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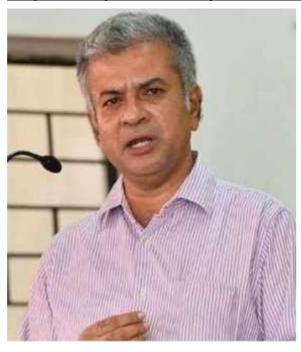
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Dr. Raju Narayana Swamy popularly known as Kerala's Anti Corruption Crusader is the All India Topper of the 1991 batch of the IAS and is currently posted as Principal Secretary to the Government of Kerala . He has earned many accolades as he hit against the political-bureaucrat corruption nexus in India. Dr Swamy holds a B.Tech in Computer Science and Engineering from the IIT Madras and a Ph. D. in Cyber Law from Gujarat National Law University . He also has an LLM (Pro) (with specialization in IPR) as well as three PG Diplomas from the National Law University, Delhi- one in Urban Environmental Management and Law, another in Environmental Law and Policy and a third one in Tourism and Environmental Law. He also holds a post-graduate diploma in IPR from the National Law School, Bengaluru and a professional diploma in Public Procurement from the World Bank.

Dr. R. K. Upadhyay

Dr. R. K. Upadhyay is Registrar, University of Kota (Raj.), Dr Upadhyay obtained LLB , LLM degrees from Banaras Hindu University & Phd from university of Kota.He has succesfully completed UGC sponsored M.R.P for the work in the ares of the various prisoners reforms in the state of the Rajasthan.

Senior Editor

Dr. Neha Mishra

Dr. Neha Mishra is Associate Professor & Associate Dean (Scholarships) in Jindal Global Law School, OP Jindal Global University. She was awarded both her PhD degree and Associate Professor & Associate Dean M.A.; LL.B. (University of Delhi); LL.M.; Ph.D. (NLSIU, Bangalore) LLM from National Law School of India University, Bengaluru; she did her LL.B. from Faculty of Law, Delhi University as well as M.A. and B.A. from Hindu College and DCAC from DU respectively. Neha has been a Visiting Fellow, School of Social Work, Michigan State University, 2016 and invited speaker Panelist at Global Conference, Whitney R. Harris World Law Institute, Washington University in St.Louis, 2015.

Ms. Sumiti Ahuja

Ms. Sumiti Ahuja, Assistant Professor, Faculty of Law, University of Delhi,
 Ms. Sumiti Ahuja completed her LL.M. from the Indian Law Institute with specialization in Criminal Law and Corporate Law, and has over nine years of teaching experience. She has done her LL.B. from the Faculty of Law, University of Delhi. She is currently pursuing Ph.D. in the area of Forensics and Law. Prior to joining the teaching profession, she has worked as Research Assistant for projects funded by different agencies of Govt. of India. She has developed various audio-video teaching modules under UGC e-PG Pathshala programme in the area of Criminology, under the aegis of an MHRD Project. Her areas of interest are Criminal Law, Law of Evidence, Interpretation of Statutes, and Clinical Legal Education.

Dr. Navtika Singh Nautiyal

Dr. Navtika Singh Nautiyal presently working as an Assistant Professor in School of law, Forensic Justice and Policy studies at National Forensic Sciences University, Gandhinagar, Gujarat. She has 9 years of Teaching and Research Experience. She has completed her Philosophy of Doctorate in 'Intercountry adoption laws from Uttranchal University, Dehradun' and LLM from Indian Law Institute, New Delhi.

Dr. Rinu Saraswat

Associate Professor at School of Law, Apex University, Jaipur, M.A, LL.M, Ph.D,

Dr. Rinu have 5 yrs of teaching experience in renowned institutions like Jagannath University and Apex University. Participated in more than 20 national and international seminars and conferences and 5 workshops and training programmes.

Dr. Nitesh Saraswat

E.MBA, LL.M, Ph.D, PGDSAPM
Currently working as Assistant Professor at Law Centre II, Faculty of Law, University of Delhi. Dr. Nitesh have 14 years of Teaching, Administrative and research experience in Renowned Institutions like Amity University, Tata Institute of Social Sciences, Jai Narain Vyas University Jodhpur, Jagannath University and Nirma University.
More than 25 Publications in renowned National and International Journals and has authored a Text book on Cr.P.C and Juvenile Delinquency law.

Subhrajit Chanda

BBA. LL.B. (Hons.) (Amity University, Rajasthan); LL. M. (UPES, Dehradun) (Nottingham Trent University, UK); Ph.D. Candidate (G.D. Goenka University)

Subhrajit did his LL.M. in Sports Law, from Nottingham Trent University of United Kingdoms, with international scholarship provided by university; he has also completed another LL.M. in Energy Law from University of Petroleum and Energy Studies, India. He did his B.B.A.LL.B. (Hons.) focussing on International Trade Law.

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STRIKING THE BALANCE: COUNTER TERRORISM MEASURES AND HUMAN RIGHTS IN NATIONAL AND INTERNATIONAL LAW.

THIA DISSERTATION SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENT FOR THE DEGREE OF BACHELOR OF LAW.

SUBMITTED BY:

POOJA SHARMA

Enrollment No.: - A032134719049

BA.LLB. GENERAL

Under the supervision of:

Asst. Professor (I) Ms Shikha Goyal

AMITY LAW SCHOOL, NOIDA

Year-2024

<u>CERTIFICATE BY FACULTY SUPERVISOR</u>

It is to certify that Mr./Ms. Pooja Sharma is pursuing B.A.LLB. LAWSI103 from Amity Law School, Amity University Uttar Pradesh and has completed his/her Summer Internship under my supervision. During his/her internship training she learnt various court craft. The comprehensive report submitted is found to be original and suitable for submission.

Date: Name of the Faculty-----------------------

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Signature of the Student
Name of the Student: - Pooja Sharma
Enrolment No.: A032134719049

Date: -

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I. <u>Introduction</u>

The definition of terrorism must be understood before one can label an individual, organisation, or political party as "terrorist". The Latin verb "terrere," which means "to cause to tremble," is the source of the French word "terrorisme," from which the phrase is derived. The Oxford English Dictionary defines terrorism as a strategy intended to intimidate or in-still fear. It is described as the methodical use of violence to engender fear in a populace and accomplish particular political goals by the Encyclopaedia Britannica. Terrorism involves violence or harmful acts against civilians for political or ideological aims. The European Union sees it as actions intended to destabilise or destroy fundamental structures of a country. The unlawful use of force or violence to intimidate or coerce a government or civilian population for political or social aims is defined by the FBI as terrorism. The term can refer to domestic or international terrorism based on the origin, base, and objectives of the terrorists. Various definitions of terrorism exist, with over 100 used by organizations such as the United Nations, the European Union, the United States, and other countries. Despite efforts to create a universally accepted definition, consensus remains elusive among UN member states, hindering international efforts to combat terrorism effectively.

The Irish Republican Brotherhood (1858–1924) is commonly seen as the earliest group to use modern terrorist methods. In general, any extremely violent act seen as targeting society is often called 'terrorism,' regardless of whether it is committed by anti-government rebels, governments, criminal organizations, rioting protesters, individual criminals, or lone individuals.

Terrorism, a complex and longstanding issue, lacks a universally accepted definition in international law. This absence of consensus has profound implications for addressing terrorist crimes within criminal justice systems.

The lack of a globally agreed-upon definition of terrorism can be attributed to several reasons. One of the primary reasons is the diverse nature of terrorist acts, which can vary widely in terms of their objectives, methods, and targets. This diversity makes it challenging to formulate a definition that can encompass all forms of terrorism.

Another reason for the lack of a universal definition is the political and ideological nature of terrorism. Different states and organizations may have differing views on what constitutes terrorism, depending on their own political agendas and perspectives.Reaching a consensus on a single definition that satisfies everyone is challenging.

Although a universal legal definition of terrorism is lacking, there has been discourse on the existence of a partial customary definition in international law. The Special Tribunal for Lebanon's 2011 decision sparked controversy by suggesting that a definition of "transnational terrorism" had evolved within customary international law. This definition suggests that terrorism includes committing criminal acts, like murder or kidnapping, with the intent to in-still fear in the population or coerce a national or international authority. Furthermore, the act must have a transnational aspect.

The Tribunal's decision was based on several factors, including relevant United Nations policies, practices, and norms, as well as national and international legal precedents. However, critics argued that the ruling did not meet the necessary legal standards in terms of state practice and opinio juris, and it has not been widely accepted.

While specific types of terrorist acts, like aircraft hijacking or hostage-taking, are covered in treaties that focus on those sectors, there is no comprehensive treaty definition of terrorism. As a result, no consistent customary rule has emerged from these treaties. This sectoral approach was chosen because states could not agree on a universal definition of terrorism.

In general, there is ongoing discussion about whether there is a customary definition of terrorism in international law. The lack of agreement on this issue highlights the complexity and difficulties in defining and addressing terrorism within the context of criminal justice.[1]

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[1] "Criminal Justice Responses to Terrorism", UNODC, July 01, 2018, available at:
https://www.unodc.org/e4j/en/terrorism/module-4/key-issues/defining-terrorism.html (last visited on Apr. 29, 2024).

II.Terrorism according to FBI

Terrorism is a pervasive threat that poses significant challenges at both national and international levels. In the United States, protecting against terrorist attacks is a top priority for the FBI. The Bureau works closely with partners to combat terrorism by neutralising terrorist cells and operatives, dismantling extremist networks worldwide, and cutting off financing and support to foreign terrorist organizations.

Terrorism can be divided into two main categories: domestic and international. Violent criminal acts committed by people or groups affiliated with foreign terrorist organisations or countries are referred to as international terrorism. However, violent criminal activities carried out by people or groups with the intention of advancing ideological goals founded in domestic factors such as political, religious, social, racial, or environmental ideas are referred to as domestic terrorism.

The FBI's approach to counterterrorism is focused on remaining agile and adapting to the evolving threat landscape. Since the September 11, 2001, attacks, the nature of terrorism has changed significantly. While international terrorism remains a serious threat, the rise of lone offenders radicalising online and committing acts of violence presents a new challenge. These individuals are often difficult to identify, investigate, and disrupt, as they may not have clear affiliations or guidance from a group.

The internet and social media have played a significant role in the evolution of terrorism threats. Extremist groups, both international and domestic, use online platforms to radicalise and recruit individuals. Social media has also enabled terrorists to reach a broader audience and inspire attacks in various locations.

To address these challenges, the FBI conducts investigations based on guidelines issued by the attorney general. These investigations focus on preventing terrorist activities and aiding in the arrest and prosecution of individuals or groups involved in terrorist acts. The FBI collects information that not only supports prosecution but also builds an intelligence base to prevent future attacks.

It is important for citizens to remain vigilant and report any suspicious activity they encounter. This can help law enforcement identify and disrupt potential terrorist threats. The Nationwide Suspicious Activity Reporting (SAR) Initiative and other resources provide avenues for reporting suspicious behavior.

