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Let me begin by saying that we all want the same thing, which is to save lives without departing from our values in the process. As the opening speaker of the second session though I paid close attention to the deliberations of the first session and recognized that no one mentioned terrorism.

The [topic of our seminar](#) is not human rights; it is human rights and terrorism, and since no one spoke about the terrorism this morning I'll compensate for that. After all, the name of this session is "Current Counter-Terrorist Framework at the National and International Level." How can we discuss a counter-terrorist framework if we do not talk about the terrorist threat we face?

As such, I wish to make the following points.

First, I disagree with the name of this morning's session: "Human Rights at the Core of Counter-Terrorism." It is not. At the core of counter-terrorism is keeping people alive and safe; human rights is one of numerous considerations in carrying out this policy but it is not its core.

An [American court](#), in my opinion, displayed a similarly mistaken view in 1997:

The PFLP [Popular Front for the Liberation of Palestine] is an international organization with ties to Palestine, and which the district court concluded is engaged in a wide range of lawful activities, including the provision of "education, day care, health care, and social security, as well as cultural activities, publications, and political organizing." The government avers that the PFLP is an international terrorist and communist organization, but does not dispute the district court's finding that the organization conducts lawful activities.

Is the PFLP a social welfare organization with a military wing or a terrorist organization that takes care of the social welfare of its people? This sort of question is not new - its nature can be traced backed to Plato and Aristotle - essence versus characteristics. Is terrorism the essence of the PFLP or one of its characteristics? Many people will disagree along political and ideological lines in analyzing a specific group but I think on reflection one should agree that saving lives is at the core of counterterrorism.

Second, the main threat we face, that of Islamic terrorism, is also not new. Extreme statements made by Islamic terrorists last month are no different than statements made by their ideological predecessors last millennium. The world did not change on 9/11 as is often said; rather, people unaccustomed to thinking about this threat were now confronted with an aspect of the world they

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heretofore neglected. You all have the article I published in 1999 entitled [*The International Problem of Islamic Terrorism*](#). It was simply a compilation of news items from the world press from January to June, 1999. I was not the only one who recognized this problem before 9/11.

This is the name of a hearing before the U.S. House Subcommittee on Europe and the Middle East: [*Islamic Fundamentalism and Islamic Radicalism*](#). When – July 1985.

An important news item from the [*BBC*](#) –

The 16-hour siege on a Pan Am jet in Pakistan has come to a bloody end, with at least 17 people dead.

Four gunmen, who boarded the Bombay to New York flight at Karachi Airport disguised as security guards, opened fire on the 390 hostages at 2130 local time.

Some passengers were able to escape the carnage down one of the plane's emergency chutes, but it is thought to have been at least 10 minutes before Pakistani commandos reached the jet.

Businessman Mohammed Amin said he heard one hijacker tell another: "The moment of the Last Jihad has arrived. If we are all killed we will all be martyrs."

This *BBC* report is dated September 5, 1986.

Third, to understand the threat we have to recognize that Islamic and Arab terrorism are the only real forms of international terrorism. Other situations commonly referred to as international terrorism are in reality *domestic terrorism occurring in a foreign country*. The Shining Path in Peru, the IRA in Northern Ireland, the ETA in Spain, the Tamil Tigers in Sri Lanka, the FARC in Colombia, Baader-Meinhof in Germany, and so on – do not plan or execute attacks in foreign countries, unrelated to the conflict, or in the international arena. Examples otherwise are the exception that proves the rule.

It can be argued that international terrorism began with Arab hijacking of international flights in the 1960s. And, the U.S. State Department's Office of the Historian [*published a history*](#) of its Office for Combatting Terrorism, dated March 1984, explaining that the "historical antecedent" to this office was that "on September 25, 1972, 20 days after the terrorist attack on Olympic athletes at Munich, President Nixon established the Cabinet Committee to Combat Terrorism."

Moreover, U.S. law for example defines international terrorism as follows: "The term 'international terrorism' means terrorism involving citizens or the territory of more than one country,"¹ the definition used by the State Department in its well-known [*Country Reports and Patterns of Global Terrorism*](#). This definition can hardly distinguish between true international terrorism and a domestic attack in a foreign country where citizens of another country happened to be killed.

¹ 22 USC § 2656f(d)

International hijackings, the Munich Olympics attack, and the attacks in recent years by Islamic terrorists in, for example, New York, London, Madrid, Mumbai, Delhi, Bali, Mombasa, Algiers, Djerba, Kenya and Tanzania, Riyadh, Jakarta, Casablanca, Istanbul, Glasgow, and Amman, the murder of Theo van Gogh in Amsterdam and the *fatwa* calling for the death of Salman Rushdie; foiled attacks, for example, in Paris, Toronto, Rome, Manila, Germany; the NATO base plot, the Shoe Bomber, the Millennium Bomber, Australia's Operation Pendennis, Operation Bojinka in 1995 and the Trans-Atlantic plot in 2006, clearly indicate a different objective, strategy, and mind-set than the aforementioned terrorist groups from various countries.

Fourth, concern and hesitancy about using the phrase "Islamic terrorism" hampers an understanding of the threat. No one hesitates using the word *mujahidin*, yet this word which is the plural of the word *mujahid*, contains the letters "j," "h," and "d." It and the word *jihad* have the same root. The letter "m" as a prefix indicates "he who does" – a *mujahid* is he who does *jihad*, or a Jihadi in English. Similarly, a *mufti* is he who makes a *fatwa*. The word *islam* has the same root, "s," "l," and "m" as the word *silim* which means submission. A *muslim* is he who submits (to the will of Allah).

