31)

- **EU Response to the Attacks of 11 September 2001**

The attacks on America in 2001 and, more recently, the Madrid and London bombings in 2004 and 2005, have shown a new, different threat Europe has to face. Hence, the appearance of the new security threat of international terrorism urged the necessity of elaborating a new counter-terrorist strategy to fight a menace very different from the previous (mainly domestic) terrorism that Europe faced in the past.(Hippel.2005 :171)

Following the 9/11 attacks the Member States of the European Union adopted a range of measures to fight terrorism. On 21 September, the European Council, during its extraordinary meeting, stated that “Terrorism is a real challenge to the world and to Europe and that the fight against terrorism will be a priority objective of the European Union”. (Council of the European Union.2001)

This was followed by the adoption of a first comprehensive EU Action Plan to Fight Terrorism. (EU Action Plan on Combating Terrorism) A detailed “Road Map” as regards the implementation of the Action Plan was drawn up in October 2004. A further important legal instrument to respond to the threat of terrorism was the Council Framework Decision on Terrorism. It was agreed upon at the Justice and Home Affairs Council of 6 and 7 December 2001 and aimed at improving legal harmonization of Member States’ legislations. (Council Framework Decisions on Combating Terrorism.2002)

In the wake of the terrorist attacks in Madrid in March 2004, the Justice and Home Affairs Ministers drew up an ambitious Declaration on Combating Terrorism, which was adopted by the European Council on 25 March 2004. (Council of the European Union.2004) The European Council endorsed the revised EU Action Plan on Combating Terrorism on 18 June 2004. The EU Action Plan identifies a series of measures such as joint investigation teams of police and magistrates from throughout the EU, routine exchange of information about terrorism among the Member States, a specialist anti-terrorist team within Europol and a co-operation agreement between Europol and the relevant US authorities. The Action Plan

establishes high level Strategic Objectives for the EU action in preventing and combating terrorism. (Council of the European Union. July 2005) In December 2005 the Justice and Home Affairs Ministers approved a new European Union Counter-Terrorism Strategy(Council of the European Union. December 2005) which aims at covering four strands of work: Protect Prevent, Pursue, and Respond. Across these four categories, the strategy seeks to link strands from different policy areas and emphasize close interaction of measures at the Member State, the European and the international level.

The EU Counter-terrorism Strategy is not only a set of almost 200 counter-terrorism measures, grouped around the above-mentioned four key concepts, but it is also an attempt to set out the EU policy in the fight against terrorism in a comprehensive and consistent fashion, which is comprehensible also for the general public. (Den Boer.2003:189)

At the operational level, the most important achievements in the EU fight against terrorism after 9/11 have been the strengthening of the role of Europol, the establishment of Eurojust and of the External Borders Agency (FRONTEX), and the appointment of an EU Counter-terrorism Co-ordinator. Among legal instruments, beyond the Framework Decision on Combating Terrorism of 13 June 2002, the most relevant have been the introduction in 2004 of the European Arrest Warrant, replacing the previous national extradition tools and, most recently, the European Evidence Warrant, creating a standard form warrant for obtaining objects, and documents in cross- border cases.(EU Council Secretariat.2007)

2.2. OIC Initiatives:

The first background could be traced at the Mecca Al Mukarramah Declaration of Third Islamic Summit Conference which was held in Mecca 25-28 January 1981. Through this conference, Heads of State and Government of the Member States of the OIC assembled to emphasize on some important rights of peoples and nations in the world. As they declared: “The belief of all Muslims in the eternal principles of liberty, justice, human dignity, fraternity, tolerance and compassion and their constant struggle against injustice and aggression reinforces their determination to establish just peace, and harmony among peoples, to ensure respect for human rights, and to work for the strengthening of international organizations based on humanitarian principles and peaceful co-existence among nations. Thus a new age would dawn wherein relations between nations would be governed by principles and not by force, and wherein all forms of oppression, exploitation, domination, injustice, colonialism and neo-colonialism, as well as all kinds of discrimination on grounds of race, color, creed or sex would be banished forever from this earth”.

