

EU wary of adopting tough new counter-terrorism measures

Transcript

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Reporter: Michael Vincent

ELEANOR HALL: The London bombings have refocused the attention of governments around the world on the adequacy of their counter-terrorism measures.

But the European Parliament has today expressed its reluctance to adopt some of the tougher security measures being proposed by the British Government, saying they would be too costly and too intrusive.

Amongst the ideas being put to the EU are new rules requiring mobile phone and internet companies to store information about their users for up to a year, as Michael Vincent reports.

MICHAEL VINCENT: After the Madrid attacks, the European Union brought in tough anti-terrorism legislation. Now the British Foreign Secretary, Jack Straw, wants the EU to go further. He told an EU meeting overnight there needed to be "a rebalancing of where the line between the rights of individuals and the rights of society should lie."

It's a response that doesn't surprise the Director of the National Europe Centre at the ANU, Professor Simon Bronitt.

SIMON BRONITT: In the wake of catastrophic attacks like 9/11, Madrid, and now London, there is a very strong law and order imperative for governments to be seen to be doing something... and something usually means enacting laws that seem tough.

MICHAEL VINCENT: The European Parliament has already once rejected a proposal for mobile phone and internet companies to store information about their users for up to three years.

Jack Straw's proposal is storage for one year. But Professor Simon Bronitt says technology can only provide some assistance.

SIMON BRONITT: As we know in relation to ordinary crime, and there is in a sense in which terrorism is just another crime like any other, is that, you know, most crime comes to the attention of the police through members of the public – and in this context it might be a family member of a person who has been drawn into a radical fanatical group that will contact the authorities – and it's around those structures, as

well as covert policing operations, that I think most of the success against terrorism will be located.

MICHAEL VINCENT: Greater human intelligence?

SIMON BRONITT: Mm. It seems to me that just passive surveillance of the community at large, gathering more and more data about the movements of citizens, while intelligence gathering we could generate, obviously, structures and systems and computers that could punch all this data and profiling is all the rage... but truthfully, most infiltration does come through those kind of networks.

MICHAEL VINCENT: There's disagreement within the European Union about how far anti-terrorism legislation should go. For example, under French law, suspects may be detained for 92 hours before charges are filed, and then they could be jailed for up to three years, as investigations continue and a trial is prepared. These laws have been challenged in the European courts for breaching human rights. But they remain intact.

Associate Professor Philomena Murray is the director of the Contemporary Europe Research Centre at the University of Melbourne. Professor Murray says while there is much cooperation already among the European Union, proposals that further infringe on civil liberties are likely to meet strong resistance.

PHILOMENA MURRAY: I think they're all being tough on counter-terrorism, and the cooperation, for instance, among the police intelligence and other intelligence forces is absolutely considerable, and I think this is something that isn't well known, even within Europe.

There is the Europol intelligence sharing for, example, there is the Eurojust sharing of information, and there is mutual consultation among all the relevant judicial agencies.

So this is already taking place quietly. I don't know to what extent we can then see a cohesive European position on something that really touches at national sovereignty to a large extent as well, and the very core of national sovereignty.

So I think what you'll see is a diversity or a divergence of positions among the member states. But you will not see a common position on all aspects of security and counter-terrorism.

ELEANOR HALL: Director of the Contemporary Europe Research Centre at Melbourne University, Professor Philomena Murray, speaking to Michael Vincent.