

## MEDNARODNI TERORIZEM MED NAGLIMI UKREPI IN SISTEMSKO ZAŠČITO

### INTERNATIONAL TERRORISM BETWEEN SWIFT ACTION AND SYSTEMIC PROTECTION

Professional article

**Povzetek** Avtorja v svojem prispevku obravnavata mednarodni terorizem kot vsebino prepletanja, neskladja in ločevanja med pravom, deklarativnimi političnimi interesi ter varnostno prakso ter odsevi na stanje v Sloveniji. Temelj terorizma je konflikt, ki sproži ne le posledice, temveč tudi protiukrepe.

Diskurz o odzivnosti organov oblasti na konkretna teroristična dejanja kaže na ugotovitev, da so posamezne države na ta vir ogrožanja odgovarjale naglo, večkrat že kar stihijsko, ne dovolj pripravljene v smislu uporabe sil in sredstev, predvsem pa brez oblikovanja jasnih ciljev in medsebojnega sodelovanja v smislu delitve informacij. Poleg težav naglega (prenaglega) ukrepanja, je treba opozoriti še na povsem neprimerno retoriko, kot je vojna proti terorizmu ali boj proti terorizmu in podobno. V začetku so vodilno vlogo v protiteroristični dejavnosti imele oborožene sile ob skoraj popolni odsotnosti policije in tudi obveščevalne službe.

Vojakom so namenjali vloge, ki jim niso lastne in za katere niso usposobljeni. Tako so opravljali policijske naloge paznikov v zaporih v Guantanamu, Iraku in Afganistanu, kjer se je pokazala še pomembnost spoštovanja človekovih pravic. Da bi se izognili pomanjkljivostim in napakam, je treba oblikovati strokovno utemeljeno sistemsko zaščito najprej na nacionalni in šele nato na globalni (regionalni) ravni ter vzpostaviti sistem, ki bo omogočal delitev informacij, da bi teroristično dejanje lahko predvideli in sprejeli uspešne protiukrepe.

**Ključne besede** *Mednarodni terorizem, obveščevalno-varnostne službe, sistemska zaščita, človekove pravice.*

**Abstract** In this article the authors address international terrorism in the context of intertwining, disparity and divisions between the law, declarative political interests and security practice, and reflect on the situation in Slovenia. Terrorism is generated by conflict, which triggers not only implications but also counter-measures.

The discourse on the responsiveness of authorities to concrete terrorist acts reveals that individual countries responded swiftly, often spontaneously, to this source of threat, were not sufficiently prepared in the sense of the use of force and means, and without having established clear objectives and mutual cooperation in the sense of information sharing. Besides the problems of swift (too swift) action, we would like to warn about an utterly inappropriate use of rhetoric, for instance, the war on terrorism or the fight against terrorism and the like. Initially, armed forces played the leading role in anti-terrorist activity, whereas the police and intelligence services were almost completely absent.

Soldiers were appointed roles which were not in their domain and for which they had not been trained. They therefore performed the police tasks of security officers in prisons, in Guantanamo, Iraq and Afghanistan, where respecting human rights became another important issue. In order to avoid weaknesses and mistakes, a professionally founded systemic protection must be established at the national and later at the global (regional) level, and a system that will enable information sharing must be set up so that terrorist acts can be foreseen and successful measures can be adopted.

**Key words** *International terrorism, intelligence and security services, systemic protection, human rights.*

**Introduction** In the Post-Cold War period it appeared that there were no more serious security threats, which is why most countries minimized the resources allocated for national security. Nevertheless, decision-makers “overlooked the so-called parallel reality: the ongoing threat to peace, democracy and stability in the world, which are more difficult to recognize and their extent more difficult to evaluate” (Gates, 2000:9–11). Among these threats, Gates classifies the following:

- proliferation of weapons of mass destruction, as more and more countries possess nuclear, biological and chemical weapons;
- global organized crime reveals new characteristics and dimensions with individual organized criminal structures collaborating rather than competing;
- terrorism is promoted and supported by powerful religions, ethnic and political forces that are inter-connected;
- ethnic conflict reaching genocidal proportions (Africa, the Balkans) and
- increasing the scope and the number of regional conflicts and fights.

