

SCAMPACC Meeting 130308

There are three things I want to cover briefly here. Firstly I want to talk a bit about some of the origins and effects of existing so called anti-terrorism measures. Secondly I want to talk a little about what the Campaign Against Criminalising Communities, CAMPACC, has done to try and challenge and mitigate the ongoing securitisation of society. Finally I want to suggest how organisations throughout Europe might benefit from working more closely in fighting legislation and so called anti-terrorism measures which are being imposed on a pan European basis with a minimum of discussion or oversight.

States have always placed their security, usually presented in terms of the protection of the populous, as a central part of their remit. Presented as security from the enemy without states tend to be more concerned with the perceived enemy within. This is the same irrespective of the political nature of the state in place, only the methods and the justifications differs. Over the years all sorts of groups have been identified as threats including trade unionists, communists, environmentalists, national liberationists and so on. They have all been condemned as terrorists at some point . In some countries, such as Turkey, simply writing a book on the wrong subject can bring charges of terrorism against the writer. Until recently the right to take up arms in the cause of self defence or self-determination – while decried as terrorism by the opposed party – was generally accepted as legitimate. In Britain this was challenged by the introduction of a list of proscribed organisations which the British state labelled as “terrorist”. The list included organisations such as the Kurdistan Workers Party, the PKK, the Liberation Tigers of Tamil Eelam, the LTTE and People’s Mojahedin Organisation of Iran, the PMOI. Under the legislation an individual only needs "to arouse reasonable suspicion that he is a member or supporter of

a proscribed organisation" to be prosecuted for a terrorist offence.

The worrying aspect about the way legislation and securitisation is developing is the way in which the civil liberties are being curtailed and daily life securitised in the name of defending our freedom - and without any mass outcry. If you have nothing to hide, so the argument goes, you have nothing to fear in giving your details, allowing yourself to be numbered, sampled, violated, etc.

We are not talking about classical totalitarianism yet, nor do I believe that there is any common mass conspiracy to take us in that direction at the moment. However, I do believe that the measures we now see make authoritarian rule easier and once in place become normalised and difficult to remove. Governments, states, do not usually let go of provisions which increase their instruments of control easily. The best way to minimise the harm of the state and those who claim to represent our interests is to maintain a vigorous system of checks and balances driven by and from the wider society of which we are all a part. However, as things currently stand the potential exists to ban any public demonstration and to criminalise dissent by deeming it "terrorist" under the broad definitions increasingly favoured. The problem is that the declared global "war on terrorism" is in reality being used as an excuse to dissuade, criminalise and persecute unwelcome domestic political activism or opposition. It is the path towards a friendly consensual fascism.

CAMPACC has been active in challenging the development of anti-terror legislation in Britain. Many campaigners came from a background of experience with communities which had been test beds for the criminalisation processes of the twenty-first century. In Britain the Irish community was for many years subject to criminalisation under domestic

anti-terrorism legislation while Britain's Kurdish-Turkish population has experienced waves of criminalisation since the 1980's culminating in the banning of the PKK, Kurdistan Workers Party, under the Terrorism Act 2000. CAMPACC was formed in early 2001 [pre-dating the events of September that year] in reaction to the UK's Terrorism Act 2000 specifically to address concerns about that Acts infringement of basic civil liberties. While the product of specific communities experiences, the campaign was conceived as a broad based non-aligned movement which would find its strength by forming alliances cutting across the political spectrum and involving those with little or no perceived stake or interest in the political process. Most significantly CAMPACC sought to involve and be guided by those communities most directly affected by the provisions of the TA2000. CAMPACC has also actively involved lawyers, academics, politicians and people from the arts world in a broad based campaign to restore and improve human rights and civil liberties both at home and abroad. A key feature of CAMPACCs work has been to continue to challenge the Terrorism Lists of proscribed organisations and their arbitrary political nature. The terror lists remain a key challenge. Still, the recent successful legal challenge by the People's Mojahedin Organisation of Iran, the PMOI, against the organisations inclusion demonstrates how years of legal, political and public work can have a positive outcome and the PMOI is now delisted. However, the PKK, remains proscribed and faces a more difficult challenge due to the British Government's desire to appease Turkey. This proscription also effectively entails the criminalisation of a large part of the Britain's Kurdish community – an experience shared by Kurdish communities across Europe.