We refer to Hamas, Hezbollah, and al-Qaeda because those are the names in Arabic that these groups call themselves. We call the group the Islamic Jihad because it is the translation of what they call themselves – *al-Jihad al-Islami*.

Is there a Western prejudice against Muslims, a conviction that Muslim morality is so feeble that using the wrong language may push them towards radicalism, which would then be our fault? If radical Muslims use the words Jihad and Islam to describe themselves, why the concern that our doing so will radicalize mainstream Muslims?

Fifth, to a great extent it is the West's conviction to liberal, democratic values that fuels Islamic terrorists, who are on a mission to insure that the world runs according to Allah's will. Islamic terrorists cannot and do not reconcile Allah's will with Western liberty and freedom.

In his 2003 State of the Union speech President Bush said "Americans are a free people, who know that freedom is the right of every person and the future of every nation. The liberty we prize is not America's gift to the world, it is God's gift to humanity." From the President Bush's 2006 State of the Union speech: "Liberty is the future of every nation in the Middle East, because liberty is the right and hope of all humanity."

A Western leader invoking God to support liberty in the Middle East, claiming it to be "God's gift to humanity"?

President Bush is not alone. From John F. Kennedy's inaugural address in 1961:

[The] same revolutionary beliefs for which our forebears fought are still at issue around the globe—the belief that the rights of man come not from the generosity of the state, but from the hand of God . . . Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any

hardship, support any friend, oppose any foe, in order to assure the survival and the success of liberty.

And so, my fellow Americans: ask not what your country can do for you—ask what you can do for your country. My fellow citizens of the world: ask not what America will do for you, but what together we can do for the freedom of man.

Finally, whether you are citizens of America or citizens of the world, ask of us the same high standards of strength and sacrifice which we ask of you . . . let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God's work must truly be our own.

A conservative republican and a liberal democratic president, 40 years apart, publicly proclaim that the United States is on a mission from God to spread liberty and freedom – a direct challenge to whether the liberal West or radical Islam will rule the world.

Even without these statements from Western leaders, it is the West's practice itself of liberty and democratic values that Islamic terrorists want to eradicate. There is no paucity of statements attesting to this from these extremists themselves.

Sixth, human rights, the protection of which is the Council of Europe's mission, is not a universally agreed-upon concept. Read Sayyid Qutb's *Social Justice in Islam* for example, first published in Arabic in 1949, for an understanding of human rights and social justice different than our Western understanding.

Excerpts from the 1990 Cairo Declaration on Human Rights in Islam:

Wishing to contribute to the efforts of mankind to assert human rights, to protect man from exploitation and persecution, and to affirm his freedom and right to a dignified life in accordance with the Islamic Shari'ah;

Article 2

(a) Life is a God-given gift and the right to life is guaranteed to every human being. It is the duty of individuals, societies and states to protect this right from any violation, and it is prohibited to take away life except for a Shari'ah-prescribed reason.

(d) Safety from bodily harm is a guaranteed right. It is the duty of the state to safeguard it, and it is prohibited to breach it without a Shari'ah-prescribed reason.

Article 7

(b) Parents and those in such like capacity have the right to choose the type of education they desire for their children, provided they take into consideration the interest and future of the children in accordance with ethical values and the principles of the Shari'ah.

Article 16

Everyone shall have the right to enjoy the fruits of his scientific, literary, artistic or technical production and the right to protect the moral and material interests stemming therefrom, provided that such production is not contrary to the principles of Shari'ah.

Article 19

(d) There shall be no crime or punishment except as provided for in the Shari'ah.

Article 22

(a) Everyone shall have the right to express his opinion freely in such manner as would not be contrary to the principles of the Shari'ah.

Article 24

All the rights and freedoms stipulated in this Declaration are subject to the Islamic Shari'ah.

Article 25

The Islamic Shari'ah is the only source of reference for the explanation or clarification to any of the articles of this Declaration.

When comparing the 1990 Cairo Declaration on Human Rights and the 1950 European Convention on Human Rights, it is not difficult to see that the Cairo Declaration's provisions that are subject to Sharia parallel the European Conventions' provisions that are "subject only to such limitations as are prescribed by law" or similar language.

I do not know what the drafters of the Cairo Declaration had in mind when they referred to Sharia but I do know what today's Islamic terrorists consider a Sharia dominated world to be, and there is no need to emphasize the difference between their world view and that of the West.

An April 19, 2009 [New York Times article](#) entitled "Secure Enough to Sin, Baghdad Returns to Its Old Ways" begins with the sentence "Vice is making a comeback in this city once famous for 1,001 varieties of it." Since the fall of the Taliban, men in Kabul can shave their beards, girls have gone back to school, and people can buy music and DVDs, all prohibited under Taliban rule.

And so we see that Bin Laden and the Taliban are correct; the spread of Western liberal culture and values are a threat to their interpretation and application of Islam, and they believe they are on a mission from Allah to fight to the death to stop it.

This is the terrorist threat we face; one that affects international security with transnational consequences. It certainly deserves appropriate analysis and discussion, particularly in the context of human rights.