Rohan Gunaratna (2001:46-50) believes that the new form of terrorism in the Post-Cold War period revealed new dimensions. During the Cold War, terrorist groups played the role of supplementary war, and were sponsored and controlled by superpowers with their satellite states, so that the Cold War would not grow beyond its limits. We know that the intelligence services of the Eastern Bloc controlled Palestinian, Syrian and Kurdish guerrilla and terrorist groups. In the Post-Cold War Era these groups gained financial independence, got rid of control, and began to choose armament, tactics and targets independently. Gunaratna claims that the re-asserted ethnic and religious identities triggered numerous conflicts and caused the

formation of terrorist groups that are inspired by various nationalisms and religions that offer an excuse and reasons for their terrorist acts.

Simeunović (2009) believes terrorism was underestimated in the 1970s, but after September 11 became the center of attention of the entire general public. With the internationalization of news and globalization of the media, individual terrorist groups began carrying out even more spectacular attacks and attained greater recognisability and response from the global public.

Although many “find it hard to accept that terrorism is a new modern threat” (Črnčec, 2009:77) we shouldn't forget that it is the different strategic conditions that are new, particularly the mass use of modern information and communication technologies (the Internet, mobile phones), and hence the reflections of domestic experts on a new intelligence paradigm containing numerous innovative proposals can be understood (Črnčec, 2009:79). Črnec particularly stresses the incorrect and illegal infringement of human rights as a “dark side” of introducing new intelligence paradigm that commenced in the USA with the Guantanamo phenomenon (Črnčec, 2009:233).

It is utterly inappropriate to discuss the war on terrorism, fight against terrorism and the like, together with a problem of swift (too swift) action. We would particularly and clearly like to stress the too hasty acceptance of unverified proof on the true nature of certain terrorist acts, including the attack on the American World Trade Center in New York and the American Pentagon in Washington, as Zwicker (2006:85) argues, there is still some reasonable doubt on the credibility of the official explanation.

Some critics of the American practice have questioned the need to establish a new doctrine on the opposition to international terrorism, as it actually coincides with the beginning of the war in Iraq, and later on with the continuation of the Afghanistan war. Nevertheless, it is true that terrorist acts compelled the USA to change the principles of foreign policy also on account of human rights.

It would be useful if politicians adopting new concepts and doctrines on opposition to international terrorism took greater notice of professional findings and the findings of individual scientific disciplines. In his interview for the daily newspaper Politika (2010), Simeunović criticized not only the scientific circles but also politicians, when he claimed that “science is too subordinated to politics”, and “the professional incompetence of politicians who imagine they possess all-encompassing knowledge, even on terrorism”, which certainly does not contribute towards joint and unified opposition to terrorism.

The alternative solution to these shortcomings is to form a systemic protection concept, initially at the national, and later at regional and international levels. The concept must include planned and coordinated prevention activities, analyses of actual risk, cooperation between security authorities, intelligence services and other necessary authorities and the armed forces, their functional cooperation with

prosecution services and courts, and the implementation of all measures required for the removal of sources of threat, and, if necessary, disaster relief.

## 1 INTERNATIONAL TERRORISM AND COUNTERMEASURES

Modern terrorism is a multi-dimensional political phenomenon that can, in a general theoretical sense, be defined as a comprehensive form of group organization, and rarely as individual or institutional political violence. Modern terrorism is gaining further momentum through media publications, which additionally emphasize physical, psychological and advanced technological methods, characteristic of various crisis (economic, political) situations.

Simeunović (2009) presents a detailed classification of terrorism, and initially defines it in terms of objectives, means, methods and type of entities. The objectives of terrorism are:

- ideologically motivated,
- ethno separatist,
- based on religion, whereby we distinguish between terrorist sects and terrorism based on the interpretation of major religions.

In terms of means, terrorism is divided into classic, biochemical and nuclear terrorism, and in terms of methods, we distinguish between classic, suicide, cyber, and narco-terrorism. In terms of entities, terrorism is divided into individual, terrorism of organizations and illegal groups, and institutional terrorism.