In conclusion, terrorism is a complex and evolving threat that requires a coordinated effort at both national and international levels. By working together, law enforcement agencies, intelligence communities, first responders, and the public can help prevent terrorist attacks and protect communities.[2]

Terrorism is commonly understood as the use of violence to achieve political or ideological goals, often targeting civilians. While there is no universally accepted definition of terrorism in international law, various declarations, resolutions, and treaties provide insights into its nature and core elements.

The 1994 General Assembly Declaration on Measures to Eliminate International Terrorism defines terrorism as criminal acts aimed at inducing fear among the general public or specific groups for political purposes, deeming such acts unjustifiable regardless of their motives.

In 2004, Security Council Resolution 1566 characterized terrorism as criminal acts, including those targeting civilians, that cause death, serious bodily harm, or hostage-taking, with the intention of instilling fear or coercing governments or organizations to act in a certain manner.

Likewise, the Secretary-General's High-level Panel on Threats, Challenges, and Change described terrorism as actions intended to cause death or serious harm to civilians to intimidate populations or compel governments or organizations to act or refrain from acting.[3]

Efforts are underway within the international community to adopt a comprehensive convention against terrorism, which would supplement existing anti-terrorism treaties. The draft convention defines

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[2] FBI. "Terrorism." Available at: https://www.fbi.gov/investigate/terrorism. Last visited on Apr. 29, 2024.

[3] "Goal 16 of the Sustainable Development Goals." Available at:
https://kipdf.com/goal-16-of-the-sustainable-development-goals_5ac29e571723dd93200d6e55.html (last visited on Apr. 30, 2024).

terrorism as the intentional and unlawful causing of death, serious bodily injury, or significant property damage to intimidate populations or compel governments or organizations to act in a specific manner.

The draft also includes provisions for accomplices and organisers of terrorist acts. However, consensus on the adoption of the convention has been hindered by differing views on whether national liberation movements should be excluded from its scope.

Many countries have their own definitions of terrorism, drawing on these international elements to varying degrees. The challenges related to defining terrorism and ensuring legality are discussed in detail in chapter III, section G.

In summary, while there is no universal definition of terrorism, various international declarations and resolutions provide insights into its nature and core elements. Efforts to adopt a comprehensive convention against terrorism are ongoing, but differences in opinion regarding the scope of the convention continue to pose challenges.[4]

III. <u>Research Methodology</u>

The research aims to examine the doctrinal aspects of counter-terrorism measures and their implications for human rights. It will analyse legal frameworks, international conventions, and judicial decisions to understand how the balance between security and human rights is maintained in the context of counterterrorism.

<u>Research Objectives:</u>

1. To analyse international legal frameworks related to counter terrorism and human rights.

2. To examine judicial decisions and case law on the application of counter-terrorism measures.

3. To assess the effectiveness of legal safeguards in protecting human rights in counter-terrorism efforts.

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[4] Government of India, "Human Rights , Terrorism and Counter Terrorism" 32 (Office of United Nations High Commissioner of Human Rights, 2008)

Literature Review:

The literature review will examine existing scholarship on counter-terrorism, human rights, and the intersection between the two. It will explore key concepts, such as the definition of terrorism, the right to a fair trial, and the prohibition of torture, to provide a theoretical framework for the study.

Methodology:

1. Research Design: The study will adopt a qualitative approach, focusing on the analysis of legal texts, court judgments, and international treaties.
2. Data Collection: Data will be collected from primary sources, including legal texts, court judgments, and international treaties, as well as secondary sources, such as academic articles and reports.
3. Data Analysis: The analysis will be conducted using thematic analysis to identify key themes and patterns in the data.
4. Ethical Considerations: The study will adhere to ethical guidelines, ensuring the confidentiality and anonymity of sources.

Expected Findings:

1. A nuanced understanding of the legal frameworks governing counter-terrorism and human rights.
2. Insights into the effectiveness of legal safeguards in protecting human rights in counter-terrorism efforts.
3. Conclusion For enhancing the balance between security and human rights in counter terrorism measures.

The research will contribute to the existing literature on counter-terrorism and human rights by providing a comprehensive analysis of legal frameworks and their implications for human rights. It will offer insights into the challenges and opportunities in balancing security and human rights in the context of counter-terrorism.

IV. <u>Where 'Terrorism' is defined ?</u>

The Government of India defines a "terrorist act" under the Unlawful Activities (Prevention) Act, 1967 (UAPA), with the meaning assigned in section 15 of the UAPA. This includes acts of violence that fall under the purview of the UAPA, thus constituting an act of terror. The terms "terrorism" and "terrorist" are construed accordingly.

To classify an act of violence as an act of terrorism, the government follows the definition provided in the UAPA. There is a laid down process for this classification, which is outlined in section 15 of the UAPA and is based on the nature of the act of violence.

Between April 1, 2009, and June 30, 2019, there was a significant decrease in terrorist incidents compared to the previous decade. The government has adopted a strict stance against terrorism and has enhanced coordination among intelligence and security agencies at both the central and state levels. The Multi-Agency Centre (MAC) has been revamped to operate round the clock, facilitating real-time intelligence collation and sharing.

The National Investigation Agency (NIA) has been bolstered to handle terrorism-related cases, while states have established Special Forces to tackle such incidents. Central Armed Police Forces and National Security Guards have been deployed at various locations to support states in addressing terrorism. Moreover, central agencies conduct training programs for state forces on intelligence sharing and the investigation of terrorism cases.

The decline in terrorist incidents is attributed to the zero-tolerance policy against terrorism and the effective measures taken by security forces. Terrorist incidents in non-border areas have decreased by 70%, and in Jammu & Kashmir, the reduction is 86%. In the first half of 2019, there was a 28% drop in terrorist-initiated incidents and a 59% increase in actions by security forces against terrorists in Jammu & Kashmir compared to the same period in 2018.Any illegal act meant to incite fear in the public, a group of people, or an individual for a specific objective is considered terrorism, according to the UN.

Regardless of the political, intellectual, ideological, racial, ethnic, religious, or any other justifications offered, such crimes are always and everywhere wrong.[5]

US Department of State Definition

Terrorism is defined by the US Department of State as premeditated, politically motivated violence done by subnational groups or clandestine operatives against noncombatant targets.

European Union Definition

Terrorism, according to the European Union, has the goal of "destabilising or destroying a country's core political, constitutional, economic, or social institutions."

FBI

Definition

According to the FBI: "Terrorism is the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives."

India

Definition

Terrorism involves repeated violent actions carried out by clandestine individuals, groups, or state actors for psychological, criminal, or political objectives. The primary targets of these violent acts are often not the intended recipients of the violence.

[5] Government of India, "Question Hour of Lok Sabha" (Ministry of Home Affairs, 2019)

V. **<u>Types of Terrorism</u>**

When examining the causes of terrorism, it is useful to distinguish between preconditions and precipitants. Preconditions are underlying factors that create a conducive environment for terrorism, while precipitants are specific events or triggers that lead to the actual outbreak of terrorism.

1. Terrorism is often rooted in a complex interplay of factors that create a conducive environment for its emergence and growth:

- Underlying Structural Causes: These encompass various societal conditions such as demographic disparities, the impacts of globalization, rapid societal changes, and the presence of transitional societies. Additionally, factors like increasing individualism, feelings of relative deprivation, and existing class structures play a significant role in shaping individuals' lives in ways that may contribute to their vulnerability to terrorist ideologies.
- Facilitative Factors:These factors enable and amplify the impact of terrorism without necessarily being the primary drivers. They include the influence of modern news media, advancements in transportation and weapons technology, and inadequate state control over certain territories. These circumstances have made it increasingly feasible for terrorist acts to be planned and executed.
- Motivational Drivers: These are the personal grievances and ideological motivations that compel individuals to engage in terrorist activities. Ideologues and political leaders often manipulate these grievances to mobilise individuals towards terrorism. These motivations can also be viewed as symptoms of deeper structural issues within society.
- Immediate Triggers: These are specific events or actions that serve as the immediate catalysts for terrorist acts. They can range from significant political or social upheavals to provocative actions by perceived adversaries. Even events like peace negotiations can trigger terrorist responses from groups opposed to compromise.

Understanding these various factors is crucial in developing effective strategies to counter terrorism and address its root causes.[6]

❖ <u>Types of Terrorism</u>

Terrorism manifests in various forms, shaped by the objectives and ideologies of the groups involved. Understanding these types is crucial for developing effective counterterrorism strategies. Here are the major types of terrorism:

1. <u>Ethno-Nationalist Terrorism:</u>

➢ Definition: Violence by a subnational ethnic group to advance its cause, aiming for a separate state or elevated status.

➢ Examples: Tamil nationalist groups in Sri Lanka, insurgent groups in Northeast India.

2. <u>Religious Terrorism:</u>

➢ Definition: Terrorism motivated largely by religious imperatives, viewing violence as a divine duty.

➢ Characteristics: Embraces distinct legitimisation and justification methods, often more destructive.

➢ Examples: Islamic extremist groups like ISIS, Al-Qaeda.

3. <u>Ideology-Oriented Terrorism:</u>

➢ Left-Wing Terrorism:

➢ Motivation: Aimed at the ruling elite, driven by leftist ideologies advocating revolutionary change through violent means.

➢ Examples: Maoist groups in India and Nepal.

➢ Right-Wing Terrorism: - Motivation: Seeks to maintain the status quo or return to a perceived past situation, sometimes taking on an ethnic or racist character.

➢ Examples: Groups advocating for the rights of oppressed minorities or territorial acquisitions.

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[6] "Terrorism: Definition and Types", *Testbook.Com*, *available at*: https://blogmedia.testbook.com/blog/wp-

content/uploads/2022/08/terrorism-e4f96793.pdf (last visited on Apr. 29, 2024).

4. Narco-Terrorism:

Definition: Involves narcotics traffickers using violence or threats to influence government policies.

- Characteristics: Combines drug trafficking with terrorist violence, often for economic gain.

- Examples: Islamist terrorist groups in India involved in drug trafficking, particularly in the Kashmir valley.

5. State-Sponsored Terrorism:

- **Definition**: Terrorism as a deliberate instrument of foreign policy by governments to achieve specific objectives.

- **Characteristics**: Initiated for clear foreign policy goals rather than attention-seeking or ideological motives.

- **Examples**: Instances where governments support terrorist groups to achieve strategic aims.

The nature of terrorism is complex and multifaceted, often blending elements of different types. Recognizing these various forms is essential for devising comprehensive

counterterrorism strategies.[7]

❖ Explanations at Different Levels:

➢ **Individual and Group Level**: These explanations focus on factors that influence individuals or specific terrorist groups.

➢ **Societal and National Level**: These explanations look at broader societal or national factors that contribute to terrorism.

