

## Internal security challenges – How can we reconcile liberties and security?

Speech by the Federal Minister of the Interior, Dr Wolfgang Schäuble,  
at the Konrad-Adenauer-Stiftung and with representatives of Policy Exchange  
in London on 4 October 2007

About one month ago we commemorated the horrific terrorist attacks on 11 September 2001 in New York and Washington. This day made us painfully aware of a new dimension of terror and a new global threat.

It was followed by more attacks – both failed and fatal. Each summer for the past three years, London has been the target of terrorists. Two years ago many people lost their lives, hundreds were injured.

Today, Islamist terrorism is the greatest threat to our security. It isn't a national issue with cross-border implications as terrorism was in the 1970s. It has become a global threat which is ultimately targeted at all free societies.

Germany is also increasingly targeted by terrorists – even though luck and good work by the security authorities have prevented attacks so far.

Last year it was pure luck that two suitcase bombs which had already been placed in a train failed to detonate because of a small technical defect. If the bombers' plan had worked, many people would have lost their lives.

And without the good work of security authorities and excellent cooperation with other security services, the situation would probably be different in Germany.

Exactly one month ago our security authorities arrested three terrorist suspects, thus preventing imminent large-scale attacks. According to a claim of responsibility published by the Islamic Jihad Union on the Internet, the attacks were mainly aimed at American facilities in Germany. To this end, the suspects amassed chemicals, cables and detonators. The explosive material – twelve vats of hydrogen peroxide – would have been enough to build bombs with more explosive power than the ones used in Madrid and London. As soon as the suspects began to prepare the explosives, our authorities intervened.

Modern state theories are based on the idea that the first and foremost task of the state is to ensure security, that is, to prevent civil war and to fend off external attacks. The state's monopoly on the use of force is justified by its mandate to ensure protection and security.

In carrying out this task it is important to maintain the balance between what is necessary in terms of security and what can be justified under the rule of law. In this respect, there is no categorical trade-off between liberty and security. In fact, these goals mutually complement one another in a way that cannot be understood in terms of opposites.

Liberty requires security. Liberty in a state under the rule of law requires compliance

with the law. For if there is no legal consensus and legal certainty, liberty quickly vanishes.

It is the duty of the state to constantly seek to maintain and restore this balance.

The new threats of the 21st century – international terrorism and cross-border crime – must be addressed in the same way. As the globalization of our society and economy progresses, crime and terrorism change as well.

Therefore, the security environment in our countries – in particular internal security – cannot be assessed without reference to today's global security situation and conflicts.

Characteristic of the new threats are not only the numerous crises and conflicts worldwide, but also that these are no longer dominated only by sovereign states: Today, conflicts may include civil wars and be dominated by self-proclaimed warlords, guerrilla fighters, and regional and private forces. Threats emanating from the loss of sovereignty, from failing states and asymmetric warfare are harder to predict and control.

The global tensions and conflicts provide fertile soil for terrorist developments, which doesn't make it easier to set or even define boundaries. Hence, the globalized, networked and mobile world virtually forces us to respond to the blurring lines between internal and external also in terms of our security policy.

A major challenge of our century is asymmetric conflict. The asymmetry in the fight against terrorism is not restricted to battle and differences in military strength and justifications. Asymmetry encompasses the entire confrontation with international terrorism. The new dimension of asymmetric conflicts is reflected, for example, in the significance of mass media for spreading information: The parties involved seek media dominance on a global scale because they are even more interested in attracting the attention of a global audience than in achieving military dominance.

There are no easy and reliable answers to the question of how to overcome the scourge of terrorism. So we must be willing to learn. And there is also no guaranteed security against the terrorist threat. But this doesn't absolve us from the responsibility to constantly seek the optimum solution.

The increasing permeability – or even abolition – of borders, that is, the growing number of cross-border activities, including those by criminals and terrorists, requires strengthened international cooperation. We must take action across borders and be just as networked as terrorists and criminals – both at international and at national level.