When dealing with international terrorism as a security threat or challenge, we must consider two types of basic questions; one is of a theoretical and the other a practical nature.

At the theoretical level, this subject and study problem can be considered from various perspectives: security, legal, political, sociological, psychological, ethical and other perspectives. Theoreticians of the mentioned scientific disciplines have been trying for a long time to make the mentioned topics meaningful, and to establish and explain causes and implications. In the past decade, particularly in recent years, numerous professional and scientific articles have been published in Europe. Professional and publicist discourses are followed by fewer scientific observations, although there are more theoretical problems than proposed solutions. There are no final or comprehensive answers, for instance, to the question “Where do the reasons for this source of threat lie?” Terrorism is changing rapidly and adapts to various and current conditions. It is clear that no person is born a terrorist; a person who is susceptible to many and several impulses may become a terrorist. The search for these answers will remain a theoretical challenge in various professions for a long time.

At the practical level, the implementation of the national (international) response depends on establishing the awareness and knowledge that the opposition to terrorism

is not only a legal and a legitimate objective and need but also the approved right to self-defense of each country, group of countries or global community. The response is becoming ever more “multi-disciplinary, multi-dimensional and multi-organizational” (Prezelj, 2007:69). Opposition to terrorism, according to Prezelj (Prezelj, 2007:69), besides all “multi-approaches, requires an internal approach,” which means the comprehensive and overall cooperation of all competent and responsible bodies in the country, and it also means systemic protection.

The following activities are of crucial importance: critical analysis of legislative regulations at the national as well as international level is required<sup>1</sup>. This should be followed by a critical assessment of intelligence and security services and security services<sup>2</sup>. The next step is reflected in the activity of the country, which should prevent human rights from being violated or threatened on account of national security. The question “freedom or security” should be rejected as dangerous and false. At the same time, we should not assent to the division of these two values or the claims of individuals who argue that opposition to terrorism means a fight between two civilizations. Equally dangerous (and incorrect!) is the claim that action against terrorism is an action against Islam. We should continue searching for all necessary and possible forms of cooperation between law enforcement authorities at the regional and global level. We should cease using the rhetoric of the war on terrorism, or the fight against terrorism and other expressions that carry a military connotation and implication. Already in 2004, the co-author of this article publicly presented his opinion on such military rhetoric: “And the fundamental downside of the American opposition to terrorism is precisely the perception that terrorism can be contained with tanks, missiles, cannons etc., namely with war. It is simply inefficient to fight shadows and the feelings of anger and hatred with such large calibres.” (Anžič, 2004:6)

The following step of the professional practice lies in amended, upgraded or modified legal, organizational and other functional solutions. And what is of key importance: a systemic protection concept at the national as well as international (and regional) level should be established, which will introduce changes, amendments and will be easily adaptable. Terrorism changes rapidly and is always a step ahead of its opponents.

Thinking about the security challenge of such dimensions and with such evident implications compels us to search for various forms and contents of opposition. The fundamental idea that makes the political, security, intelligence and security, and other anti-terrorist activities meaningful is the acknowledgement of the necessity to protect fundamental human rights and other values from being very gravely abolished.

<sup>1</sup> *This is a legal (if not constitutional) problem, when some countries, whose citizens are suspected of committing criminal acts abroad, do not want to extradite them. This should be changed immediately, at least within the framework of alliances, regional connections and the like.*

<sup>2</sup> *This was done representatively by a special commission of the American Congress in the report »The 9/11 Commission Report» (2004) although, true enough, many eminent American publicists (Griffin, Chomsky) doubt the authenticity of the report (Zwicker, 2006:97).*

The common denominator of intelligence and security services is to establish security as a state and state characteristic. In ensuring security, the presence of the state and the operation of its repression are inescapable, since the basic justification of a state's existence is ensuring the safety of its citizens (and residing foreigners) and their values. However, security is constantly exposed to threat. Security threats are constantly changing, are becoming increasingly transnational, globalized, multi-dimensional and inter-related (Prezelj, 2007:5). Nevertheless, it should be particularly stressed that national security also requires individual assessments of security threat in order to ensure a continuous updating and realistic assessment of national safety because terrorist groups mainly exercise the surprise factor.

