



# **PUBLIC INTERNATIONAL LAW**

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# International Terrorism

- International terrorism refers to terrorism that goes beyond national boundaries in terms of the methods used, the people that are targeted or the places from which the terrorists operate.
- So for understanding International terrorism, it becomes a necessity to have an idea of the meaning of terrorism beforehand.


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- There is no consensus on the exact definition of terrorism to date. Various sources, organizations et al. define it differently with a little or more variation.
  - The UN General Assembly Resolution 49/60 (adopted on December 9, 1994), titled “Measures to Eliminate International Terrorism,” contains a provision describing terrorism: – Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them.


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- UN Security Council Resolution 1566 (2004) gives a definition:  
“criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act.”

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- The European Union defines terrorism for legal/official purposes in Art. I of the Framework Decision on Combating Terrorism (2002).
  - This provides that terrorist offenses are certain criminal offenses set out in a list comprised largely of serious offenses against persons and property which:
    - given their nature or context, may seriously damage a country or an international organization where committed with the aim of: seriously intimidating a population; or unduly compelling a Government or international organization to perform or abstain from performing any act; or seriously destabilizing or destroying the fundamental political, constitutional, economic or social structures of a country or an international organization.


# HISTORY


- Terrorism is not a new or recent phenomenon, it has its roots in early resistance and political movements.
- The Sicarii were an early Jewish terrorist organization founded in the first century AD with the goal of overthrowing the Romans in the Middle East.
- There are many other key examples of terrorism throughout history before the modern terrorism of the 20th century.

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- Guy Fawkes' failed attempt at reinstating a Catholic monarch is an example of an early terrorist plot motivated by religion.
  - Meanwhile, The Reign of Terror during the French Revolution is yet another example of terrorism.

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- The use of terrorism to further a political cause has accelerated in recent years. Modern terrorism largely came into being after the Second World War with the rise of nationalist movements in the old empires of the European powers.
  - These early anti-colonial movements recognized the ability of terrorism to both generate publicity for the cause and influence global policy.





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- Bruce Hoffman, director of the Center of Security Studies at Georgetown University writes that, “The ability of these groups to mobilize sympathy and support outside the narrow confines of their actual “theaters of operation” thus taught a powerful lesson to similarly aggrieved peoples elsewhere, who now saw in terrorism an effective means of transforming hitherto local conflicts into international issues.” This development paved the way for international terrorism in the 1960s.

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- Since the emergence of Al Qaida in the 1990s, international terrorism has become largely synonymous with Islamist terrorism. And the present time, in particular, is marred with terrorism like never before, affecting almost each and all of us.

# CAUSES


- A formal study may reveal some basic causes of terrorism, which can be listed as:
- **Ethno-Nationalism**
- The desire of a population to break away from a government or ruling power and create a state of their own can cause the formation of terrorist groups. In the 20<sup>th</sup> century this was seen often times with regions or states attempting to gain independence from their colonial era masters.

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- Today Hamas is one of the most active ethno-nationalist driven groups carrying out suicide bombings and attacks against the state of Israel with the goal of creating a Palestinian state. Chechen terrorist organizations are also ethno-nationalists for their attacks against the government and people of Russia in the attempt to form their own state.

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- **Alienation/Discrimination**
  - Several authors on terrorism have pointed to a sense of alienation felt by diasporas, particularly those living in Europe as a driver of terrorism.
  - Many times these groups face discrimination in the countries they reside, leading to further feelings of isolation.
  - They commonly move from poorer countries, particularly Muslim states in the case of Europe, to wealthier ones to go to school or find work.

# Religion


- Perhaps the most commonly held belief today is that terrorism is caused by religion. Though it is not the main cause of terrorism, religion does play a significant role in driving some forms of it. As Hoffman points out in *Inside Terrorism*, from the Thugs of ancient India that killed to terrorize in the name of the god Kali to the Jewish Zealots who cut the throats of Romans in public to combat their occupation of Israel, religion (in conjunction with political/ethno-nationalist drivers) has long been a factor of terrorism.