➢ **Systemic or International Level**: These explanations consider international factors that influence terrorism, such as global politics, economics, or culture.

[7] P. Sakthival, "Terrorism in India: The Unholy Neighbours" 1 *The Indian Journal of Political Science* 153-162 (2010).

[7] P. Sakthival, "Terrorism in India: The Unholy Neighbours" 1 *The Indian Journal of Political Science* 153-162 (2010).

❖ **Impact of Root Factors**: - Factors like modernization may impact different types of terrorist groups differently. For example, modernization may significantly affect ideological terrorism but not ethnonational terrorism.

- In organizations like al-Qaeda, relative deprivation may affect leaders and foot soldiers differently.

- Middle-class individuals may use poverty as a justification for terrorism, even if they are not personally deprived.

❖ <u>Evolution of Terrorism</u>:

➢ Terrorist groups may emerge due to one set of causes but continue to operate for different reasons over time.

➢ Individuals may remain in a terrorist group for reasons different from those that led them to join initially.

➢ Domestic and international terrorism may have distinct causes and motivations.

❖ <u>Terrorism as Radicalisation of Conflicts:</u>

Terrorism often arises as an extension and radicalisation of conflicts between various groups (ethnonational, ethnic minorities, ideological, etc.).

➢ Most conflicts do not lead to terrorism, which is a specific form of violent strategy distinct from civil war or guerrilla warfare.

Identifying the factors, processes, and circumstances that lead to terrorism, as well as those that prevent conflicts from escalating into terrorism, is crucial for understanding and addressing this complex phenomenon.

VI.   Terrorist Groups

- **Abu Sayyaf Group**

The Abu Sayyaf Group (ASG), a militant Islamic separatist organization, is notorious for its violent activities in the southern Philippines. The group emerged in the early 1990s following a split from the Moro National Liberation Front (MNLF), with the goal of establishing an independent Islamic state in western Mindanao and the Sulu Archipelago.

Primarily operating in Basilan, Sulu, and Tawi-Tawi Provinces in the Sulu Archipelago, the ASG has also conducted operations on Mindanao and occasionally in Manila. The group has engaged in various forms of terrorism, including kidnappings for ransom, bombings, assassinations, and extortion, using terror as a means to achieve financial gain and promote its jihadist ideology.

Notable incidents involving the ASG include the 2000 kidnapping of 21 individuals, including 10 Westerners, from a Malaysian resort, and the 2001 kidnapping of three US citizens and 17 Filipinos from a resort in Palawan, Philippines. These incidents resulted in the murder of several hostages, including a US citizen. The ASG was also responsible for the 2004 bombing of a ferry in Manila Bay, which killed 116 people, and simultaneous bombings in Manila, General Santos, and Davao in 2005, resulting in at least eight deaths and about 150 injuries.

In 2006, the ASG leader Khadafi Janjalani's faction relocated to Sulu, where it collaborated with local ASG supporters providing shelter to fugitive Jemaah Islamiyah (JI) members from Indonesia. The ASG has engaged in numerous clashes with Philippine security forces, leading to casualties on both sides. Despite efforts by Philippine authorities to combat the group, the ASG continues to pose a significant threat in the region.

The ASG's violent tactics have earned it the designation of a terrorist organization by several countries and international bodies, highlighting its role in promoting instability and insecurity in the southern Philippines.

- # <u>Afghan Taliban</u>

The Taliban, an influential Sunni Islamist movement with strong nationalist and pro-Pashtun leanings, emerged in the early 1990s, eventually gaining control over most of Afghanistan from 1996 to October 2001. The group's roots can be traced back to a cohort of peasant farmers and Islamic scholars who received their education in Afghan and Pakistani madrasas, or religious schools. The name "Taliban" translates to "students" in Pashto, highlighting the educational background of its founding members.

In the mid-1990s, the Taliban began to assert their authority in southern Afghanistan, gradually expanding their control over various provinces previously held by rival armed factions. By September 1996, they had seized Kabul, the capital, and established the Islamic Emirate of Afghanistan. During their rule, the Taliban imposed a strict interpretation of Islamic law, implementing harsh measures that severely curtailed the rights of women, persecuted religious minorities, and suppressed political dissent.

The rise of the Taliban can be attributed to several factors, including the vacuum left by the withdrawal of Soviet forces from Afghanistan in 1989, which led to a power struggle among various Mujahideen factions. The Taliban capitalized on the discontentment with the prevailing warlordism and corruption, promising to restore peace and security based on their interpretation of Islamic principles.

The Taliban's governance style was characterized by a blend of Islamic fundamentalism and Pashtun tribal traditions, with a strong emphasis on enforcing their version of Sharia law. They established a system of governance that was decentralised, with power vested in local Taliban commanders who enforced the group's rules and regulations.

One of the most controversial aspects of Taliban rule was their treatment of women. The Taliban imposed strict dress codes and restricted women's access to education and employment, effectively confining them to their homes. Women were also prohibited from participating in public life and were subjected to harsh punishments for violating these restrictions.

The Taliban's policies towards religious minorities were equally oppressive. They targeted Shia Muslims, Hindus, Sikhs, and other minority groups, forcing them to adhere to strict Islamic practices or face persecution. Places of worship belonging to minority communities were destroyed, and members of these communities were often subjected to violence and discrimination.

Political dissent was not tolerated under Taliban rule, with harsh punishments meted out to those who spoke out against the regime. The Taliban established a system of religious police known as the "Department for the Promotion of Virtue and Prevention of Vice," which enforced the group's strict interpretation of Islamic law.

Despite their harsh rule, the Taliban enjoyed some level of support among segments of the Afghan population, particularly in rural areas where they were seen as a force for stability amidst the chaos of warlordism. However, their brutal tactics and oppressive policies also led to widespread condemnation both within Afghanistan and internationally.

The events of September 11, 2001, marked a turning point for the Taliban regime. Following the terrorist attacks on the United States, which were orchestrated by the Al-Qaeda terrorist network led by Osama bin Laden, the Taliban regime came under intense international pressure to hand over bin Laden and dismantle Al-Qaeda bases in Afghanistan.

When the Taliban refused to comply with these demands, the United States, supported by a coalition of allies, launched a military campaign against the Taliban regime in October 2001. This campaign, known as Operation Enduring Freedom, quickly ousted the Taliban from power, forcing their leadership into hiding and leading to the establishment of a new government in Afghanistan.

In the years following their ouster, the Taliban regrouped and launched a protracted insurgency against the Afghan government and international forces, leading to years of instability and conflict in Afghanistan. Despite attempts at peace negotiations, the Taliban remains a potent force in Afghan politics, with their ultimate goals and the future of Afghanistan still uncertain.

One of the Taliban's most significant actions was providing a safe haven for al-Qaeda, the terrorist organization responsible for the 9/11 attacks in the United States. This alliance allowed al-Qaeda to operate freely in Afghanistan, using the country as a base for training, recruitment, and planning of terrorist activities.

In 2001, following the 9/11 attacks, the United States launched a military campaign against the Taliban and al-Qaeda in Afghanistan. The Taliban were quickly ousted from power, and their leadership fled into hiding. Despite their initial defeat, the Taliban continued to pose a significant insurgency, launching regular attacks against Afghan government forces and coalition troops.

In July 2015, the Taliban announced the death of their leader, Mullah Mohammad Omar, who had been in hiding since the US-led invasion in 2001. Mullah Akhtar Mohammad Mansur was appointed as his successor, becoming only the second leader in the group's history.

The Taliban's insurgency in Afghanistan has been characterized by a pattern of regular low-level attacks, as well as occasional high-profile attacks. Suicide and complex attacks increased significantly in 2015, with the Taliban targeting government installations, security forces, and civilian areas. In August 2015, the Taliban conducted a series of deadly attacks in Kabul, resulting in numerous casualties.

Despite efforts to negotiate a peace settlement, the Taliban's insurgency continues to pose a significant challenge to stability in Afghanistan. The group remains a potent force, with a resilient leadership structure and a committed cadre of fighters. The future of Afghanistan remains uncertain, as the country grapples with ongoing violence and political instability.

- # **Al-Nusrah Front**

Al-Nusrah Front, also known as Jabhat al-Nusra, is an al-Qaeda-affiliated group that has been active in Syria since the early stages of the Syrian conflict. Here is a detailed overview of the group:

1. # **Origins and Objectives:**
   - ❖ Al-Nusrah Front was formed in January 2012 with the goal of overthrowing Syrian President Bashar al-Assad's regime.
   - ❖ The group has conducted numerous insurgent-style and suicide attacks against regime and security service targets across Syria.
   - ❖ Al-Nusrah Front is not only focused on ousting the Syrian regime but also seeks to expand its reach regionally and globally.

2. # **Links to Al-Qaeda:**
   - ❖ Initially, the Al-Nusrah Front didn't openly acknowledge its ties to al-Qaeda in Iraq or Pakistan. However, in April 2013, the group's leader, Abu Muhammad al-Jawlani, formally pledged allegiance to al-Qaeda leader Ayman al-Zawahiri.

3. # **Relationship with ISIL:**
   - ❖ The Islamic State of Iraq and the Levant (ISIL) was instrumental in establishing the Al-Nusrah Front. However, tensions arose between the two groups in 2013 when ISIL's leader, Abu Bakr al-Baghdadi, declared the formation of ISIL and claimed a merger with the Al-Nusrah Front. This discord persisted into 2014, with ISIL openly accusing senior leaders of al-Qaeda of straying from the correct militant path.

4. # **Activities and Tactics:**
   - ❖ The Islamic State of Iraq and the Levant (ISIL) played a significant role in the formation of the Al-Nusrah Front. However, a rift between the two groups emerged in 2013 when ISIL's leader, Abu Bakr al-Baghdadi, announced the establishment of ISIL and claimed a merger with

Al-Nusrah Front. This led to an ongoing conflict, with ISIL openly criticizing senior al-Qaeda leaders for straying from what they believed to be the correct militant path.

5. <u>Foreign Fighters:</u>

❖ Numerous individuals from various countries have traveled to Syria since early 2012 to support opposition groups. Some of these individuals aim to join extremist organizations like the Al-Nusrah Front. Among those who have joined Al-Nusrah Front are several Westerners, including some who have died in suicide attacks.

6. <u>Concerns and Implications:</u>

❖ Western governments are worried about individuals who have connections to extremists and have fought in conflicts abroad returning home to carry out violent acts. An attack by an American in Syria in May 2014, claimed by the Al-Nusrah Front, was the first known suicide bombing by a US citizen in the conflict, highlighting the involvement of Americans in the fighting.

In summary, Al-Nusrah Front is a significant player in the Syrian conflict, with a history of conducting violent attacks and a complex relationship with other extremist groups. Its activities have raised concerns about the impact of foreign fighters and the potential for violence to spread beyond Syria's borders.