International terrorism is thus a global problem that requires a global and national response. Undoubtedly, governments must act, as otherwise people would be left at the mercy of the natural law of the survival of the fittest. However, we do not support swift (do not confuse with rapid) measures that occurred in Iraq. Due to America's position and questionable absence of armed forces of Islamic countries, this mission is now in a position where the Americans are resolving the Shiite-Sunni conflict, while many political parties and even governments of those countries which have their troops in Iraq are thinking of withdrawing, since no strategic aim of the intervention has been attained (democracy, prosperity, destroying weapons of mass destruction, efficient government, national reconciliation, and others). The presence of the terrorist network Al-Qaeda and the implications of terrorist attacks are greater and more fatal. The removal of the Iraqi president Saddam Hussein has not justified the invested resources. Abu Ghraib and Guantanamo recruited more terrorists than any other activities of terrorist leaders aimed at recruiting new members.

However, hope remains that action will take place when countries and the international community will have formed a systemic protection concept. However, until now, things have been quite the opposite: first, the action, (too) swift response, then facing the reaction, and only later on searching for and forming an efficient model. Certain coordination bodies have been established, but no efficient (number-wise) increase in specialized bodies intended to fight against international terrorism have been observed, which is – besides the lack of concrete analytical assessments at the national level - the greatest problem. Therefore, it should not come as a surprise that besides theoretical foundations and despite some attempts, no precise and acceptable definition of international terrorism has been adopted that would differ from various doctrines of radiological, biological and other forms of terrorism. At the same time, no concrete initiatives at the international level containing long-term plans to oppose international terrorism have been detected.<sup>3</sup>

<sup>3</sup> In October 2009, Boštjan Videmšek, the journalist with the newspaper *Delo*, disclosed to the Slovenian public and the Government a message from one of the commanders of the Afghan Taliban who said that the Slovenian Armed Forces in Afghanistan should withdraw, or else, countermeasures would follow. He obviously did not have in mind only a direct attack on the Slovenian soldiers in Afghanistan, but also probably on certain targets in the Republic of Slovenia.

## 2 ORIGINS OF THE SYSTEMIC PROTECTION CONCEPT IN THE REPUBLIC OF SLOVENIA

At the theoretical and practical level, Slovenia has only been familiar with the objectives and motives of the systemic protection concept for the past ten years, which was initially known by a very narrow circle of experts and scientists and an even narrower circle of politicians and operational officers involved in national security.

The goal of this concept is to eliminate or at least to control the threat to individuals, society (country), and the international community. It aims to control and neutralize possible sources of threat in time. Nevertheless, we are aware at all times that these cannot be entirely eliminated or completely prevented. Terrorists are usually a step ahead of security and intelligence services.

The purpose of the concept is to attain a balance between risk and control. The establishment of the concept must be, in the preventive as well as curative sense, consistent with several principles of the state governed by the rule of law, such as, the principle of legality, principle of proportionality and the like. However, these should not be an obstacle to the efficient work of the police and intelligence and security services.

Systemic protection commenced with the integration and functional cooperation of all security activity carriers. Estimates of the terrorist threat were prepared, while the concept was based on the ideas of domestic and foreign experts. Combs, (1997:213) for example, defines three groups of indicators for threat assessment: general indicators, local indicators and specific indicators. Ganor (2005) claims that threat assessment can be made on the basis of terrorist motives and their capabilities. Both authors, nevertheless, stem their claims from their domestic (American, Israeli) situations, while Slovenia lacks more domestic terrorist assessments and analytical forecasts, in particular, because Slovenia is a part of the so-called “Balkans route”, not only a drug route but also terrorist routes, secret storages and human resources. Estimates can also be based on publicly available information and the analysis of terrorist events, financial capacity estimates and by other means.

Various threat assessments exist in the professional public and are supplemented by agreement and time interval.