They declared that only firm adherence to their faith will enable them to retain the strength of their social structures and help their communities to avoid succumbing to the disunity and degradation of the past when many Muslim homelands, particularly Al Quds Al Sharif - the first Qibla and the third holiest shrine of the world of Islam fell) prey to foreign domination. (The Mecca Declaration.1981)

By this declaration, the OIC tried to found one basic pillar for its policies concerning the combating terrorism. The terrorist activities should be distinguished from the struggle for the right of self determination. (Ibid)

In 1987, the OIC at the 5th Islamic Summit Conference, by the RESOLUTION 19/5-P (IS) ON INTERNATIONAL TERRORISM OF ALL TYPES AND FORMS (26-29 January, 1987) declared its commitment to the teaching of the tolerant Islamic Sharia which forbids causing terror to innocent people and aggression on their life and the burdened soul shall not bear the burden of another".

Based on its Charter, the OIC expressed deep concern and alarm at the emergence and aggravation of the phenomenon of international terrorism in all its forms and manifestations in various parts of the world and affirmed deep regret over the death of innocent people and the heavy losses in properties in Islamic and other States;

The OIC pointed out to a very important topic of its major concerns by strongly denouncing and rejecting biased and false claims and allegations propagated by circles hostile to Islam and Muslims, which seek to link the phenomenon of terrorism and its abhorrent escalation to Muslims.

The OIC stated its policies as the following:

1-Categorically condemns all acts and forms of criminal international terrorism as a violation of Islamic teachings, international conventions and human values.

2-Declares the full readiness of the Islamic States to cooperate among themselves and with other members of the international community to eliminate the phenomenon of international terrorism.

3-Rejects and strongly condemns the use by any country of terrorism as an instrument of the foreign policy.

4- Calls upon Members States to fully commit themselves to condemn and refuse to support terrorists directly or indirectly, to shelter or train them in acts of violence and aggression, or to encourage them to carry out such acts.

5- Urges Member States to fully commit themselves not to acquiesce to the demands of terrorists as such demands constitute a blackmail which contradicts the teachings of Islam and is contrary to the interests of States and peoples which require the foiling of terrorist schemes and goals.

6- Calls for following up and supporting the efforts being made within the United Nations to deal with the problem of terrorism. (Resolution 19/5.1987)

At the same Summit Session, by the Resolution 20/5-P(IS),the OIC Supported the idea of convening an international conference sponsored by the United Nations to examine the question of international terrorism and to establish the difference between terrorism and 'the struggle of peoples for their inalienable national causes and the liberation of their territories.(Resolution 20/5.1987)

The OIC through the Resolution 16/6-P, in the Sixth Islamic Summit Conference, held in Dakar, December1991 declared its decision on the control of the phenomenon of intellectual terrorism and extremism.(Resolution 16/6.1991)

Resolution NO.43/21-P, in 1993 as an initiative persist on convening of an International Conference under the auspices of the

UN to define the meaning of terrorism and distinguish it from peoples struggle for national liberation. (Resolution 43/21.1993)

The OIC, through Resolution NO.42/22-P, in the Twenty Second Islamic Conference of Foreign Ministers, held in Casablanca, December 1994 expressed its wish for outstanding more its concerns especially distinguishing the struggle for the right of self determination from the terrorist activities.

The OIC affirmed as the following:

Proceeding from the conviction that there is an international consensus on combating terrorism in all its forms; eliminating the evils and causes of terrorism directed against the life and property of innocent people, the violation of the sovereignty of States, and the jeopardizing of the rights of peoples;

Convinced of the need for drawing clear-cut and agreed upon international criteria, enabling to differentiate clearly between terrorism and people's struggle for national liberation;

Emphasizing the need for Islamic cooperation to take practical measures whereby terrorism is effectively fought and checked;

Confirming the inalienable and legitimate right to self-determination and independence for all peoples living under colonial and racist regimes and foreign occupation, and particularly the struggle of national liberation movements;

Condemning all terrorist acts, including acts perpetrated by States, either directly or indirectly, which spread violence and terror and aim at destabilizing countries and societies;

Denouncing the frantic attempts at obliterating the distinction between terrorism and the legitimate struggle of peoples which conforms to the principles of international law and the provisions of the Charters of the O.I.C. and the U.N.;