• <u>Ansar Bayt al-Maqdis (ABM)</u>

Ansar Bayt al-Maqdis (ABM), also known as the Islamic State of Iraq and the Levant (ISIL)-Sinai Province, is a significant terrorist organization operating in Egypt. ABM pledged allegiance to ISIL in November 2014, becoming ISIL's Sinai Province. The group's main objectives include the destruction of Israel, the establishment of an Islamic emirate, and the implementation of sharia law in the Sinai Peninsula. Although primarily based in the Sinai, ABM expanded its operations into Egypt's Nile Valley in the fall of 2013.

ABM first emerged in 2011 when it claimed responsibility for a cross-border attack into southern Israel from the Sinai. Since then, the group has carried out additional cross-border attacks, launched rocket attacks against Israel, and targeted the gas pipeline in the Sinai supplying natural gas to Israel and Jordan.

After Egyptian security forces cracked down on protesters in August 2013, ABM began a campaign of attacks against Egyptian government and security targets. The group has claimed responsibility for several high-profile attacks, including an attempted assassination of the Egyptian Minister of the Interior and the downing of an Egyptian military helicopter in the Sinai using a surface-to-air missile. ABM has also carried out deadly vehicle-borne improvised explosive device attacks against Egyptian security installations.

In February 2014, ABM carried out its first suicide bombing on a tourist bus in the Sinai, which the group described as targeting Egyptian economic interests. ABM also claimed responsibility for a carjacking in Egypt's western desert in August 2014, resulting in the death of a US oil worker.

Since formally aligning with ISIL in late 2014, ABM has conducted several lethal and sophisticated attacks, primarily targeting Egyptian government and security targets. However, the group also claimed responsibility for a June 2015 rocket and mortar attack against the Multinational Force and Observers (MFO) base in the Sinai, marking the first terrorist attack against MFO facilities.

While ABM has not explicitly threatened the West or Western targets in its official propaganda, the group views the West, particularly the United States, as supporters of Israel and Egypt. ABM has expressed anti-Western sentiment in its rhetoric, and various social media accounts claiming association with the group have posted threats to US and other Western targets. However, ABM has repeatedly denied having an official social media presence.

The US State Department designated ABM as a Foreign Terrorist Organization in April 2014. Additionally, the US Department of the Treasury's Office of Foreign Asset Control has designated several ABM-affiliated individuals and groups as Specially Designated Nationals.

• __Al-Shabaab__

Al-Shabaab, also known as the Harakat Shabaab al-Mujahidin, first emerged as the military faction of the Somali Council of Islamic Courts in the latter part of 2006. Initially seizing control over large swathes of southern Somalia, the group suffered defeats at the hands of Somali and Ethiopian forces in 2007. However, rather than disbanding, al-Shabaab evolved into a clan-centered insurgency and terrorist entity, continuing its campaign of violence across southern and central Somalia.

Al-Shabaab has employed guerrilla warfare and terrorism to target the Federal Government of Somalia (FGS), African Union Mission in Somalia (AMISOM) peacekeepers, and humanitarian aid organizations. While the group briefly controlled key areas in the region, it has faced significant pressure from AMISOM and Ethiopian forces, leading to a decline in its influence since 2011. Internal conflicts among its leaders have also weakened al-Shabaab, resulting in internal divisions and power struggles.

Notably, al-Shabaab's structure is far from centralised or monolithic. Its members hail from diverse clans, rendering the group susceptible to clan politics, internal divisions, and shifting alliances. While many fighters are primarily driven by nationalist motives against the FGS, senior leaders maintain affiliations with al-Qa 'ida. The group publicly announced its merger with al-Qa 'ida in February 2012, affirming its connection to global jihadist networks. However, the loss of key figures since 2014 may have hindered its communication with al-Qa 'ida leadership.

Al-Shabaab has orchestrated numerous bombings and suicide attacks in Mogadishu and other regions of Somalia, often targeting government officials, AMISOM forces, and perceived allies of the FGS. Additionally, the group expanded its operations into neighboring countries, executing high-profile attacks such as the Westgate mall attack in Nairobi, the restaurant attack in Djibouti, and the massacre of university students in Garissa, Kenya. These attacks resulted in significant casualties, including civilians and international aid workers.

Al-Shabaab, besides engaging in direct violence, has been linked to the targeting and killing of peace activists, aid workers, civil society members, and journalists. The group has also hindered humanitarian

aid efforts during crises, such as the 2011 famine in Somalia, leading to additional loss of life. To address the threat posed by al-Shabaab, the US Government designated it as a Foreign Terrorist Organization and a Specially Designated Global Terrorist entity in 2008. Furthermore, the Rewards for Justice program offers substantial rewards for information that leads to the capture of al-Shabaab leaders.

In conclusion, al-Shabaab's evolution from a militant wing to a clan-based insurgent and terrorist organization underscores the complex dynamics of conflict in Somalia. While its nationalist agenda drives many of its members, its affiliation with global jihadist networks poses a broader security challenge. Efforts to counter al-Shabaab's influence require a multifaceted approach addressing internal divisions, regional cooperation, and humanitarian assistance to mitigate its impact on vulnerable populations.

• Ansar al-Sharia: A Profile of Extremism

Ansar al-Sharia (AAS) is a radical Islamist group that emerged in Libya following the 2011 revolution. The group's primary objective is to establish sharia law in Libya while removing perceived US and Western influence from the country. Active in cities such as Benghazi, Darnah, Sirte, and Ajdabiya, Ansar al-Sharia collaborates with regional extremist groups to train members, carry out attacks, and acquire weapons. The term "Ansar al-Sharia" translates to "Partisans of Islamic Law," reflecting the group's ideological foundation.

❖ Origins and Leadership

Ansar al-Sharia gained prominence in Libya following the ousting of Muammar Gaddafi in 2011. The group's initial leader, Muhammad al-Zawahi, was killed in a battle in Benghazi in September 2014. Abu Khalid al-Madani succeeded Zawahi as the new amir of Ansar al-Sharia. However, the Islamic State of Iraq and the Levant (ISIL) capitalized on Zawahi's death, leading to the defection of several Ansar al-Sharia members to ISIL.

❖ Activities and Operations

Ansar al-Sharia has been linked to several violent incidents, notably the September 11, 2012, assaults on US facilities in Benghazi, which led to the tragic deaths of US Ambassador J. Christopher Stevens and three other Americans. In January 2014, the United States designated both Ansar al-Sharia in Benghazi (AAS-B) and Ansar al-Sharia in Darnah (AAS-D) as Foreign Terrorist Organizations. The group is also believed to be responsible for various attacks and abductions targeting foreigners, including the killing of an American teacher in Benghazi in December 2013.

❖ Expansion and Influence

Ansar al-Sharia, a group linked to Libya, also operates in Tunisia under the name Ansar al-Sharia in Tunisia (AAS-T), which was established in 2011 by Saifallah Ben Hassine, also known as Abu Iyad al-Tunisi. Ben Hassine, who had been released from prison during the Tunisian revolution, played a significant role in creating the group. AAS-T was implicated in the attack on the US Embassy in Tunis on September 14, 2012. Ben Hassine was later convicted in absentia by a Tunisian court and sentenced to 50 years in prison for his involvement in terrorist activities.

Despite increasing Tunisian security measures, AAS-T remains committed to conducting attacks against Western interests. The group attempted suicide attacks on two tourist sites in October 2013 and was suspected of planning attacks against Jewish targets and Western diplomatic missions in Tunisia in 2014.

❖ Challenges and Counterterrorism Efforts

Ansar al-Sharia's activities pose significant challenges to stability and security in Libya and Tunisia. Both countries have engaged in counterterrorism efforts to combat the group's influence. The United States and other Western nations have designated AAS groups as Foreign Terrorist Organizations, enabling the implementation of targeted measures to disrupt their operations.

In conclusion, Ansar al-Sharia represents a significant security threat in Libya and Tunisia, with its extremist ideology and violent tactics posing challenges to regional stability. Efforts to counter the

group's influence must be comprehensive, addressing the root causes of extremism while enhancing security measures to prevent future attacks.

• Al-Qaʻida in the Arabian Peninsula (AQAP)

Al-Qa ʻida in the Arabian Peninsula (AQAP) is a Sunni extremist organization with its roots in Yemen. It came into existence in January 2009 following the merging of Yemeni and Saudi terrorist factions, with the aim of establishing itself as a key center for terrorism in the Arabian Peninsula. The group's origins can be traced back to al-Qa ʻida in Yemen (AQY), which was formed by former al-Qa ʻida members who had escaped from a prison in Sanaa.

AQAP's initial leadership included figures such as Nasir al-Wahishi, Saʻid al-Shahri, and later Qasim al-Rimi. Anwar al-Aulaqi, a dual US-Yemeni citizen, was another prominent member known for his extremist views and propaganda until his death in 2011.

AQAP has conducted numerous attacks targeting local, US, and Western interests. These include the failed attempt by Umar Farouk Abdulmutallab to detonate an explosive device on a Northwest Airlines flight in 2009 and the 2010 plot to send explosive-laden packages to the US. The group also claimed responsibility for the 2015 attack on the Charlie Hebdo magazine's office in Paris, carried out by two French nationals who cited Anwar al-Aulaqi as their inspiration. AQAP has sought to expand its influence through media channels, notably through its publication, Inspire magazine, which was launched in 2010.

In addition to its attacks on Western targets, AQAP has also targeted the Yemeni government. In December 2013, the group launched a complex attack on Yemen's Ministry of Defense, resulting in the death of at least 52 people. In February 2014, they orchestrated the freeing of over two dozen prisoners from Sanaa's central prison. Since the emergence of the Huthi movement in early 2015, AQAP has shifted its focus to combating Huthi expansion, engaging in various attacks and skirmishes. The group

has also established a stronghold in Mukalla, Hadramawt Governorate, where they have undertaken activities such as freeing prisoners, robbing banks, and taking control of government facilities.

Despite facing losses in its leadership, AQAP remains active and continues to pose a significant threat to stability in Yemen and beyond. The group's ability to adapt to changing circumstances and its continued efforts to carry out attacks highlight the ongoing challenges posed by terrorism in the region.

• Al-Qaʻida in the Lands of the Islamic Maghreb (AQIM)

Al-Qa ʻida in the Lands of the Islamic Maghreb (AQIM) is a Sunni Muslim extremist group based in Algeria. It emerged in 1998 as the Salafist Group for Preaching and Combat (GSPC), a breakaway faction of the Armed Islamic Group, the largest terrorist organization in Algeria at the time. The GSPC formally aligned with al-Qaʻida in September 2006 and rebranded itself as AQIM in January 2007.

At its peak, AQIM boasted nearly 30,000 members, but concerted counterterrorism efforts by the Algerian Government have significantly diminished its ranks to fewer than 1,000 members. The group primarily operates in Algeria's northern coastal regions and parts of the southern desert and the broader Sahel region. In recent times, AQIM has sought to expand its influence into neighboring Libya and Tunisia.