Throughout this time, coordination and working groups for anti-terrorist action were active. The first one, or at least one of the first ones, was an interministerial working group for the implementation of restrictive measures and follow-up action related to the opposition to terrorism. It was led by a government official at the Ministry of Foreign Affairs, and it included representatives of ministries and the Police. Through the work of this group, Slovenia accelerated the implementation of international conventions pertaining to terrorism. It is a commitment of countries, to report cyclically to the United Nations on the adopted anti-terrorist measures. There was also

an expert group whose task was to prepare guidelines for the preparation of a joint threat assessment for the Republic of Slovenia.

The third form was an interministerial group for the prevention of threat or attacks with means or weapons of mass destruction, which was appointed by the National Security Council in 2003. The group drew up a document entitled “Ukrepi za celovito ureditev področja ogrožanja z orožjem ali sredstvi za množično uničevanje” Shortcomings were also detected and solutions were proposed (43<sup>rd</sup> regular government session, 16 October 2003) In addition, another unresolved issue is that Slovenia has not yet developed an integral crisis management system at all levels. This means that the system is otherwise relatively well-developed in individual sub-systems of the national security system and mainly limited to natural disasters, either to a state of emergency or a state of war (Prezelj, 2005:203). The co-author of the article came to the same conclusion, when he stated:”Slightly bitter, I can proclaim that some security system authorities, which are not at its centre (the Police, intelligence and security services), respond best from Monday to Friday from 7 a.m. to 4 p.m. Outside these hours, the response is worse or delayed.”(Anžič, 2004:7)

The National Security Council and its secretariat also participated, as umbrella bodies and coordinators of national security. However, it seems that the structure of this body exceeded the rationality framework and swift response, and if we wish to ensure effective operation, a new structure needs to be considered.

The fourth body operating in the field of anti-terrorist activity are the so-called nominated bodies of national security in the narrow sense. Initially, this is the Police<sup>4</sup> as a body under the responsibility of the Ministry of the Interior. Within the Police, the central role is played by uniformed police and criminal police. The Organised Crime Division, Terrorism and Extreme Violence Sector is a body under the Criminal Police Directorate with numerous tasks: monitoring the security situation at home and abroad, discovering, investigating and harmonizing suspicions of committing various forms of terrorist acts, etc.

During terrorist attacks and the taking of hostages, the Criminal Police operating under the umbrella of the Police is responsible for resolving crisis situations by forming a crisis response center. However, when smooth operation is required at the level of several police stations, the Criminal Police working under the General Police Directorate (operative center of the GPD) takes over control, where a special unit carries out interventions in anti-terrorist acts at the level of the GPD.

The Police plays a major role in anti-terrorist activity, which is in accordance with the standards set out by the EU security activity. Its tasks include preventive activities (preventing factors crucial for the emergence and operation of terrorism), analytical

<sup>4</sup> *The State Prosecutor and the court play a crucial role in prosecuting and sanctioning terrorist acts. Since 1996, a special group of prosecutors dealing with the prosecution of criminal acts of organised crime has been operating.*



(strategic analyses of the criminal intelligence operation), technical (securing vital structures), curative measures (investigation of suspicions of criminal acts related to terrorism), and the like (Anžič, Milačič, 2005:145–153)

A major role is also played by the Slovene Intelligence and Security Agency (Sova). In the field of the fight against international terrorism, the Agency acquires and evaluates data, communicates information on the operation and activities of international terrorist organizations, groups and individuals, with the aim of determining the presence of the indicative persons of such acts in the Republic of Slovenia in time, and to determine any misuse of the Slovenian territory for terrorist acts, aimed at third countries. In accordance with the law, the Agency cooperates and exchanges information with foreign intelligence and security services (Šefic, 2005:119–128). However, it has not been confirmed in the public domain whether Sova is competent to carry out operational action against actors of international terrorism on its own or in alliance.

The Intelligence and Security Service of the Ministry of Defence is another body competent to act in the field of anti-terrorist activity. The body operates in the field of defense and the defense interests of the country (Jurca, Preston, 2005:139–141).