Recalling U.N. General Assembly Resolution 1514 (1960) on granting the right to self-determination and independence to colonized countries and peoples, and U.N. General Assembly Resolution 42/104, adopted on 7 December 1987;

Reiterates its support for convening an International Conference under the auspices of the United Nations to define terrorism and to distinguish it from the struggle of peoples for national liberation. (Resolution 42/22.1994)

The OIC at same conference by Resolution NO.43/22-P approved the Code of Conduct for the Member States of the OIC on Combating international terrorism. (Resolution 43/22.1994)

Through this code, the Member States have agreed on a large number of policies for combating international terrorism. But the 4th paragraph insisted on a very important concern of the OIC. They have affirmed their determination and commitment to enhance their information and media activities so as to counter biased campaigns against Islam, by highlighting the true image of their noble religion and exposing the schemes of terrorist groups, duality of their message and the danger of their role to the stability and security of member states. (Ibid)

For following the code of conduct for combating International Terrorism, the Resolution NO.54-8-P/(IS) has been issued through the 8th Session of the Islamic Summit Conference, held in Tehran, December 1997. (Resolution 54/8.1997)

As a milestone for the OIC in its strategies, it adopted the “Convention of the Organization of the Islamic Conference on Combating International Terrorism” through its session of foreign ministers in 1999 at Ouagadougou. This Convention with 42 articles is considered as an axial guide for the OIC. The Strategy of combating the International Terrorism is continued by the successive initiatives like “Kuala Lumpur Declaration on International Terrorism” in 2002, (Kuala Lumpur Declaration.2002)

As the similar manner, we could observe the successive instruments issued by OIC like Resolution 12/33 in 2006, the International Conference, Terrorism: Dimensions, Threats and Counter measures (Tunis, 15-17 November 2007), the Resolution 15/36 in 2009 and finally the Resolution 20/37 in 2010.

3. Definitions

3.1. EU Definitions:

At the European level, under the Council of Europe’s aegis, the greater homogeneity of European States’ interests made possible, as soon as 1977, the signature of the European Convention on the Suppression of Terrorism.(European Convention.1977)

One should however stress that this Convention does not offer a comprehensive definition of terrorism, since its objective is of a procedural nature (i.e. the prosecution of terrorist acts by Contracting Parties). It draws up a list of terrorist acts defined either autonomously or by reference to international conventions.

According to Article 1 of the European Convention on the Suppression of Terrorism: “For the purposes of extradition between Contracting States, none of the following offences shall be regarded as a political offence or as an offence connected with a political offence or as an offence inspired by political motives: (a) an offence within the scope of the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970; (b) an offence within the scope of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971; (c) a serious offence involving an attack against the life, physical integrity or liberty of internationally protected persons, including diplomatic agents; (d) an offence involving kidnapping, the taking of a hostage or serious unlawful detention; (e) an offence involving the use of a bomb, grenade, rocket, automatic firearm or letter or parcel bomb if this use endangers persons; (f) an attempt to commit any of the foregoing offences or participation as an accomplice of a person who commits or attempts to commit such an offence.”. The definition of the offences listed at Article 1 (c) to (e) emphasizes the danger represented by the use of certain means for committing a crime and it does not take into account the specific intention required for a terrorist offence. Hence, it does not represent a proper definition of terrorist acts.

The European Convention on the Suppression of Terrorism is the first to address a wide spectrum of terrorist acts and to impose on States the obligation not to consider them as political offences, offences connected with a political offence or as offences inspired by political motives.

3.1.1. Legal Basis for EU. Intervention

- Institutional Context

Article 29 TEU mentions the establishment of a space of freedom, safety, and justice as one of the E.U.'s objectives. In particular, this implies the development of an effective fight against terrorism at the European level. The Union has several tasks to fulfill and a variety of instruments at its disposal, an emphasis being laid upon the approximation of Member States' criminal laws in accordance with Article 31(1)(e) TEU. This provision expressly mentions terrorism as one area where minimal rules on the constitutive elements of crimes and on sanctions should be adopted by the European Union. The need for approximation of national criminal laws on terrorism is also recalled at point 46 of the *Action Plan of the Council and the Commission on how best to implement the provisions of the Treaty of Amsterdam on an area of freedom, security and justice*, adopted by the Justice and Home Affairs Council of 3 December 1998.