AQIM employs various terrorist tactics, including guerrilla warfare, mortar and rocket attacks, and the use of improvised explosive devices (IEDs). The group finances its operations through extortion, ransom from kidnappings, and donations.

Internationally, AQIM gained notoriety for the killing of American missionary Christopher Leggett in Mauritania in 2009. The group has also been implicated in the abduction of foreign nationals, notably French citizens, and has targeted UN forces in Mali.

In 2012, AQIM capitalized on the political turmoil in northern Mali to collaborate with local Tuareg

nationalists, seizing control of key cities like Kidal, Gao, and Timbuktu. This alliance led to the

emergence of Ansar al-Din, a militant group advocating for an Islamic state in Mali governed by Sharia law.

However, AQIM faced significant setbacks in northern Mali following a French-led military intervention in 2013. This intervention led to the group's loss of control over major urban centers and the elimination of key operatives. Despite these setbacks, AQIM has regrouped in parts of northern Mali and continues to target UN forces in the region.

Since 2011, some AQIM members have splintered to form other groups, such as the Movement for Unity and Jihad in West Africa (MUJAO) and al-Murabitun, led by former AQIM leader Mokhtar Belmokhtar. These groups share AQIM's jihadist ideology and aim to unite Muslims in a holy war against Western interests, particularly French influence in the region.

In summary, AQIM remains a significant terrorist threat with a history of violence and extremist beliefs. While it has suffered setbacks, particularly in Mali, the group continues to pose a destabilizing force in the region.

- # Al-Qa'ida Core (AQ)

Al-Qaeda, established by Osama bin Laden in 1988, originated from Arab fighters who participated in the Afghan resistance against the Soviet Union. Its primary objective is to establish a pan-Islamic caliphate across Muslim-majority regions, driving its efforts to mobilize Muslims against perceived Western oppression, particularly led by the United States. The group seeks to overthrow what it considers to be "apostate" regimes, eradicate Western influence from Islamic lands, and eliminate the state of Israel. Al-Qaeda's operational capacity expanded significantly when it merged with the Egyptian Islamic Jihad in June 2001.

One of the most notorious attacks associated with al-Qaeda took place on September 11, 2001, when 19 al-Qaeda operatives hijacked and crashed four American commercial airplanes, resulting in nearly 3,000 fatalities. This event reshaped global counterterrorism strategies and underscored al-Qaeda's ability to

carry out large-scale, coordinated assaults. Al-Qaeda also orchestrated the October 12, 2000, bombing of the USS Cole in Yemen, which killed 17 US sailors, as well as the August 1998 bombings of the US embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, resulting in 224 deaths and over 5,000 injuries.

Since 2002, al-Qaʻida and its affiliates have carried out attacks worldwide, targeting regions such as Europe, North Africa, South Asia, Southeast Asia, and the Middle East. The group's operational capabilities have been demonstrated through various plots, including the 2005 bus bombings in the United Kingdom and a 2006 plot to detonate explosives on transatlantic flights from London's Heathrow airport. Despite leadership losses and competition from other extremist groups like the Islamic State of Iraq and the Levant (ISIL), al-Qaʻida remains committed to conducting attacks against the United States and its interests abroad.

Following Bin Ladin's death in 2011, Ayman al-Zawahiri assumed leadership, leading a cadre of senior leaders known as al-Qaʻida Core. However, the group's cohesion has weakened in recent years due to leadership losses and the emergence of alternative extremist organizations. The deaths of key leaders like Nasir al-Wahishi and Abu Khalil al-Sudani have also hindered al-Qaʻida's core functions.

Despite these challenges, al-Qaʻida and its affiliates in regions like South Asia, Africa, and the Middle East continue to pose a threat. The group has attempted several attacks in recent years, underscoring its resilience and ability to operate under pressure. Looking ahead to 2016, al-Qaʻida may focus on reconstituting its presence in Afghanistan and conducting smaller-scale attacks against soft targets. However, it remains intent on carrying out large-scale attacks and could leverage its historical ties in Afghanistan to achieve its objectives.

In conclusion, al-Qaʻida's evolution, from its founding in Afghanistan to its global operations, underscores its enduring threat. Despite facing setbacks and competition from other extremist groups, al-Qaʻida remains committed to its agenda and poses a significant challenge to international security. Efforts to counter al-Qaʻida must remain vigilant and adaptive to address the evolving nature of the threat it poses.

• **Greek Domestic Terrorism**

The history of Greek domestic terrorism can be traced back to the radical leftist and anarchist ideologies that emerged in response to the military dictatorship that ruled Greece from 1967 to 1974. After the dictatorship fell, radical leftist elements formed two of the most notorious terrorist groups in Greece: Revolutionary Organization 17 November (17N) and Revolutionary Popular Struggle (ELA).

17N was responsible for the assassination of CIA Chief of Station Richard Welch in 1975 and continued to be Greece's most lethal terrorist group for the next 27 years, killing at least 23 people, including four Americans. ELA started in 1975 and became the most active terrorist organization in Greece, carrying out around 250 attacks against a range of targets, but it claimed its last operation in 1994.

After a botched attack, 17N was largely eliminated by Greek authorities in 2002 before the 2004 Olympic Games. However, a new generation of terrorist groups emerged, including Revolutionary Struggle (EA), Conspiracy of Fire Nuclei (SPF), and Sect of Revolutionaries (SE).

EA, a radical leftist group, conducted high-profile terrorist operations against Greek and Western interests, including a rocket-propelled grenade attack against the US Embassy in Athens in 2007. Greek authorities disrupted the group's operations in 2010, but its ringleader, Nikos Maziotis, was recaptured in 2014 and linked to a number of bank robberies. EA claimed responsibility for a car bombing outside the Bank of Greece in 2014.

SPF, an anarchist group, claimed responsibility for a 2010 parcel bomb campaign that targeted international leaders and institutions outside Greece. A series of arrests from 2010 through 2011 temporarily crippled SPF's operations. In 2013, SPF claimed responsibility for a bomb attack against the director of Korydallos prison, where many domestic terrorists are held. In 2014, SPF claimed responsibility for a parcel bomb targeting a police station.

The last known activity of radical leftist SE was in 2010 when it assassinated a Greek journalist outside his Athens home, having assassinated a Hellenic Police officer in 2009. SE has not claimed an attack since 2010.

Other largely unknown groups were responsible for a range of attacks in 2012 and 2013, including arson attacks against journalists' homes and government offices, a bombing at The Mall in Athens, violence between anarchists and the extreme-right party Golden Dawn, and gunmen firing on the residence of the German ambassador in Athens. Other groups active in the last year included the Group of Popular Rebels (OLA) and the Zero Tolerance Organization (ZTO).Greek domestic terrorism stems from radical leftist and anarchist ideologies that developed in reaction to the military dictatorship that ruled Greece from 1967 to 1974. Shortly after the dictatorship's collapse, radical leftist elements emerged to form Greece's two most notorious terrorist groups, Revolutionary Organization 17 November (17N) and Revolutionary Popular Struggle (ELA).

17N's first major operation was the assassination of CIA Chief of Station Richard Welch in 1975. For the next 27 years, 17N was Greece's most lethal terrorist group, killing at least 23 individuals, including four Americans. ELA appeared in 1975 and became Greece's most active terrorist organization, conducting approximately 250 attacks against a wide range of targets. ELA claimed its last operation in 1994. Following a botched attack, Greek authorities largely eliminated 17N in 2002 under pressure to stem terrorism prior to the 2004 Olympic Games.

A new generation of terrorist groups subsequently emerged, the three most prominent of which were Revolutionary Struggle (EA), Conspiracy of Fire Nuclei (SPF), and Sect of Revolutionaries (SE).

SECT OF REVOLUTIONARIES (SE) FLAG

EA, a radical leftist group, conducted a number of high-profile terrorist operations against Greek and Western interests after its emergence in 2003, including a rocket-propelled grenade attack against the US Embassy in Athens in January 2007. Greek authorities largely disrupted the group's operations in 2010. In mid-2012 the group's ringleader, Nikos Maziotis, and his girlfriend violated the terms of their release pending trial and disappeared. Maziotis—who was recaptured by Greek police in July 2014—has since been linked to a number of bank robberies. In April 2014, EA claimed responsibility for a car-bombing outside the Bank of Greece in Athens to protest Greece's return to international markets, its first attack since 2009.

SPF, an anarchist group, claimed responsibility for a 2010 parcel bomb campaign that targeted international leaders and institutions outside Greece, a first for Greek domestic terrorists. A series of arrests from late 2010 through 2011 against the group's leadership temporarily crippled SPF's ope[8]rations. In June 2013, however, SPF claimed responsibility for[9]a bomb attack against the car of the director of Korydallos prison—where many domestic terrorists are currently held—promising more attacks and declaring a common front with other like-minded groups and the international Informal Anarchist Federation/International Revolutionary Front. In April 2014, SPF claimed responsibility for a parcel bomb targeting a police station.

Radical leftist SE last acted in 2010 after a 13-month hiatus to assassinate a Greek journalist outside of his Athens home, having assassinated a Hellenic Police officer in 2009. SE has not claimed an attack since 2010.

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[8] National Counterterrorism Center. "Counterterrorism (CT) Calendar." Available at: https://www.dni.gov/nctc/pdfs/ct_calendar.pdf (last visited on Apr. 29, 2024).

[9] "Terrorist Groups in World," available at: https://www.dni.gov/nctc/groups.html (last visited on Apr. 29, 2024).

CONSPIRACY OF FIRE NUCLEI (SPF) FLAG

An attempt on the Athens metro in 2012, involving a crude incendiary device and an incendiary attack that seriously damaged Microsoft buildings in Athens, was claimed by largely unknown groups. In 2013–14, there were more attacks, such as a wave of arson attacks on the homes and offices of journalists and government officials, a bombing at The Mall in Athens, clashes between anarchists and the newly formed extreme-right group

Golden Dawn, and gunmen opening fire on the German ambassador's Athens residence. The Zero Tolerance Organisation (ZTO) and the Group of Popular Rebels (OLA) were two other organisations that were active in the previous year.

• Central Eurasia and Central Asia Terrorism

Imarat Kavkaz (IK) is an Islamist militant group established in late 2007 in Russia's North Caucasus by Doku Umarov. The organisation's objective is to free what it perceives as Muslim territories from Moscow's control. IK has carried out attacks against Russian security forces and conducted high-profile suicide bombings in Moscow and other Russian cities between 2010 and 2013, resulting in numerous casualties. The group has faced internal challenges, with some members defecting to ISIL, and its current strength in the North Caucasus is uncertain. However, a militant faction fighting in Syria, comprising partly of North Caucasians, remains loyal to IK's leadership.