The Slovenian Armed Forces and its members also play an essential and integral role. However, some views of Čaleta (2005:137) remain unexplained, when he presents “a new perspective and the role of the Slovenian Armed Forces within the framework of the national and security system in the field of the fight against terrorism,” and when he argues there are problems “which are currently reflected in the implementation of measures for the establishment of an appropriate and efficient national security system, particularly in ensuring appropriate and necessary activities for preventing a terrorist threat.” Čaleta hereby stresses the incompleteness of statutory and secondary acts, which presumably “strongly hinder the establishment of an appropriate system of opposition to terrorism, particularly the exchange of information and professional management at the national level.” We cannot accept such a claim. Effective legislative regulation, particularly legal regulation, is appropriate, satisfactory and in compliance with the EU legislation, however, its practical implementation remains questionable.

The activities of the country or the Government, which began to acknowledge the comprehensive security threat, led to the establishment of the National Crisis Management Centre (NCKU) and various working groups.

### **3 UPGRADING SYSTEMIC THEORY AND ESTABLISHING A SYSTEMIC PROTECTION CONCEPT**

Prezelj (2007:65–80) enumerates several activities and individual entities in the field of opposition to terrorism. Nevertheless, he notes that the “working group for the prevention of attacks with means or weapons of mass destruction ceased to operate before it completed its work.” (Prezelj, 2007:76–77). The mere preparation of

documents is not sufficient for the implementation of a systemic protection concept - what is needed is interministerial cooperation at all levels and the exchange of information. The need to “share with others” here and now is becoming increasingly evident, explains Črnčec in the magazine *Obramba* (2005).

Primarily, we have to continue developing functions of an anti-terrorist approach, which will enable new perspectives on the definition of international terrorism as a universal social problem. We need to establish an integrated conceptual approach that will enable the identification of all components of this occurrence and subject of study, the understanding of differences and will offer possible solutions. And this can only be attained by linking scientific theories of various scientific disciplines. It is therefore not enough for this phenomenon to be studied by political, defense, criminal justice and security scientists, sociologists and others; we need an in-depth and more organized integration of other members of the professional public, such as lawyers, psychologists, theologians, historians, medical doctors and social workers. Only thus will we be able to come up with recognitions that will be scientifically founded and will reveal the need for an organized complexity of the phenomenon. This is true in the general sense, however, in addition, this is important when assessing security phenomena, situations and implications. The systemic approach<sup>5</sup> thus helps us to understand a concrete security phenomenon and form activities, an appropriate security reaction of the state and its authorities. A causal-consequence relationship between the security challenge as a cause and security measures as a consequence is thus established

Those politicians who are able to recognize and apply the ideas of individual scientific disciplines to their practical and security organization and actions in the executive and legislative branch of power are believed to act wisely. Unfortunately however, few such cases of exploitation exist, which is partly understood, since politicians are limited by their term of office. They usually measure their success by the number of adopted secondary acts, laws or their amendments, reorganizations of ministries, staff reassignments and the like.

The establishment of a systemic protection concept is a long-term process, which cannot be limited to a single political term of office<sup>6</sup>. It is a systematic, sustainable, methodical, organized and planned prevention-oriented activity that needs to enable a country the possibility to define a security question, the possibility of its analytical breakdown, setting up responsiveness of security authorities and services, and planned communication with the public. These are professional activity and professional decisions, and not a politically likeable image in public opinion polls.

<sup>5</sup> *The systemic approach is an upgrade of the methodical approach, and therefore these two terms are not synonyms.*

<sup>6</sup> *The problem, which does not only exist in Slovenia, is that politicians with a new mandate do not continue and finish the process started in the previous mandate (even a good one), because it is not “theirs”.*

The systemic approach in Slovenia<sup>7</sup> is still in its infancy rather than being fully developed, as some initial stages have been left unfinished. Nevertheless, scientific works in the form of doctoral theses, research or publications offer hope. The majority of authors come from the Faculty of Social Sciences (University of Ljubljana), Faculty of Criminal Justice and Security (University of Maribor) and the Graduate School of Government and European Studies (Brdo pri Kranju).

This article is not supposed to include scientific work, as these are available in electronic and printed versions. However, we should acknowledge the efforts of these authors from the above-mentioned faculties, who have been enriching this field with their professional and scientific approach.