At its extraordinary meeting on 21 September 2001, convened in the aftermath of the 11 September 2001 attacks, the European Council reached an agreement on the necessity of a European definition of terrorism. It gave instructions (Lodge. 2004 :246-286) to the Justice and Home Affairs Council to "flesh out that agreement and to determine the relevant arrangements, as a matter of urgency and at the latest at its meeting on 6 and 7 December 2001."(Conclusions and Plan of Action.2001) A Framework Decision was rapidly negotiated and adopted by the Council on 13 June 2002; (Council Framework Decision .2002) 31 December 2002 was agreed on as the deadline for transposition into national law.

- **The Framework Decision**

According to Article 31(e) TEU, the E.U. resorts to framework decisions for approximating Member States' criminal law. The legal *regime* of the framework decision is similar to that of directives under Community law, its main characteristic residing in the wide freedom of implementation granted to the Member States. The limits of this freedom vary and, as far as the definition of terrorist offences is concerned, they are quite narrow. Article 1(1) of the Framework Decision, for example, is written in a manner more reminiscent of an EC Regulation than of an EC Directive.

The Framework Decision distinguishes three types of offences: terrorist offences (Article 1), offences relating to a terrorist group (Article 2), and offences linked to terrorist activities (Article 3). According to Article 4, inciting, aiding or abetting, and attempting to commit one of the offences referred to in Articles 1 to 3 must also be incriminated in national law.

3.1.2. Terrorist offences

Under Article 1 of the Framework Decision, the terrorist offence is characterized by two objective elements (incrimination under national law and effective or potential consequences) and a subjective one (the aim of: "seriously intimidating a population," "unduly compelling a Government or international organization to perform or abstain from performing any act," or "seriously destabilizing or destroying the fundamental ... structures of a country or an international organization.").

In order for an act to be qualified as a terrorist offence under the Framework Decision, judicial authorities thus have to answer the following three questions: a) is the act at stake already incriminated under national law? b) By its nature or context, does the act “seriously damage a country or an international organization”? c) Was the act committed for one of the aforementioned aims?

3.1.3. Offences Relating to a Terrorist Group

Article 2(1) of the Council Framework Decision gives a definition of the terrorist group and states that Member States shall make punishable the direction of and participation in the activities of such a group. This provision largely draws on the “criminal organization” definition already endorsed by the Council in its Joint action of 21 December 1998 on making it a criminal offence to participate in a criminal organization in the Member States of the E.U.

3.1.4. Offences linked to terrorist activities

Offences linked to terrorist activities that are listed in Article 3 of the Framework Decision, were not mentioned in the Commission’s proposal. They were added by the Council and constitute an innovation with regard to international precedents. This amendment can certainly be explained by the Member States’ will to be enabled to prevent terrorist acts from their earliest stages.

The implementation of Article 3 could prove to be problematic since its scope of application is difficult to assess. To take but one example, the establishment of forged documents in order to prepare a terrorist offence constitutes an offence hardly distinguishable from

the complicity of a terrorist offence, which is dealt with under Article 4. (Dumitriu. 2004:598)

3.2. OIC Definitions:

The OIC as one of its major concerns has tried to persuade the international community for proposing a precise definition of terrorism which is distinguished forthrightly from the struggle of peoples for their inalienable national causes and the liberation of their territories. Through the resolution NO.42/22-P in 1994, the OIC reiterates its support for convening an International Conference under the auspices of the United Nations to define terrorism and to distinguish it from the struggle of peoples for national liberation.

The OIC states its clear definition of International Terrorism in the second paragraph of the first article of its convention of 1999. Based on this instrument, "**Terrorism**" means any act of violence or threat thereof notwithstanding its motives or intentions perpetrated to carry out an individual or collective criminal plan with the aim of terrorizing people or threatening to harm them or imperiling their lives, honor, freedoms, security or rights or exposing the environment or any facility or public or private property to hazards or occupying or seizing them, or endangering a national resource, or international facilities, or threatening the stability, territorial integrity, political unity or sovereignty of independent States. "**Terrorist Crime**" means any crime executed, started or participated in to realize a terrorist objective in any of the Contracting States or against its nationals, assets or interests or foreign facilities and nationals residing in its territory punishable by its internal law. 4th paragraph adds the following:

Crimes stipulated in 12 international conventions are also considered terrorist crimes with the exception of those excluded by the legislations of Contracting States or those who have not ratified them.