The Islamic Jihad Union (IJU) is an extremist group that separated from the Islamic Movement of Uzbekistan in the early 2000s. Based in Pakistan's Federally Administered Tribal Areas, the IJU aims to overthrow the Uzbek government and has carried out attacks in Uzbekistan. It is also active in Afghanistan, where it operates alongside the Taliban-affiliated Haqqani Network. The IJU has recruited German nationals and gained notoriety for a 2007 plot in Germany. In June 2005, the US State Department designated the IJU as a Foreign

Terrorist Organization.

The Islamic Movement of Uzbekistan (IMU) is an extremist group established in the late 1990s and based in Pakistan's Federally Administered Tribal Areas. The organization seeks to overthrow the Uzbek government and establish a radical Islamist caliphate in "Turkestan," the region between the Caspian Sea and Xinjiang in western China. The IMU is involved in the Taliban-led insurgency in northern Afghanistan and claimed responsibility for a 2010 ambush in Tajikistan. In 2014, it joined Tehrik-e Taliban Pakistan fighters in a siege of Karachi International Airport. The US State Department designated the IMU as a Foreign Terrorist Organization in September 2000.

• **Boko Haram**

Boko Haram, officially known as "Jama'atu Ahl as-Sunnah li-Da'awati wal-Jihad" (JASDJ), is a Nigeria-based extremist group. The name "Boko Haram" is derived from the Hausa language, where "Boko" means "Western education" and "Haram" means "forbidden." The group was founded in the late 1990s and has since evolved into one of the most notorious terrorist organizations in Africa, with a primary goal of overthrowing the Nigerian government and establishing an Islamic state governed by Sharia law.

The group gained international notoriety under the leadership of Abubakar Shekau, who took over as the leader in 2010 after the death of the group's founder, Muhammad Yusuf. Shekau's leadership marked a significant escalation in Boko Haram's violent tactics, including the use of suicide bombings, kidnappings, and attacks on civilians and security forces.

Boko Haram's attacks have targeted a wide range of groups, including Christians, security personnel, politicians, and Muslims who are perceived as collaborating with the government. The group has also carried out high-profile attacks on international targets, such as the bombing of the UN headquarters in Abuja in 2011.

In 2014, Boko Haram garnered international attention when it kidnapped 276 schoolgirls from Chibok in Borno State, Nigeria. The incident sparked global outrage and led to the #BringBackOurGirls campaign. Despite facing significant military pressure from a regional counterterrorism offensive in

2015, Boko Haram has remained active, continuing to carry out attacks in Nigeria and neighboring countries like Cameroon, Chad, and Niger.

In March 2015, Boko Haram pledged allegiance to the Islamic State in Iraq and the Levant (ISIL), also known as ISIS, and began referring to itself as "Islamic State's West Africa Province" (ISWAP). This affiliation with ISIL has further raised concerns about the group's capabilities and intentions.

Boko Haram's activities have had devastating consequences for the region, causing widespread displacement, humanitarian crises, and loss of life. The group's resilience and ability to adapt to military pressure underscore the ongoing challenge it poses to regional stability and security.

In order to stop Boko Haram, military operations, regional collaboration, and initiatives to address the underlying issues and circumstances that encourage the group's violence have all been used. However, the area and the international community continue to face tremendous hurdles in effectively fighting the threat posed by Boko Haram due to the conflict's complex composition, which includes ethnic, religious, and political components.

• Hezb-e-Islami Gulbuddin (HIG)

Hezb-e-Islami, or the "Party of Islam," holds significant political and paramilitary influence in Afghanistan. Established in 1976 by Gulbuddin Hekmatyar, a prominent figure in Afghan conflicts, it has evolved into various factions, including Hezb-e-Islami Gulbuddin (HIG). HIG is known for its opposition to Western influence and seeks to establish an Islamic state in Afghanistan governed by sharia law, with an emphasis on Pashtun supremacy, aligning with Hekmatyar's vision.

HIG has been actively involved in insurgency against Coalition forces, the Afghan government, and Western interests in Afghanistan. The group has conducted various attacks, including suicide bombings and assaults on military and civilian targets. Despite its ideological differences, HIG has cooperated with the Taliban in certain regions of Afghanistan.

Hekmatyar's leadership of the Hizb-e-Islami Gulbuddin (HIG) has been characterized by opportunism and shifting alliances. In July 2015, he reportedly encouraged his supporters to back Islamic State of Iraq and the Levant (ISIL) fighters in Afghanistan against the Taliban, although he did not formally pledge allegiance to ISIL. However, an HIG spokesperson later denied this statement.

HIG's influence in Afghanistan waned in 1996 when the Taliban seized control of much of the country. This led to conflicts between the two groups and HIG's withdrawal from southern Kabul. Hekmatyar went into exile in Iran during this period. HIG resurged after the US-led intervention in 2001 and has since been involved in attacks mainly in Kunar and Nuristan provinces. The group has also utilized areas in Pakistan, such as the Shamshatu refugee camp near Peshawar, for logistical support, fundraising, and recruitment.

Despite its militant activities, HIG and its leaders have engaged in sporadic negotiations with the Afghan government. Qutbuddin Hilal, a deputy of Hekmatyar, even ran for president in Afghanistan's 2014 election and later served as a special advisor for peace affairs appointed by President Ashraf Ghani in 2015. However, HIG continues to issue strong statements against the NATO mission in Afghanistan and the Western-backed Afghan government.

HIG has carried out several high-profile attacks in recent years. In July 2015, the group claimed responsibility for a suicide car bomb attack on a NATO convoy in Kabul. HIG also claimed responsibility for an insider attack in Nangarhar Province in April 2015, which resulted in the death of a US soldier. Another significant attack attributed to HIG occurred in
Kabul in May 2013, where a suicide car bomb targeted a US armored vehicle, killing several US personnel and Afghan civilians.

Overall, Hezb-e-Islami Gulbuddin remains a potent force in Afghanistan, with its activities posing a significant challenge to stability and peace efforts in the region.

- # **Hizballah**

Hizballah, also known as the "Party of God," emerged in 1982 in response to the Israeli invasion of Lebanon. It is a Lebanon-based Shia group that has been designated as a terrorist organization by several countries, including the United States, Canada, Israel, and the Arab League. Hizballah has a complex history, often viewed differently by different parties due to its involvement in both terrorist activities and political governance.

Hizballah's formation was deeply rooted in the Shia community's desire for empowerment and resistance against perceived Israeli aggression. The group quickly gained notoriety for its involvement in terrorist attacks, including the suicide truck bombings of the US Embassy and US Marine barracks in Beirut in the 1980s. These attacks signalled the beginning of a violent campaign against US and Western interests.

Despite its terrorist activities, Hizballah has maintained a significant presence in Lebanese politics since the early 1990s. It has justified its retention of arms by portraying itself as Lebanon's defender against Israeli aggression, particularly following the passing of UN Security Council Resolution 1559, which called for the disarmament of all armed militias in Lebanon.

One of Hizballah's most audacious acts was the kidnapping of two Israeli soldiers in 2006, which sparked a conflict with Israel known as the 2006 war. Despite the heavy toll on Lebanon, Hizballah claimed victory, further bolstering its image as a formidable resistance force.

In 2008, Hizballah militants seized parts of Beirut in response to government attempts to restrict its arms and communications. Through negotiations, Hizballah secured veto power in the government and retained its arms, reinforcing its position as a powerful player in Lebanese politics.

The assassination of former Lebanese Prime Minister Rafiq al-Hariri in 2005 led to the UN Special Tribunal for Lebanon indicting four Hizballah members. However, Hizballah's leader, Hasan Nasrallah, has refused to allow any members to be arrested, portraying the tribunal as biased.

Hizballah has also faced significant losses, including the assassination of its military chief, Imad Mughniyah, in 2008. Nasrallah blamed Israel for the attack. In 2013, senior Hizballah military leader Hasan al-Laqis was killed, with Hizballah accusing Israel of responsibility.

Since Mughniyah's death, Hizballah has expanded its terrorist activities beyond the Middle East. It has been linked to attacks on Israeli interests in Bulgaria, Cyprus, and Thailand. The group has also been actively involved in supporting Bashar al-Assad's regime in Syria, sending fighters to support the Syrian government against rebel forces.

Hizballah is a complex organization with a history of both terrorist activities and political involvement. While it has been designated as a terrorist organization by several countries, it continues to play a significant role in Lebanese politics and regional conflicts.

• **Hamas**

From the Palestinian branch of the Muslim Brotherhood, which had a strong sociopolitical organisation within the Palestinian territories, Hamas was founded in late 1987 during the first intifada. As stated in its charter, the group's main goal is to establish an Islamic Palestinian state in lieu of Israel, passionately rejecting any agreements that may exist between Israel and the Palestine Liberation Organisation (PLO). The Gaza Strip and some parts of the West Bank are the main operating zones for Hamas.

Since the 1990s, the Izz al-Din al-Qassam Brigades, the military arm of Hamas, have carried out multiple operations against Israel. These attacks resulted in heavy losses and destruction on both sides and included rocket strikes, small-arms assaults, improvised roadside explosives, and massive explosions directed at Israeli citizens.

In early 2006, Hamas achieved a significant political milestone by winning legislative elections in the Palestinian territories, thereby challenging the dominance of the secular Fatah party over the Palestinian Authority. Despite international pressure, Hamas has consistently refused to recognize Israel's right to

exist and continues to endorse violent resistance against Israel. This stance has led to ongoing tensions with Israel and the United States, with the latter designating Hamas as a Foreign Terrorist Organization.

Despite periods of relative calm, such as the temporary agreement with Israel in June 2008 to reduce rocket attacks, Hamas has frequently resumed hostilities, prompting Israeli military responses. This cycle of violence escalated significantly in late 2008, culminating in a major Israeli military operation in the Gaza Strip.

Throughout its history, Hamas has navigated complex political dynamics, including efforts to reconcile with rival Palestinian factions. In April 2011, Hamas and Fatah agreed to form an interim government and hold elections, with subsequent reaffirmations of this commitment in 2012. However, internal disagreements and external pressures, such as the Syrian conflict, have complicated Hamas's political trajectory.

Amidst ongoing conflicts with Israel, Hamas has faced internal challenges, including efforts to prevent other Palestinian resistance groups from launching attacks against Israel. Despite sporadic attempts at ceasefire agreements brokered by Egypt, hostilities have persisted, undermining efforts to establish lasting peace in the region.

The breakdown of an uneasy calm between Hamas and Israel in July 2014, following the kidnapping and killing of three Israeli teenagers in the West Bank and retaliatory rocket attacks by Hamas, escalated into a prolonged and deadly conflict. This episode underscored the enduring complexities and deep-seated grievances fueling the Israeli-Palestinian conflict, with Hamas remaining a key protagonist in the ongoing struggle for Palestinian statehood and sovereignty.