Unfortunately in recent years, no major steps forward in practice have been observed in the field of upgrading the existing systemic protection concept. It appears that not only the political but also the official part has no special need (or knowledge?) to upgrade the system. Their attention is still focused only on “their” field of work. To a large extent, observers do not detect crisis management, which gives us the impression that only an emergency response without the required vision is in place.

However, differences in theoretical approach, misunderstanding and false interpretation of various military and security doctrines (asymmetric warfare, low intensity conflict, new intelligence paradigm, and the like) can still be observed.

The professional public particularly lacks theoretical and practical contributions from experienced professionals (operational officers) from the field of tactical-operational and strategic level of direct confrontation with international terrorism. Their practical experience and ideas cannot be substituted by any philosophy and discussion at the office level.

Perhaps we could invite a foreign expert from the field of opposition to international terrorism, as, for example, this is the practice of banks and other specialized organizations. Slovenia namely has no domestic experts with international references and actual experience from the mentioned field.

## Conclusion

When discussing international terrorism nowadays, we tend to forget that terrorism did not transpire with Slovenia’s independence or Al-Qaeda’s attack on the American World Trade Center (WTO) in September 2001. Let us remember that Slovenia had an organization TIGR, which fought against Italian fascism since 1927 in the form of terrorism, since this was the only way to maintain the secrecy of its operation. The forms of modern terrorism, which has been identifying itself with the operation of Al-Qaeda since 2001, had been previously known to the world in the Balkans, Bosnia and Herzegovina, Kosovo and Macedonia.

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<sup>7</sup> *By this we mean security field.*

Opposition to terrorism, particularly national and international terrorism, is a legal and legitimate objective of every country. Every country has a national right to self-defense and a duty to protect the rights of individuals, society and the international community. The security response to these brutal challenges, however, should not only be in line with the rules of the state governed by the rule of law. The principle of legality and the principle of proportionality must and should be the guide and a rule in the security response. Opposition to this social evil should not infringe on any human rights. When we as people or as a nation are faced with crime, we quickly tend to forget about human rights. After the WTC attack, people mostly supported detentions of suspicious persons who were detained without indictment for more than a year only because they resembled the attackers or people from the regions where the Americans led wars that served their interests for oil and other strategic raw materials. Even high national authorities, governments and courts rapidly acceded to various forms of suspension of human rights, not only in Guantanamo, but also elsewhere in Europe, where special prisons for persons suspected of terrorist acts were established.

On the basis of professional and theoretical perspectives, the authors claim that special terrorist actions can only be resisted successfully through specialized law enforcement authorities, and by acknowledging the fact that no absolute security exists.

Most recently it seems that the creators of counter-intelligence doctrines and systems are mainly representatives of various policies who have ignored the practical experience of individual successful national intelligence, security and counter-intelligence organizations, and have instead concentrated on establishing various preventive systems, the so-called crisis management, technical and information operations, which, however, cannot replace a direct operational infiltration of an individual terrorist organization since they disable and prevent its activities.

The incorrect approach to discovering suspects of terrorist acts has recently brought about two excluding problems, namely:

do the standards of achieved human rights wholly apply to obvious suspects and persons responsible for international terrorist acts and deeds, or to what extent can they be reduced;

and not least: how to regain the attained standards of human rights protection, or how to compensate for the damage incurred in the morally-ethical and material sense, namely, the released Guantanamo prisoners cannot return to their home countries due to a suspicion that they may be secret agents and the fear that they will be charged of being traitors.

The good news is that this “return” will begin in the USA. At first, the American president ceased to use the horrible rhetoric on war. The USA no longer leads the war on terrorism, at least not in the verbal sense. Some of us in Slovenia have been

publicly opposing this rhetoric since 2002 (Anžič, 2002) or earlier. The intention to close Guantanamo is positive, but in the actual sense this will be a complex task, as all international terrorist acts must not only be discovered but also individually sanctioned, publicly and in line with the provisions of international law, and not in accordance with some specialist and illegal measures of American security agencies.

