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**OPENING STATEMENT BY MR. JOSEP BORRELL FONTELLES,
SPECIAL ENVOY OF THE CHAIRMAN-IN-OFFICE, AT THE OSCE
HIGH-LEVEL MEETING ON VICTIMS OF TERRORISM**

Vienna, 13 and 14 September 2007

I should like first of all to express the Spanish Chairmanship's satisfaction at the holding of this High-Level Meeting on Victims of Terrorism, which deals with one of the basic questions facing the international community in its overall efforts to combat and eradicate terrorism. This is the first meeting held under the auspices of a regional organization that brings together political leaders and experts on the subject with a view to identifying new spheres of collaboration among OSCE participating States with respect to victims of terrorism.

I should also like to take this opportunity to pay a heartfelt tribute to all victims of terrorism. We have an ethical and moral commitment to the victims of terrorism. The memory of their suffering and the injustice perpetrated against them spurs us to work with zeal and determination to put an end to terrorism.

This meeting also reflects our joint commitment to enhance the OSCE's role in the fight against terrorism, making use of its experience in addressing problems from a multidimensional perspective. No other question, perhaps, is more emblematic of the need for a comprehensive approach than the question of victims of terrorism, since it brings together efforts to combat crime, the security of our citizens, collective solidarity, the protection of human rights, and an active role for civil society.

For these reasons, I welcome the leadership role that the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) has assumed in this area. I also wish to congratulate the ODIHR on its work in organizing this event. In particular, I congratulate Ambassador Strohal on his commitment to dealing with terrorism through the work of the Office he heads. Such commitment has made it possible to incorporate into our collective counter-terrorism efforts the ODIHR's experience in protecting and promoting human rights and fostering participation by civil society — the main themes of the topic that has brought us together over these two days.

Our response to terrorism must be firmly anchored in the defence and promotion of human rights — all rights, of all members of our communities. For this reason, the response to terrorism requires scrupulous observance of the rights and guarantees that we have provided for in our laws. This repository of principles and standards is the most important toolkit at our disposal in combating terrorism effectively in the short and long term, and it represents a catalogue of principles that can never be renounced.

These same principles of defending human rights are the basis of the commitment that we make to the victims of terrorism, whose individual rights have been violated by terrorists. The former Secretary-General of the United Nations recognized this, stating in his April 2006 report, "Uniting against terrorism", that "Victims of terrorist acts are denied their most fundamental human rights." We must therefore affirm that respect for human rights must be at the centre of the counter-terrorism agenda, and that we regard such rights not only as an absolute limit on the exercise of public authority, but also as the basis of the mandate given to the authorities to act on behalf of their citizens.

In assessing the impact of terrorist acts on human rights, we must also remember that unlike offences committed for a purely criminal purpose, acts of terrorism have certain aims and effects that go far beyond the persons directly victimized. By exploiting the individual suffering of the victims, those who commit such acts aim to undermine our societies' basis for coexistence and reach a much wider audience. This is true whether terrorist acts are directed at an audience in one region, in an entire country, or worldwide. This projection of the damage caused by terrorism beyond the particular individuals who suffer as a result of a terrorist act is what arouses such extraordinary interest on the part of the media. That which gives terrorism its political significance also gives full meaning to our effort to approach the phenomenon from the standpoint of human rights.

The second element I mentioned earlier, which is at the heart and origin of the OSCE, is the recognition of the role that civil society can play in combating terrorism. Neither terrorism nor, in general, any type of offence is a one-dimensional phenomenon that merits a simple response or that can be solved by relying solely on the work of the State security forces, valuable and effective as that work may be. Not only the scope of the threat, but also those cumulative conditions that contribute to the spread of terrorism and that are exploited by terrorists to recruit their followers and sympathizers, require the involvement of society.

Civil society can make a valuable contribution by grappling with the conditions that foster radicalization and that can be a first step towards recruitment to terrorist groups. The networks of citizens committed to raising public awareness about the evil of terrorism represent one of the more innovative ways of involving society in this collective effort. For their part, victims' organizations, born out of the need to offer support and assistance to the community of victims, whose very diversity is nothing other than a reflection of society's inherent diversity, can play a leading role in raising society's general awareness of the ravages and injustice of terrorism.