The OIC at the same instrument, in the second article indicates “Peoples struggle including armed struggle against foreign occupation, aggression, colonialism, and hegemony, aimed at liberation and self-determination in accordance with the principles of international law shall not be considered a terrorist crime.

The Instrument emphasize that none of the terrorist crimes mentioned in the previous article shall be considered political crimes.

In the implementation of the provisions of this Convention the following crimes shall not be considered political crimes even when politically motivated:

1. Aggression against kings and heads of state of Contracting States or against their spouses, their ascendants or descendants.
2. Aggression against crown prince's or vice-presidents or deputy heads of government or ministers in any of the Contracting States.
3. Aggression against persons enjoying international immunity including Ambassadors and diplomats in Contracting States or in countries of accreditation.

4. Murder or robbery by force against individuals or authorities or means of transport and communications.
5. Acts of sabotage and destruction of public properties and properties geared for public services, even if belonging to another Contracting State.
6. Crimes of manufacturing, smuggling or possessing arms and ammunition or explosives or other materials prepared for committing terrorist crimes.(Convention of OIC.1999)

4. Strategies:

4.1. EU Strategies:

Terrorism poses a significant threat to the security of Europe, to the values of the democratic societies and to the rights and freedoms of European citizens.

Action by the European Union has intensified since 9/11, and in particular since the horrendous attacks in Madrid (2004) and London (2005). Following proposals by the Presidency and the Counter-Terrorism Coordinator the Council adopted the EU Counter-Terrorism Strategy, which commits the Union to combat terrorism globally while respecting human rights, allowing its citizens to live in an area of freedom, security and justice. The EU's Counter-Terrorism Strategy covers four strands of work: Prevention, Protection, Pursuit and Response.

-Prevent

The first objective is to prevent people turning to terrorism by tackling the factors conducive to the spread of terrorism which can lead to radicalization and recruitment, in Europe and internationally.

- To improve coordination between the Member States and the Union the Council has adopted a strategy and a detailed action plan to combat radicalization and recruitment (2005). Implementing measures include initiatives by Member States and Europol to address radicalization in prisons and to counter violent radicalization through the Internet. Work has started to prepare a European strategy on community policing.

- Through its military and civilian crisis management operations under ESDP, the EU

Contributes to improving the security environment which influences the conditions for

Violent radicalization in third countries. Examples include the Aceh operation (2006), the

Rafah border monitoring mission (Gaza) and the planned police support mission in

Afghanistan (2007). Additional civilian capabilities to prevent and counter terrorism under ESDP are being identified within the Civilian Headline Goal 2008.

- EU aid projects to third countries in the field of good governance and the rule of law are addressing factors which can contribute to

radicalization and recruitment (Euromed, Western Balkans, ASEM, cooperation with Algeria and Morocco).

- With the Euromed countries the EU has organized expert meetings to analyze and compare processes of radicalization in the Mediterranean area. The Commission will organize a Euromed conference on the role of the media in preventing incitement in 2007.

- **Protect**

The second objective of the EU strategy is to protect citizens and infrastructure and reduce our vulnerability to attack, including through improved security of borders, transport and critical infrastructure.

- Measures to improve the *protection of borders* include the Directive to include biometric features in EU passports (2005), the establishment of the FRONTEX agency (2005), and the modernization of the Community Customs Code (2005). Political agreement on the SIS II System has been reached in the Council (2006). A Regulation on the Visa Information System is under negotiation in the Council and the Parliament. The Commission is currently undertaking an impact assessment of the need to set up a European Passenger Name Record system. European customs and border protection services have organized joint exercises to prevent the smuggling of radiological material which could be used to fabricate a 'dirty bomb'.
- Measures to improve the *security of transport* include the adoption of the Ports Security Directive (2005) and the initiatives to improve

the security at European airports following the aborted attack on transatlantic aircraft in the UK (2006). Measures to reinforce European standards on aviation security (revision of Regulation 2320/02) are in the process of codecision with the European Parliament.

