

Articles

The commodification of information and the control of expression 3

Towards a Human Rights Convention on Persons with Disabilities: problems and prospects 8

Institute News 15

Articles contd

The OECD Guidelines for Multinational Enterprises: an analysis 18

Employee participation in France and Germany 26

THE 'FINANCIAL WAR' ON TERRORISM

Within hours of the horrific events of 11 September 2001, President George Bush and his advisers had launched a 'financial war' on terrorism, deploying the weaponry that has been developed over the years in the 'war on drugs'. But seizing terrorist property is a rather different matter from seeking to take the profit out of conventional crime – something we have learned from our experience in Northern Ireland. As it becomes increasingly obvious that relating funds to a terrorist enterprise is even more difficult than establishing wealth to be the product (presumptively or otherwise) of crime, we have heard more of 'disruption' than seizure. The legal issues have received scant attention, and for this reason the Executive Committee of the Society for Advanced Legal Studies invited Dr Ross Cranston QC MP, the former Solicitor General, to chair an expert working group. The SALS Interdiction of Terrorist Property Working Group duly published a report, 'The Funding of Terror: the Legal Implications of the Financial War on Terror'. Dr Cranston's report was launched on 25 September 2002 at the House of Commons (see article in the news section of this issue).

The events of 11 September 2001 occurred in the middle of the Nineteenth International Symposium on Economic Crime, which is organised by the IALS and SALS. Indeed, the symposium was focussing on the funding of terror at exactly the time of the attack. Many of those in Cambridge were directly involved in the aftermath, and one or two were immediately flown back to Washington in military aircraft. In the circumstances, it is perhaps not surprising that the Twentieth International Symposium – held at Jesus College, Cambridge from 8-16 September 2002 – focussed on interdicting the funds of organised crime and terrorist organisations. Well over 800 people participated in the programme and attended over 50 workshops. Delegates, as in previous years, ranged from some of the most senior officials in the US Justice and Treasury Departments to those in the frontline of the fight against terrorism in the Punjab.

Professor G L Pereis, an international jurist of considerable renown and now the minister at the forefront of the negotiations with the Tamil Tigers in Sri Lanka, gave an address to the symposium. This was delivered in his usual low-key manner, but was nonetheless charged with emotion and good sense. He emphasised that the law was one thing, and politics quite another. The solution to dealing with terror is political, and resort to the law can have quite unpredictable and even contrary results – a sentiment shared by many with regard to the US PATRIOT Act!

Professor Barry Rider