In operational terms, we must keep up with those who threaten our security. This means that we must apply and control the 21st century technology used by criminals and terrorists.

The most important instrument in the fight against terrorism is intelligence. Information is our only chance to avert threats before they can cause harm. Therefore it is crucial that authorities collect and link information and effectively investigate and cooperate at national and international level.

We have achieved a lot since September 2001, in particular regarding international cooperation. One achievement for example is the agreement between the United States and the European Union on the transfer of passenger name records which was negotiated in June. We must improve security authorities' access to passenger name records also within the EU. The Commission has announced a draft proposal for November. We will actively support the project.

The Internet plays a special role in counter-terrorism. The Internet's decentralized and unregulated structure offers a huge forum for terrorists: It is at once a communication platform, an advertising medium, a distance university, a training camp and a think tank.

The terrorists' ideas of a society based on the rules of shariah and an attitude toward women relegating them to second- or third-

class citizens might sometimes seem medieval to us – but terrorists are very modern when it comes to the use of 21st century technology and communications.

On the other hand, today's information networks allow for much more efficient police work. If terrorists make an announcement on the Internet it hardly makes sense for experts from all 27 Member States to look it up on the Internet, translate it from a rare Arabic dialect and then analyse it. We must avoid duplication of work. This is the purpose of the "Check the Web" project initiated during the German EU Presidency. Among other things, the project aims at establishing a portal at Europol where Member States can exchange information.

The global information society also provides a platform for crime. Therefore, the democratic state under the rule of law must not lag behind the times regarding the use and control of information technology. The state under the rule of law must confront terrorists and criminals wherever they operate.

As we collect and link information, we frequently encounter privacy concerns and restrictions. The need for data protection is beyond question.

But I believe that data protection should not make the state blind and ignorant. Data protection does not mean that the state must look away when serious crimes are being planned. As I understand it, data protection means that the state must establish transparent rules defining who collects which data for what purpose, which data may be linked, how long they may be stored and so on.

To this end, the European Union and the United States agreed in November 2006 to set up a High-Level Contact Group on data protection issues. It is intended to provide a reliable legal basis for the necessary exchange of data.

Since internal and external security are inseparable in a globalized world, we have to maintain our security through military missions abroad. But we should also see to it

that military missions help achieve our goals instead of being a mere provocation. During asymmetric conflicts, decisions are taken not only on military but also on economic, social and political grounds. These conflicts cannot be solved by military force alone. Ultimately, we must convince people of our values of a free society. This is the only way to bring lasting stability to crisis regions. In this context, the role of media cannot be overestimated.

One year ago I launched the German Islam Conference to initiate a long-term institutionalized dialogue with Muslims in Germany. This is another important task in a globalized world: Our increasingly heterogeneous societies must not drift apart but seek to preserve a sense of community.

The efforts and commitment of individual countries are the basis for effective crime prevention. But at the same time, unilateral decisions will not help solve the problems of our modern, globalized world, especially because the asymmetric conflict with terrorism is not only about military might but also about the public perception of our actions. So we need close coordination to reach our common goal, namely to permanently maintain freedom and security in our countries. This is why we developed a counter-terrorism strategy at European level during the British EU Presidency in 2005, defining domestic and foreign policy goals and principles.

Maybe we should also increase our efforts to discuss international law issues with a view to the changing situation. I'm convinced that neither national legislation nor international law is really appropriate to deal with the new types of threat. Since the boundaries between internal and external security are becoming blurred, the distinction between international law in peacetime and international law in wartime is often no longer helpful.

And thus there are numerous questions which we have only very hesitantly started discussing in the public debate. I don't have ready answers. But I do think that we need

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international debate on these issues. No country can discuss them on its own.

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The Member States of the European Union share the view that liberty, peace and justice are inseparably bound to each other, that every person has a unique dignity and that everyone is entitled to an independent and autonomous life within a society based on solidarity. This understanding is the solid foundation for taking joint European action against terrorism to preserve our liberty for the future.