- At the request of the European Council wide-ranging measures to improve the *protection of critical infrastructure* have been proposed by the Commission in December 2006. A Directive establishing a procedure for the identification and designation of European Critical Infrastructure has been put forward. A European rapid alert system to respond to emergencies is being prepared (Critical Infrastructure Warning Information System).
- A monitoring regime to control the manufacturing of substances used in the production of explosives is being prepared by the Commission and is a priority of the German Presidency.

- **Pursue**

The third objective of the Counter-Terrorism Strategy is 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 to bring terrorists to justice.

- The *European Arrest Warrant*, which has so far led to the extradition of more than 2000 criminal suspects, is increasingly being employed as a tool against terrorism and other forms of major crime. Building on this experience the Council has reached political agreement on a proposal to create a *European Evidence Warrant*

(2006). The Council also adopted a Framework Decision to allow mutual recognition of *confiscation orders* (2006).

- Recent initiatives to *combat the financing of terrorism* include the Third Money Laundering Directive (2005), the Regulation on cash couriers requiring disclosure of cash or equivalent in excess of € 10000 (2005), and the Regulation on funds transfers (2006). A draft Regulation on alternative remittance systems (payments services) is currently before the Council.
- Several measures aim at *strengthening information exchange* in the fight against terrorism. A Common Position to improve information sharing on lost and stolen passports, including with Interpol, was adopted in 2005. A Directive on the retention of data was adopted in 2006, as was a Framework Decision on simplifying the exchange of information and intelligence between law enforcement agencies. A proposal to improve the exchange of information on criminal convictions is under discussion in the Council and the Parliament.

Seven Member States signed the Treaty of Prüm (2005) which allows national law

Enforcement authorities access to data bases in other Member States (including of

Fingerprints and DNA), and which facilitates cross-border police cooperation. Efforts to

Integrate the Prüm Treaty into the European Union are under discussion in the Council.

- **Respond**

The fourth objective of the EU Counter-Terrorism Strategy is 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 coordination of the response, and the needs of victims.

- Military assets and capabilities have been identified which could support coordinated EU disaster response efforts. They include strategic transport (air/sea), tactical transport

(Helicopters), medical units, field hospitals and logistics. Procedures have been finalized for matching transport needs and available military owned or chartered transportation facilities from Member States.

- Several initiatives have been taken to improve consular protection of EU citizens in case of terrorist attacks or natural disasters in third countries. Additional proposals have recently been tabled by the Commission.

- A Financial Instrument for Community Action in the field of civil protection (2007-2013)

has been created. This will enable the Union to support prevention, preparedness and

Response to man-made and natural disasters both inside and outside the Union (indicative annual budget: € 25 million).

- A pilot project has been launched to help victims of terrorism and their families. Additional funds for support to victims have been set aside under the Programme for the prevention of and fight against crime 2007-2013.

International cooperation

The fight against terrorism plays a significant and growing part in the Common Foreign and Security Policy of the Union and in its wider international relations.

- With strong backing from the Union the United Nations is increasing its role in combating terrorism. Examples include the adoption of the Convention against Nuclear Terrorism (2005) and the adoption of the UN Counter-Terrorism Strategy (2006). The EU continues to push for a comprehensive UN convention against terrorism. In its relations with third countries the EU consistently urges the ratification and implementation of the existing 16 UN conventions and protocols against terrorism.
- Between 2004-2006 annual high-level political dialogues on counter-terrorism have been initiated between the EU and the USA, Russia, India, Pakistan, Australia and Japan. Egypt has requested the EU to open a similar dialogue. In the framework of the Asia-Europe Meetings (ASEM) the EU has co-hosted two regional conferences on inter-faith dialogue (Bali, 2005; Cyprus, 2006). A follow-up meeting will be held in Beijing in 2007. Since 2004 the EU has co-organized an annual dialogue to combat terrorist financing with the countries of the Gulf Cooperation Council. (EU Council Secretariat, 2007)

4.2. OIC Strategies:

The OIC Strategies could be classified into four measures: Prevention, Combating, Cooperation and Education.