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- Today religion as a part of terrorism has been mainly attributed to Islamic fundamentalism (though other examples, such as the Aum Shinrikyo cult that carried out the 1995 sarin gas attacks in Tokyo, also exist). As Sageman describes: “The global Salafi jihad is a worldwide religious revivalist movement with the goal of reestablishing past Muslim glory in a great Islamist state stretching from Morocco to the Philippines, eliminating present national boundaries.”
  - As a driver of terrorism, the true danger that religious doctrine poses is its encouragement of attacks that are more violent in nature than other types of terrorism.

# Socio-Economic Status


- Terrorists may also be driven by a sense of relative deprivation and lack of upward mobility within society. Globalization and the modern media have given the 'have-nots' an acute awareness of their situation compared to the 'haves'.



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- This leads to frustration, victimization, and humiliation among growing cohorts of urbanized, under-educated, and unemployed Muslim youth who are able to make comparisons across countries.” Seeing the economic differences between themselves and the Western world can infuriate some in underdeveloped countries, increasing tension and hostilities. This allows terrorist organizations to gain attention and entry to societies that have felt wronged by these perceived social injustices


# Political Grievances

- A lack of political inclusiveness in states or grievances against a certain political order may cause individuals to join or create terrorist groups.
- Left and right wing terrorists often seek to a political system.
- As well, many in nations with authoritarian regimes lack avenues for dissent.

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- Frustrated expressions of political will can turn to violence as an alternative to exclusive political systems.
  - While somewhat similar to ethnic-nationalist/separatist causes, these political grievances are not born from the desire to create a new state but to change the order within the current one.


# The Accidental Guerilla


- Finally, there is the theory put forth about the “accidental guerrilla” by David Kilcullen. Kilcullen describes it as such: A terrorist organization moves into an area with poor government or that is conflict-ridden (he uses Al Qaeda specifically), then uses this safe haven to spread their ideologies to other areas and as a base to carry out violent acts.

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- When outside forces then intervene to deal with the threat posed to them by this group, this causes the local population to reject the ‘foreign invaders’ and ally with the terrorist group, thus creating more terrorists and popular support for terrorist movements. The cases of U.S. intervention in Afghanistan and Iraq to counter Al Qaeda are the obvious examples here.
  - This theory poses strong questions about the viability of direct intervention in pursuit of terrorist groups by Western countries, and whether it causes more harm than good.

# REMEDIES

- The problem of terrorism has been holding us back since time oblivion, moreover it degenerates the quality of living with the sense of insecurity that it spreads all around, losses caused are too obvious that don't even have to be stated. Not to be mentioned the world yearns for an immediate solution.

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- It has been said that before we can arrive at a solution it's necessary to understand the problem, true that is. The problem here goes back to causes, the various causes listed above are mostly local except the Islamic terrorism (Al Qaeda, ISIS etc.), but the repercussions are seen worldwide because of the close integration that times have fostered, mostly based on the belief that friend of your enemy is enemy.

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- In that case, the measures taken have to be local as well as global, hand in hand. The international organizations and platforms have a very vital role to play in the process, to uproot the vested interest and establish the importance of securing an impartial stand all around. Until all countries agree on the enemy they sought to defeat, there would always be loopholes and safe havens for those criminals to escape justice and the rules of law. Efforts to combat terrorism should adhere to the principles of international law, including humanitarian law and the right to self-determination.
  - There shall be steps towards more inclusion on even basis and moves shall be taken to remove inequalities. More dialogues and serious resolve to mitigate the difference between the people and the governments in most probability shall bring a great number of changes sought.
  - An educated population has its own significance, it becomes more important as a solution, for nothing works, as good as a person able to reason for himself/herself. Especially in the case of the Islamic terrorism, the mass following is mostly the result of lack of education & awareness (coupled with unemployment and certain other frustrations).

(The world, in general, must understand and remember that Islamic terrorism though rampant doesn't make Islam itself a terrorist organization)



Thank You!