There are several levels on which it is possible to work. All of which have a greater or lesser role to play. I believe the days when mass demonstrations alone had any real impact, supposing they ever did, is long over. Oppositional activity of an extra

parliamentary nature has itself been increasingly proscribed both directly and indirectly. Effective engagement often takes place in the less exciting business of education and legal challenges. By engaging with individuals and groups with interests in particular areas affected by anti-terrorism it is possible to build small but effective asymmetrical responses to the state machine.

One of the problems in trying to get this anti terrorism legislation lifted is inf communicating with people. The state together with an often self censoring media has a powerful ability to influence or dominate debate. Together they often set the goal posts and move them as necessary where an appeal to the greater good usually serves to win over the bewildered herd. If this goes for the person in the street who may feel disempowered, intimidated or unable to make any comment - or difference - it goes too for many of our democratic representatives, academics and makers and upholders of the law. This cynical careerism makes it easier to overlook injustices for the greater good.... of the career. However, there are many who are just not confronted with the arguments and evidence which seriously challenges the basis on which anti terror legislation is sold to us. For all the corrupt politicians, academics and lawyers who are happy to be party to and legitimise moves which undermine civil rights there are many more who are informed of the issues and are prepared to challenge moves that threaten historic rights. Those who are prepared to resist either through their profession or as activists must know that they have support. Politicians and other influential figures may be able to exert valuable pressure and sway arguments, they will be more likely to act if they receive encouragement to do so or condemnation for supporting anti-democratic securitisation policies.

Perhaps one of the most important areas in which we could improve our work is in linking

our campaigns, especially within Europe, and working for a more unified pan-European resistance. What I think is missing is an effective joined up counter terror legislation strategy at the European level. Yes there are lots of campaigns and issues which need to be dealt with at a regional or national level. However, the problems underlying these campaigns and making them necessary in the first place share common roots and are the product of past and ongoing discussions and decisions of European, and other, states at a supranational level.

One of the most important aspects of the international campaign must be to continue to challenge the Terror Lists [whether national or international in their scope] and the basis on which they were created as well as continuing to defend the associated affected rights such as freedom of expression. This is something that needs to be done nationally and on a pan-European basis where possible in cooperation, sharing experiences and offering support.

To not engage with the power structures that currently exist, to fail to play them at their own game, to not hold them to the humanitarian values which they proclaim and claim need to be protected, would be a mistake. To this end should take every opportunity to engage with and challenge the people and processes which dictate the discourse of the War on Terror.

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The latest community to be targeted by the British state is the Baluch who have fallen victim to dealing between Britain and Pakistan and their respective terrorism agendas. Pakistan wants to extradite Faiz Baluch and Hyrbyair Marri, Baluch nationalists who have been arrested and charged in Britain under existing anti terrorism legislation. It seems likely that this is part of a deal between London and Islamabad and will see the two exchanged for a British national London wants to extradite to face terrorism charges in Britain unless their detention can be successfully challenged. Britain has already previously assisted Pakistan with the extradition of Baluchi Nationalists to Pakistan where they face the prospect of an unfair trial, torture and death. The Baluch may become the latest people to be sacrificed in the interest of realpolitik.

Proscription, or "designation", takes various forms and its legal effect differs according to the jurisdiction, varying from complete bans for "terrorist" groups that criminalise their members and supporters, to the freezing of assets of individuals suspected of supporting terrorism. Groups and individuals are added to the "terrorist" lists on the basis of "intelligence" alone. The normal judicial process governing such serious accusations, and their prosecution, has been discarded. The UK and US governments are obliged to "consult" with parliament and congress respectively, though such consultation has been

brief; the executive bodies of the UN (Security Council) and EU (Council) agree their lists on the basis of intelligence provided by their member states without any parliamentary scrutiny. These lists and the related sanctions are binding on all member states.