A. Preventive Measures:

1. Barring their territories from being used as an arena for planning, organizing, executing terrorist crimes or initiating or participating in these crimes in any form; including preventing the infiltration of terrorist elements or their gaining refuge or residence therein individually or collectively, or receiving hosting, training, arming, financing or extending any facilities to them.
2. Cooperating and coordinating with the rest of the Contracting States, particularly neighboring countries which suffer from similar or common terrorist crimes.
3. Developing and strengthening systems relating to detecting transportation, importing, exporting stockpiling, and using of weapons, ammunition and explosives as well as other means of aggression, killing and destruction in addition to strengthening trans-border and custom controls in order to intercept their transfer from one Contracting State to another or to other States unless they are intended for specific legitimate purposes.
4. Developing and strengthening systems related to surveillance procedures, securing borders, and land, sea

and air passages in order to prevent infiltration through them.

5. Strengthening systems for ensuring the safety and protection of personalities, vital installations and means of public transport.
6. Re-enforcing protection, security and safety of diplomatic and consular persons and missions; and regional and international organizations accredited in the Contracting State in accordance with the conventions and rules of international law which govern this subject.
7. Promoting security intelligence activities and coordinating them with the intelligence activities of each Contracting State pursuant to their respective intelligence policies, aimed at exposing the objectives of terrorist groups and organizations, thwarting their designs and revealing the extent of their danger to security and stability.
8. Establishing a data base by each Contracting State to collect and analyze data on terrorist elements, groups, movements and organizations and monitor developments of the phenomenon of terrorism and successful experiences in combating it. Moreover, the Contracting State shall update this information and exchange them with competent authorities in other Contracting States within the limits of the laws and regulations in every State.

9. To take all necessary measures to eliminate and prevent the establishment of webs supporting all kinds of terrorist crimes.

B. Combating Measures:

1. Arresting perpetrators of terrorist's crimes and prosecuting them according to the national law or extraditing them in accordance with the provisions of this Convention or existing Conventions between the requesting and requested States.
2. Ensuring effective protection of persons working in the field of criminal justice as well as to witnesses and investigators.
3. Ensuring effective protection of information sources and witnesses on terrorist crimes.
4. Extending necessary assistance to victims of terrorism.
5. Establishing effective cooperation between the concerned organs in the contracting States and the citizens for combating terrorism including extending appropriate guarantees and appropriate incentives to encourage informing on terrorist acts and submitting information to help uncover them and cooperating in arresting the perpetrators

C. Cooperation: Contracting States shall cooperate among themselves to prevent and combat terrorist crimes in accordance with the respective laws and regulations of each State in the following areas: Exchange of Information , investigation and Exchange of Experts.

D. Education and Information Field:

Based on forth article, the Contracting States should cooperate in:

1. Promoting information activities and supporting the mass media in order to confront the vicious campaign against Islam, by projecting the true image of tolerance of Islam and exposing the designs and danger of terrorist groups against the stability and security of Islamic States.
2. Including the noble human values, which proscribe the practice of terrorism in the educational curricula of Contracting States?
3. Supporting efforts aimed at keeping abreast of the age by introducing an advanced Islamic thought based on ijthihad by which Islam is distinguished. (Convention of OIC.1999)

5. Conclusion

For conclusion it can be stated that several topics are very important for the OIC in its policies on combating the international terrorism:

- Confronting Islam phobia and propaganda against the Islamic world
- Emphasizing on Legitimacy of national liberation struggles and distinguishing it from terrorist activities,
- Showing that Islamic World is itself victim of the terrorist activities,

But for EU the following factors are very important:

- Terrorism is considered as a significant threat to the security of Europe,

-The values of the democratic societies and the rights and freedoms of European citizens should be respected

-As a global view, each act of terrorism should be condemned.

As the common points we can affirm that

1. Both are very sensitive to the issue and they believe in condemning it very strongly
2. Both emphasize on respecting the UN Conventions concerning the issue.
3. Both believe that terrorist activities should not be considered as the political crimes in the local law,
4. Both expect from the Member States to play an active role in the issue.
5. Although each of them has a nearly regional attitude, but both try to give to the issue a global dimension.

As a final conclusion, due to this fact that there are some significant and common points between two organizations, many fields of mutual cooperation could be listed for a medium and a long term schedule.

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