Let us remember, too, that in speaking out against one type of terrorism or one particular attack, we condemn all forms of terrorism. In so doing, we help to breach the isolation of victims in any part of the world and, by breathing new life into their testimony, to defeat the terrorists' objective of dehumanization. Thus, solidarity with the victims of terrorism transcends borders. That was so before we saw the damage and the suffering caused by forms of terrorism whose scope of action was limited; it is all the more so today, when we confront a form of terrorism with global objectives and victims on every continent.

It is surprising to note, however, that this natural solidarity with the victims of terrorism, which has been reiterated whenever a new criminal act occurs, such as the attacks of 11 September 2001 and the Madrid or Beslan attacks, rests on a fragile international political consensus and has a meagre normative, political and even academic foundation. In basic areas of our response to the victims of terrorism, such as promoting human rights,

marshalling the efforts of civil society, and co-ordinating practical solidarity mechanisms, the international community has been slow to embrace the cause of victims of terrorism.

The OSCE, a pioneer in dealing with the human dimension of political problems, makes not a single reference to victims of terrorism in the two central documents which define its response to the phenomenon of terrorism, neither in the OSCE Plan of Action for Combating Terrorism, adopted in Bucharest, nor in the OSCE Charter on Preventing and Combating Terrorism. Only at the OSCE Ministerial Council meeting held in Sofia in 2004, when the Ministers signed Permanent Council Decision No. 618 on solidarity with victims of terrorism, was such a reference made. Because of that decision, we were able to undertake the work which began at the OSCE High-Level Meeting on Victims of Terrorism held in Oñate in March 2006, and which has thus far culminated in this meeting that we are opening today.

The omissions to which I refer appear also in the context of the United Nations and the Council of Europe, neither of which, until 2004, included more than passing references to victims of terrorism in their basic texts on terrorism and human rights.

As evidenced in the background paper prepared by the ODIHR for this meeting, however, there is an abundance of recommendations, agreements, guidelines, international funds for the victims of crime and for special categories of victims, such as victims of abuses by the State, victims of torture, or victims of gender crimes. Nevertheless, it has already been recognized that there is a gap in relation to victims of terrorism.

Several of the most important documents in this area point to the lack of a specific way of dealing with victims of terrorism as a deficiency. Thus, the handbook on the use and application of the 1985 United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power notes specifically that more work needs to be done to fully address the “special requirements” of certain categories of victims, including victims of “terrorism, organized crime and other types of mass victimization”. Until 2005, virtually none of this had been done.

To a certain extent, it would appear that our response to the victims of terrorism has had a burden to contend with. It seems that the terrorists’ political pretexts have infected and paralysed our natural solidarity response, and that providing assistance to victims of terrorism is complicated by the mere fact of their having been victims of a certain category of murders, to the point of impeding a practical international consensus on such assistance. No comparable complexity exists today with respect to other categories of victims.

My country’s own experience shows that even countries with a long history of combating terrorism can be slow to express solidarity with victims of terrorism and translate it into reality. This contributes to the victims’ suffering and further weakens society’s ability to stand up to terrorist blackmail. It is this experience — to which Spanish society and successive governments of Spain and of the Autonomous Communities have since responded generously — that spurs us to promote an international debate on this subject, along with exchanges of best practices between countries. In so doing, we aim to ensure that practical mechanisms of international solidarity are established.

Since the attacks of 11 September 2001, we have seen a gradual increase in international awareness regarding victims of terrorism, which has also been reflected in the adoption of political and normative instruments of great significance. I have already

mentioned OSCE Permanent Council Decision No. 618. The OSCE has been a pioneer in establishing a mandate for strengthening solidarity with victims of terrorism among its participating States.

