



## Resolution 1258 (2001)<sup>1</sup>

# Democracies facing terrorism

### Parliamentary Assembly

1. The members of the Parliamentary Assembly of the Council of Europe and the 800 million Europeans whom it represents were horrified by the recent terrorist attacks against the United States of America.
2. The Assembly conveys its deepest sympathies to the people of the United States and to the families of the victims, including citizens of other countries.
3. The Assembly condemns in the strongest possible terms these barbaric terrorist acts. It considers these attacks as a crime that violates the most fundamental human right: the right to life.
4. The Assembly calls on the international community to give all necessary support to the Government of the United States of America in dealing with the consequences of these attacks and in bringing the perpetrators to justice, in line with existing international anti-terrorist conventions and United Nations Security Council resolutions.
5. The Assembly regards the new International Criminal Court as the appropriate institution to consider terrorist acts.
6. The Assembly welcomes, supports and shares the solidarity shown by members of the international community, which has not only condemned these attacks, but also offered to co-operate in an appropriate response.
7. These attacks have shown clearly the real face of terrorism and the need for a new kind of response. This terrorism does not recognise borders. It is an international problem to which international solutions must be found based on a global political approach. The world community must show that it will not capitulate to terrorism, but that it will stand more strongly than before for democratic values, the rule of law and the defence of human rights and fundamental freedoms.
8. There can be no justification for terrorism. The Assembly considers these terrorist actions to be crimes rather than acts of war. Any actions, either by the United States acting alone or as a part of a broader international coalition, must be in line with existing United Nations anti-terrorist conventions and Security Council resolutions and must focus on bringing the perpetrators, organisers and sponsors of these crimes to justice, instead of inflicting a hasty revenge.
9. At the same time, the Assembly believes that long-term prevention of terrorism must include a proper understanding of its social, economic, political and religious roots and of the individual's capacity for hatred. If these issues are properly addressed, it will be possible to seriously undermine the grass roots support for terrorists and their recruitment networks.
10. The Assembly supports the idea of elaborating and signing at the highest level an international convention on combating terrorism, which should contain a comprehensive definition of international terrorism as well as specific obligations for participating states to prevent acts of terrorism on a national and global scale and to punish their organisers and executors.

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1. Assembly debate on 25 and 26 September 2001 (27th and 28th Sittings) (see [Doc. 9228](#), report of the Political Affairs Committee, rapporteur: Mr Davis; and [Doc. 9232](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Jansson). Text adopted by the Assembly on 26 September 2001 (28th Sitting).



11. The recent terrorist acts appear to have been undertaken by extremists who have used violence with a view to provoking a serious clash between the West and the Islamic world. Therefore, the Assembly emphasises that any action to prevent or punish terrorist acts must not discriminate on ethnic or religious grounds and must not be directed against any religious or ethnic community.
12. If military action is part of a response to terrorism, the international community must clearly define its objectives and should avoid targeting civilians. Any action should be taken in conformity with international law and with the agreement of the United Nations Security Council. The Assembly therefore welcomes Security Council [Resolution 1368 \(2001\)](#), which expresses the Council's readiness to take all necessary steps to respond to the attacks of 11 September 2001 and to combat all forms of terrorism in accordance with its responsibilities under the United Nations Charter.
13. The Assembly expresses its conviction that introducing additional restrictions on freedom of movement, including more hurdles for migration and for access to asylum, would be an absolutely inappropriate response to the rise of terrorism, and calls upon all member states to refrain from introducing such restrictive measures.
14. The Assembly believes that international action against terrorism can only be effective if it is carried out with the broadest possible support. It calls for close co-operation at a pan-European level, especially with the European Parliament, as part of a global effort and calls on the European Union, the Commonwealth of Independent States (CIS) and the OSCE to co-operate closely with the Council of Europe in this regard.
15. The Assembly expresses support for the proposal to establish an international anti-terrorist mechanism within the United Nations to co-ordinate and promote co-operation between states in dealing with terrorism.
16. The Assembly recalls its report on terrorism of 1984, as well as [Recommendation 1426 \(1999\)](#) on European democracies facing up to terrorism. It reiterates the proposals made in this recommendation, including the principle of *aut dedere aut judicare* (either extradite or try), and instructs its relevant committees to update them if necessary.
17. The Assembly calls on the Council of Europe member states to:
  - 17.1. stand firmly united against all acts of terrorism, whether they are state sponsored or perpetrated by isolated groups or organisations, and show a clear will and readiness to fight against them;
  - 17.2. introduce economic and other appropriate measures against countries offering safe havens to terrorists or providing financial and moral support to them;
  - 17.3. concentrate their efforts on improving judicial co-operation and police co-operation and on the identifying and seizing of funds used for terrorist purposes in the spirit of the International Convention for the Suppression of the Financing of Terrorism;
  - 17.4. review the scope of the existing national legal provisions on the prevention and suppression of terrorism;
  - 17.5. take the necessary steps to ensure that appropriate domestic measures exist to prevent and counteract the financing of terrorists and terrorist organisations;
  - 17.6. lift their reservations to all existing conventions dealing with terrorism;
  - 17.7. provide access to bank accounts for the authorities responsible for investigating international crime and terrorist networks in particular;
  - 17.8. renew and generously resource their commitment to pursue economic, social and political policies designed to secure democracy, justice, human rights and well-being for all people throughout the world;
  - 17.9. give urgent consideration to amending and widening the Rome Statute to allow the remit of the International Criminal Court to include acts of international terrorism;
  - 17.10. reaffirm their commitment to the status of the United Nations Security Council as the ultimate authority for approving international military action.
18. The Assembly invites the member states of the United Nations to amend their Charter so that it may also address crises other than those arising between states.
19. The Assembly requests that the present resolution be transmitted to the Congress and to the President of the United States and to the Secretary General of the United Nations.

20. The Assembly furthermore instructs its Bureau to ensure that, in the follow-up to this resolution, there is appropriate co-operation and co-ordination between the Parliamentary Assembly and the European Parliament, involving also the respective competent committees of each institution.