• Jaish-e-Mohammed (JEM)

Jaish-e-Mohammed (JEM) is an extremist organization founded by Masood Azhar in the early 2000s, based in Pakistan. The group's main goals are to unite Kashmir with Pakistan and to expel foreign troops from Afghanistan. Despite being banned by Pakistan in 2002, JEM continues to operate openly in certain parts of the country.

Masood Azhar established JEM after being released from prison in India in 2000. The group has been responsible for numerous terrorist attacks, including a suicide bombing of the Jammu and Kashmir legislative assembly building in Srinagar in October 2001, which resulted in the deaths of more than 30 people. In July 2004, a JEM member was arrested in connection with the abduction and murder of US journalist Daniel Pearl.

JEM has been implicated in various attacks and incidents, including the killing of Indian police officials in Srinagar in 2006 and the 2007 Red Mosque uprising in Islamabad. Asmatullah Moavia, a militant associated with Tehrik-e Taliban Pakistan, parted ways with JEM after the Red Mosque incident due to disagreements over its handling.

In 2009, Pakistani authorities apprehended several JEM members suspected of involvement in an attack on the Sri Lankan cricket team in Lahore. JEM has reportedly attempted to reconcile differences with other extremist groups in Pakistan and has shifted its focus from Kashmir to Afghanistan to target US and coalition forces.

The group boasts several hundred-armed supporters in Pakistan, India's southern Kashmir and Doda regions, and the Kashmir Valley. These supporters are predominantly Pakistanis and Kashmiris, but also include Afghans and Arab veterans of the Soviet Afghan war. JEM employs a variety of weapons in its operations, including light and heavy machine guns, assault rifles, mortars, improvised explosive devices, and rocket-propelled grenades.

In 2001, the US State Department designated JEM as a Foreign Terrorist Organization. Despite efforts to combat its activities, JEM remains a significant threat in the region, with its actions contributing to instability and violence.

- # Jemaah Islamiyah (JI)

Jemaah Islamiyah (JI) is an underground terrorist network rooted in Indonesia, established in the early 1990s with the aim of creating an Islamic state across several Southeast Asian nations. The group's origins trace back to operatives who underwent training in camps located in Afghanistan and the southern Philippines, where they acquired the skills to carry out attacks. JI's presence became known in late 2001 when authorities in Singapore thwarted a cell planning assaults on targets associated with the US Navy.

From 2000 to 2005, JI orchestrated a series of deadly bombings aimed at Western interests in Indonesia and the Philippines. Among these attacks were the 2002 bombings of two nightclubs in Bali, resulting in 202 fatalities, the 2003 car bombing at the JW Marriott hotel in Jakarta which claimed 12 lives, the 2004 truck bombing at the Australian Embassy in Jakarta causing 11 deaths, and the 2005 suicide bombings at three venues in Bali leading to 22 casualties. In July 2009, a splinter group of JI, led by Noordin Mat Top, carried out suicide bombings at two hotels in Jakarta.

Since 2002, Southeast Asian governments have made considerable progress in combating JI, leading to the arrest of over 300 suspected terrorists and the dismantling of JI's network. The Thai authorities apprehended the network's operational leader in 2003, while Indonesian police eliminated JI's most proficient bombmaker in 2005 and captured its two senior leaders in mid-2007. Additionally, Malaysian authorities detained two senior JI operatives in Kuala Lumpur in early 2008, and in April 2009, they recaptured Singaporean JI leader Mas Selamat Kasteri, who had escaped from a Singaporean prison cell in early 2008. Indonesian police also eliminated Noordin Mat Top in September 2009.

Following 2009, JI's activities have been overshadowed by its splinter groups and other terrorist organizations based in Indonesia. Some of these individuals are seasoned operatives with prior affiliations to JI, while others are convicted terrorists who have served their sentences and resumed their

activities. Umar Patek, an Indonesian terrorist arrested by Pakistani authorities in Abbottabad in January 2011 and repatriated seven months later, was convicted in June 2012 for his involvement in the 2002 Bali bombings and sentenced to 20 years in prison. In November 2012, Philippine security forces killed senior Indonesian JI leader Sanusi.

Although Jemaah Islamiyah has suffered significant setbacks due to government crackdowns and the capture or elimination of key leaders, its influence continues to shape extremist movements in Southeast Asia. The fragmentation of JI and the rise of new groups underscore the persistent challenge of terrorism in the region, highlighting the need for sustained vigilance and counterterrorism efforts.

• The Islamic State of Iraq and the Levant (ISIL)

The Islamic State of Iraq and the Levant (ISIL), also known as ISIS or Da'esh, has emerged as a formidable terrorist organization, exploiting the conflicts in Syria and sectarian tensions in Iraq to establish its presence and expand its control over territories. Founded in April 2004 by Abu Mus'ab al-Zarqawi, ISIL initially operated under the name of al-Qa'ida in Iraq before evolving into the Islamic State of Iraq. Its ultimate goal is to assert authority over territories historically governed by early Muslim caliphs and enforce its strict interpretation of sharia law.

Under the leadership of Abu Bakr al-Baghdadi, ISIL has pursued an aggressive agenda, targeting both regional allies of the United States and Western interests. The group's activities pose a significant threat to stability in the Middle East and beyond, with its expansionary ambitions extending to areas such as Afghanistan, Pakistan, Algeria, Egypt, Libya, Saudi Arabia, West Africa, and Yemen. ISIL's establishment of a self-proclaimed Islamic caliphate in June 2014 marked a turning point in its quest for global dominance, attracting thousands of foreign fighters to join its ranks and participate in its campaign of violence.

Despite facing setbacks in the past, ISIL has demonstrated resilience and adaptability, rebounding from defeats through strategic maneuvering and exploiting socio-political grievances. In Syria, the group capitalized on the chaos of the civil war to expand its presence and establish the al-Nusrah Front as a

cover for its operations. However, internal disputes over strategic direction led to a rupture with al-Qa'ida in February 2014, as ISIL sought to challenge its former affiliate for leadership of the global extremist movement.

ISIL's significant territorial hold in Iraq and Syria, along with its recruitment of Western fighters and substantial financial backing, poses a continuous and intensifying danger to U.S. interests. The leadership of the organization has frequently urged assaults on the United States and Western interests globally, resulting in a rise in planned and attempted attacks. From February 2014 to July 2015, no less than 37 schemes related to ISIL were uncovered, indicating the group's ability to carry out violent acts and extend its influence.

The phenomenon of ISIL, also known as Da'esh or Da'ish, underscores the complex nature of contemporary terrorism. It operates as a transnational network, exploiting regional conflicts and leveraging social media to disseminate its extremist ideology and recruit followers. Designated as a Foreign Terrorist Organization in December 2004, ISIL continues to pose a significant challenge to global security, requiring coordinated efforts from the international community to counter its influence and dismantle its operations.

In conclusion, ISIL represents a potent manifestation of modern terrorism, blending elements of religious extremism, territorial ambition, and strategic opportunism. Its ability to mobilize resources, attract recruits, and carry out attacks underscores the urgency of a unified and concerted response to confront this threat and safeguard peace and stability worldwide.

• **Lashkar-e-Tayyiba (LT)**

Lashkar-e-Tayyiba (LT), also known as Army of the Righteous, stands as one of the most significant militant groups centered on the Kashmir region. Its inception traces back to the early 1990s when it emerged as the military arm of Markaz-ud-Dawa-wal-Irshad, an Islamic fundamentalist missionary organization based in Pakistan. Initially, LT's formation aimed to combat the Soviet presence in Afghanistan during the 1980s. However, since 1993, LT has shifted its focus to conducting numerous

attacks targeting Indian troops and civilians in the disputed Jammu and Kashmir state, as well as launching high-profile attacks within India itself.

The United States and the United Nations have both designated LT as an international terrorist organization, reflecting its involvement in numerous acts of violence. The Pakistani government took action against LT by banning the group and freezing its assets in 2002. Additionally, the US State Department's Rewards for Justice program designated senior LT leaders for their roles in terrorist activities, underscoring the global recognition of LT's threat.

LT gained international notoriety for its alleged involvement in the 26–29 November 2008 attacks in Mumbai, India. Gunmen armed with automatic weapons and grenades targeted multiple sites, resulting in the deaths of over 160 people. While Pakistani authorities released the head of LT operations, Zaki ur Rehman Lakhvi, on bail pending prosecution for his involvement in the Mumbai attacks, suspicions surrounding LT's culpability persist.

The group's reach extends beyond the borders of India, as evidenced by its international recruitment efforts. LT likely comprises several thousand members, primarily Pakistani nationals advocating for a unified Kashmir under Pakistani control. Moreover, LT's recruitment spans globally, with arrests and indictments in the United States highlighting its transnational ambitions.

LT operates within Pakistan, maintaining training camps, educational institutions, and healthcare facilities. Its charitable endeavors, facilitated through front organizations like Jamaat-ud-Dawa (JuD), have served as a cover for its militant activities. Despite international scrutiny, LT has continued to engage in humanitarian efforts, including providing aid during natural disasters like the 2005 earthquake and the 2010 floods in Pakistan.

Despite efforts to curb LT's activities, the group persists in its agenda, maintaining its infrastructure and evading international sanctions. Its resilience underscores the complexities of combating terrorism in the region and the challenges faced by governments in addressing transnational militant organizations.

In conclusion, LT represents a significant threat to regional stability, with its history of violence and transnational reach posing challenges for counterterrorism efforts. Addressing the root causes of extremism and strengthening international cooperation are essential in countering the influence and activities of groups like LT.

• **Lord's Resistance Army (LRA)**

The Lord's Resistance Army (LRA), established by Joseph Kony in 1988, has been a major cause of fear and turmoil in the border areas of the Democratic Republic of the Congo (DRC), the Central African Republic (CAR), and South Sudan. The group's roots lie in the conflicts between the Acholi tribe in northern Uganda and other tribes in the region, which were exacerbated by power struggles during Idi Amin Dada's regime (1971-1979) and later political unrest.

Joseph Kony, the enigmatic leader of the LRA, claims to be guided by spiritual visions and aims to overthrow the Ugandan government led by President Yoweri Museveni. However, the LRA's actions have been characterized by extreme violence against civilians, including murder, torture, rape, and abduction of children for use as sex slaves and child soldiers. Despite Kony's proclaimed political agenda, the LRA's operations primarily inflict suffering on Acholi communities and lack a coherent political strategy.

Over the years, the LRA has faced military pressure from regional forces, including Uganda, the DRC, and southern Sudan. In 2008, a joint military offensive known as "Operation Lightning Thunder" was launched against the LRA in northeastern Congo. However, the LRA's adaptive tactics and mobility allowed them to evade capture, leading to the fragmentation of the group into smaller units operating in remote border regions.

Recognizing the threat posed by the LRA, the United States has taken steps to combat the group. The US Congress passed the "Lord's Resistance Army Disarmament and Northern Uganda Recovery Act" in 2010, following earlier designations of the LRA as a terrorist organization and Joseph Kony as a global

terrorist. Subsequently, the US deployed military advisors to assist regional forces in apprehending Kony and dismantling the LRA's operations.