In the European context, the approval by the Council of Europe in 2005 of the Convention on the Prevention of Terrorism for the first time established normative obligations vis-à-vis victims of terrorism. In the same year, the Guidelines on the Protection of Victims of Terrorist Acts offered some valuable recommendations, especially regarding the scope of rights which must be afforded to victims of terrorism. For its part, the European Union, at the urging of the European Parliament, is financing training programmes and the establishment of networks for assistance and exchanges of experience in the legal, social and psychological spheres. The aim is to help victims and their families recover from their experiences and to raise the profile of solidarity with them.

Within the United Nations, major landmarks in this process of raising international awareness have included Security Council resolution 1566 (2004), adopted after the Beslan attack, which recommended that consideration be given to establishing an international fund to compensate victims of terrorist acts, and, above all, the April 2006 report of the former Secretary-General of the United Nations (“Uniting against terrorism: recommendations for a global counter-terrorism strategy”). This report for the first time stated clearly and unambiguously that solidarity with victims of terrorism is part of our human rights-centred response to terrorism, and called for active participation and leadership on the part of civil society. No one could be clearer than Kofi Annan was when he stated in the report that:

“One of the most powerful ways in which we can make clear that terrorism is unacceptable is to focus our attention on its victims, and ensure that their voices are heard. Our goal should be to reduce the appeal of terrorism by reclaiming the sanctity of the civilian and according justice, dignity and compassion to victims.”

Many of the ideas expressed for the first time in that report by the former Secretary-General of the United Nations were incorporated into the United Nations Global Counter-Terrorism Strategy. Of particular value is the recognition that the “dehumanization of the victims”, which terrorists seek to achieve by treating the lives of others as an instrument for disseminating their message, is one of the ideological prerequisites for the spread of terrorism. Thus, actions aimed at avoiding such dehumanization become not only a response to particular terrorist acts, but also part of the measures that must be taken to prevent terrorism.

Indeed, efforts on behalf of the victims and by the victims themselves represent a powerful stimulus to society’s commitment to combat terrorism and articulate a civic response. For this reason, such efforts are the strongest instrument for undermining terrorism’s legitimacy and isolating it politically and morally. Solidarity and effective protection and assistance for the victims deprive terrorists of their main instrument for achieving their objectives and are thus transformed into a powerful prevention measure.

To this end, we must seek to restore to the victims the voice that the terrorists sought to wrest from them. And indeed, the victims’ silence is one of the terrorists’ easiest victories. Forgetting the victims makes us allies of the terrorists, since it helps to focus attention on their alleged political objectives, i.e., on the message they wish to send, while diverting attention from where it should be focused — on their status as criminals and as those mainly

responsible for the erosion that our rights are suffering. By restoring the victims' voice, we deprive the terrorists of this victory. What is more, we can help to undermine the legitimacy of the terrorists' ideology, even in places where their message may have fallen on sympathetic ears.

Institutions have a leading role to play in promoting recognition of, and paying tribute to, victims of terrorism. As you know, following the Madrid attacks, the European Parliament established 11 March as the European Day for the Victims of Terrorism. It is incumbent on us, in turn, to facilitate and promote association-building by and on behalf of the victims as one of the most effective means by which these victims can recover their voice and contribute to eradicating terrorism through their testimony.

In addition, the victims' dignity demands that we recognize their rights and provide the assistance they need to recover from their losses and injuries. It also implies respect for the victims' suffering.

Many OSCE countries have suffered seriously from the barbarity of terrorism. It is not surprising, therefore, that this Organization should be at the forefront of some of the debates within the international community on how to grapple with terrorism while fully respecting human rights. Our challenge over the next two days is to identify practical mechanisms and concrete initiatives that can testify to the international solidarity with all victims of terrorism, making all aspects of that solidarity a reality: the commitment to human rights, the involvement of civil society and the formulation of practical steps to assist victims.

Our work these days is also part of a growing trend towards focusing on the issue of victims of terrorism. The result of this work will enable the OSCE to make a tangible contribution to the implementation of the United Nations Global Counter-Terrorism Strategy. For this reason, I ask Ambassador Strohal to ensure that the conclusions of this meeting are forwarded to the Secretary-General of the United Nations and his Strategy implementation team.

Thank you very much.