Instead of war, a systemic protection concept, particularly counter-intelligence protection, must be established at the national as well as international and global level. All forms of functional cooperation between intelligence and security and security services are essential, particularly between specialized counter-intelligence authorities, integrated into an efficient professional and international supra-national organization, which would in turn develop into a multi-national and global systemic protection of opposition to international terrorism.

At this point, we shouldn't forget the timely response of the entire systemic protection concept and all participating authorities, in the initial, indicative phase and when measures are taken.

It is perfectly evident and logical that if we want to prevent a certain terrorist organization which is determined to carry out a planned terrorist attack at the international level (Al-Qaeda or any other) from implementing its activity, all protective safety measures must be organized, and a rapid response is required to neutralize the threat of such a terrorist organization. The most efficient way to prevent the activities of subversive or terrorist organizations is undoubtedly the substantial and rapid discovery of its leadership, membership and material headquarters, financial sources and hidden supporters.

## Bibliography

1. Anžič, A. 2002. *Mednarodni terorizem – varnostni izziv in dileme, Teorija in praksa*. No. 3/39. Fakulteta za družbene vede, Ljubljana.
2. Anžič, A., Milačič, M. 2005. *Policija v boju proti terorizmu, Vojaškošolski zbornik. Št. 4, PDRIU in FDV, Ljubljana*.
3. Anžič, A. 2006. *Svoboda in (ali) varnost, Revija Obramba, year 36, Ljubljana*.
4. Combs, C. 1997. *Terrorism in the Twenty-First Century, Prentice Hall, New Jersey*.
5. Čaleta, D. 2005. *Vloga oboroženih sil na področju boja proti terorizmu, Vojaškošolski zbornik št. 4, PDRIU in FDV, Ljubljana*.
6. Črnčec, D. 2005. *Potreba po deliti z ostalimi, Revija Obramba, Ljubljana*.
7. Črnčec, D. 2009. *Obveščevalna dejavnost v informacijski dobi: doktorska disertacija, FDV, Defensor, Ljubljana*.
8. Ganor, B. 2005. *Dilemmas in Counter-terrorism Decision-making, PPTS George Marschall Center, Garmisch-Partenkirchen*.
9. Gates, R. 2000. *Security Issues in the 21. Century: An Intelligence Perspective, National Security and the Future 2, St. George Association*.
10. Gunaratna, R. 2001. *Transsnational threats in the post-cold War, Jane's Intelligence Review, Januar 2001*.
11. Jurca, K., Preston, M. 2005. *Vloga Obveščevalno varnostne službe Ministrstva za obrambo v boju proti terorizmu, Vojaškošolski zbornik. No. 4. PDRIU in FDV, Ljubljana*.

12. OZN, Zdrženi narodi – Generalna skupščina. 2004. *Varnejši svet: naša skupna odgovornost, Poročilo odbora za proučitev groženj, izzivov in sprememb, A/59/565, 2. 12. 2004, New York.*
13. Prezelj, I. 2004. *Sistem kriznega menedžmenta v sodobni državi: doktorska disertacija, FDV, Ljubljana.*
14. Prezelj, I. 2007. *Uvod v ocenjevanje ogrožanja nacionalne varnosti, v zborniku: Model ocenjevanja ogrožanja nacionalne varnosti Republike Slovenije, MZO, Ljubljana.*
15. Prezelj, I. 2007. *Nujnost medresorskega sodelovanja in koordiniranja v boju proti terorizmu: nekateri primeri iz Republike Slovenije, Bilten Slovenske vojske 9. Št. 2, MO RS, Ljubljana.*
16. Simeunović, D. 2009. *Terorizam, opšti deo, Pravna fakulteta, Beograd.*
17. Simeunović, D. 2009. *Islamistički terorizam najopasniji, etno-separatistički najuporniji, intervju v Politiki, 13.1.2010, Politika, Beograd.*
18. Šefic, B. 2005. *Vloga Sove v boju proti terorizmu in sodelovanje z drugimi akterji na nacionalni in mednarodni ravni, Vojaškošolski zbornik. Št. 4. PDRIU in FDV, Ljubljana.*
19. Zwicker, B. 2006. *Towers of Deception, The Media Cover-up of 9/11, New Society Publishers, Canada.*