Despite these efforts, Joseph Kony remains elusive, believed to be hiding in the Sudanese-controlled enclave of Kafia Kingi near the CAR and South Sudan border. Recent reports suggest that Kony's health is deteriorating, with speculation about his possible affliction with diabetes or AIDS. Meanwhile, one of the LRA's top commanders, Dominic Ongwen, was apprehended by US forces in 2015 and awaits trial at the International Criminal Court for war crimes.

Although the LRA's numbers have dwindled to an estimated 200 to 300 fighters, the group continues to pose a threat to regional stability. Recent attacks in the DRC, South Sudan, and the CAR underscore the persistent challenge posed by the LRA's remnants. Despite indications of decline, the LRA's capacity for violence remains a concern, as evidenced by its abduction of civilians and sporadic attacks on vulnerable communities.

In conclusion, the Lord's Resistance Army, under the leadership of Joseph Kony, has inflicted widespread suffering and instability in the Great Lakes region of Africa. Despite concerted efforts by regional and international actors to dismantle the group, the LRA persists as a menace to civilian populations, underscoring the complexity and persistence of the terrorism threat in the region.

• Lashkar-e-Jhangvi (LJ)

Established in 1996, Lashkar-e-Jhangvi (LJ) is a terrorist group that sprang from Sipah-i-Sahaba Pakistan, an anti-Shia and Deobandi organisation. The rise of LJ was a reaction to both the internal Shia renaissance in Pakistan after the Iranian revolution and class-based conflict. LJ mainly targets Shia and other religious minorities with the aim of turning Pakistan into a Sunni state ruled by Deobandi.

Lashkar-e-Jhangvi (LJ) is a terrorist organization based in Pakistan. Its leader, Akram Lahori, was arrested in 2002 and convicted of sectarian killings. Despite being incarcerated, Lahori remains LJ's official leader. After his release from prison in 2011, Malik Mohammad Ishaq, one of LJ's founding

members, is believed to have taken command. LJ is organized into at least eight loosely coordinated cells across Pakistan, each with its own independent chief. These cells, including groups led by Asif Chotoo, Naeem Bukhari, Qari Zafar, Qari Shakeel, and Farooq Bengali, are active in Karachi and have been linked to al-Qa'ida and Tehrik-e Taliban Pakistan (TTP). Despite their autonomy, these cells still recognize Ishaq as the overall head of LJ. LJ cells often collaborate with TTP factions in Karachi, particularly when targeting law enforcement agencies and Shia communities.

The Lashkar-e-Jhangvi (LJ) group in Pakistan has been known to collaborate and share membership with other radical Sunni groups, including al-Qa'ida and Tehrik-i-Taliban Pakistan (TTP). There are suspicions that LJ worked together with these groups in the 2009 attack on the Pakistan Army General Headquarters in Islamabad and in several attacks in 2010 targeting Pakistan's Criminal Investigation Department.

LJ members have also been linked to high-profile kidnappings and killings of Westerners in the region. For example, they were allegedly involved in the 1997 killing of four US oil workers in Karachi, the 2002 kidnapping and execution of US journalist Daniel Pearl, the August 2010 kidnapping of the son-in-law of the former Chairman of the Joint Chiefs of Staff Committee, and the August 2011 kidnapping of a US citizen later claimed by al-Qa'ida.

In 2013, LJ claimed responsibility for some of the deadliest sectarian attacks in Pakistan's history. In January, a billiard hall in Quetta, Balochistan Province, was hit by two blasts, killing 92 people and injuring more than 120, mostly Shia. In February, explosives hidden in a water tanker exploded in a crowded market in Hazara town, killing 81 people and wounding 178. LJ, along with al-Qa'ida, also claimed responsibility for a June suicide attack in Quetta against a bus carrying Pakistani female university students, resulting in at least 25 deaths.

This collaboration and overlapping membership with other radical Sunni groups have raised concerns about LJ's role in promoting violence and extremism in Pakistan. The group's involvement in high-profile attacks and kidnappings underscores the threat it poses to security and stability in the region.

- # Tehrik-e Taliban Pakistan (TTP)

The Taliban originated in the early 1990s as a Sunni Islamist nationalist movement composed primarily of peasant farmers and Islamic students from Afghan and Pakistani madrasas. They rose to power with a strict interpretation of Islamic law, imposing it on the areas they controlled in Afghanistan.

Initially based in southern Afghanistan, the Taliban expanded their influence by capturing provinces from various armed factions involved in the country's civil war following the collapse of the Soviet-backed Afghan government in 1992. Their governance was marked by strict adherence to Qur'anic instruction and jurisprudence, resulting in policies that severely restricted women's rights, persecuted political opponents, and marginalized religious minorities.

The Tehrik-e Taliban Pakistan (TTP) emerged in 2007 as an alliance of militant networks aiming to unify opposition against the Pakistani military. Their objectives include expelling Islamabad's influence from the Federally Administered Tribal Areas and Khyber
Pakhtunkhwa Province, implementing strict sharia law throughout Pakistan, and driving Coalition troops out of Afghanistan. Additionally, they seek to establish an Islamic caliphate in Pakistan, requiring the overthrow of the Pakistani government.

Under leaders like Baitullah Mehsud, Hakimullah Mehsud, and Mullah Fazlullah, the TTP has maintained close ties with senior al-Qaeda leaders, sharing ideological affinities and operational cooperation. Fazlullah, especially, is known for his strong anti-Western and anti-Islamabad stance, demonstrated by his role in the attempted assassination of education rights activist Malala Yousafzai in 2012.

The TTP's hostility is not limited to the region, as they have threatened attacks against the United States and Europe. They claimed responsibility for the failed vehicle-bomb attack in Times Square, New York City, in May 2010, and vowed retaliation for the death of Osama bin Laden in 2011. Additionally, they have endorsed external operations and threatened attacks in the United Kingdom due to its involvement in Afghanistan.

The evolution of the Taliban and the TTP underscores the complex interplay between religious ideology, political objectives, and regional dynamics in shaping contemporary terrorism. Their emergence as formidable insurgent forces highlight the challenges posed by non-state actors in conflict-ridden regions and underscores the importance of international cooperation in combating terrorism.

The Taliban and the TTP represent distinct manifestations of Islamist militancy, each driven by its own set of ideological imperatives and geopolitical ambitions. Understanding their origins, objectives, and operational tactics is essential for devising effective strategies to counter the threat they pose to regional stability and global security.

The emergence and evolution of extremist groups, such as al-Murabitun, underscore the complex and dynamic nature of terrorism in North and West Africa. Founded by veteran extremist Mokhtar Belmokhtar in August 2013, al-Murabitun represents a merger between the al-Mulathamun Battalion and Tawhid Wal Jihad in West Africa (TWJWA), consolidating two of the most active terrorist entities in the region. This merger formalised an already close relationship between the groups, both of which are offshoots of al-Qa 'ida in the Lands of the Islamic Maghreb (AQIM).

• **Terrorism in north and west Africa**

Al-Murabitun's declared goals are lofty: freeing Mali from French rule and uniting Muslims in North and West Africa in jihad against Western interests. The group has carried out a number of attacks in the area aimed at Westerners, including as the deadly attack on Algeria's I-n-Amenas gas complex in January 2013, which claimed the lives of around 40 people, including three Americans. The group reaffirmed its commitment to Ayman al-Zawahiri and announced its willingness to continue targeting France and its allies in mid-2015, despite contradicting claims of Belmokhtar's death.

Since November 2013, senior commanders and regular members of al-Murabitun have been killed as a result of French counterterrorism operations against the group. It's possible that these activities prevented possible high-profile attacks in the area. Al-Murabitun, however, is still active, as demonstrated by their first incident in March 2015 in Bamako, Mali, which targeted a nightclub and claimed the lives of three

Mali citizens and two Westerners. The organisation also took credit for the May 2015 kidnapping of a Romanian citizen in Burkina Faso.

Examining the histories of al-Murabitun's principal characters—Mokhtar Belmokhtar in particular—is necessary to comprehend the movement's origins. The trajectory of Belmokhtar's life—from fighting alongside mujahideen in Afghanistan to spearheading an extremist organisation in North Africa—elucidates the interdependence of international terrorism. The erratic character of extremist networks and alliances is demonstrated by Belmokhtar's affiliation with a number of militant groups, such as the Armed Islamic Group (GIA) and subsequently the Groupe Salafiste pour la Prédication et le Combat (GSPC).

The Movement for Unity and Jihad in West Africa (MUJAO), or TWJWA, is another important part of al-Murabitun's historical background. TWJWA was established as an AQIM offshoot in late 2011 and has carried out multiple terrorist acts in North and West Africa, focusing mostly on French and African forces after the French-led intervention in Mali in 2013. The gang uses a range of strategies, such as landmines, vehicle-borne improvised explosive devices (VBIEDs), and suicide bombers.

The eponym "al-Murabitun," which translates as "The Sentinels," is derived from the 11th-century Almoravid dynasty, which flourished in the Western Sahara. The Almoravids imposed a severe kind of Islamic law on the lands they conquered, ruling over a sizable portion of southern Spain and northwest Africa. Al-Murabitun aims to portray an image of religious and military dominance by referencing this historical history, which reflects its extreme ideology and goals.

Al-Murabitun is a potent terrorist group with a strong hold on the intricate sociopolitical systems of both North and West Africa. Its rise, spurred by tensions inside the region and ideological fervour, highlights the ongoing threat that extremism poses to the area. A comprehensive strategy that combines focused counterterrorism initiatives with more general approaches to address the root causes of radicalization and instability is needed to tackle this danger.

• Haqqani Network

A well-known Afghan warlord and rebel leader during the anti-Soviet conflict, Jalaluddin Haqqani created the Haqqani Network, a Sunni Islamist militant group. At first, Younis Khalis, the commander of the mujahedin, led the Hezb-e Islami faction, which he belonged to. Subsequently, in the mid-to-late 1990s, Jalaluddin became an ally of the Afghan Taliban, holding the position of Minister of Tribal and Border Affairs for the group. Known to be close to Usama Bin Ladin, he was regarded as one of Bin Ladin's instructors throughout the Afghan war in the 1980s.

Sirajuddin Haqqani, Jalaluddin's son, assumed control of the Haqqani Network after his father's passing. The group undertakes cross-border operations into eastern Afghanistan and Kabul, with its main base being in North Waziristan, Pakistan. The Haqqanis are renowned for their highly skilled tactics, which include using bomb-laden trucks, IEDs, rocket attacks, small-arms assaults, and suicide operations. They are regarded as one of the deadliest rebel groups in Afghanistan that target forces from the US, the Coalition, and Afghanistan itself.

Numerous high-profile attacks, such as the 2011 attack on the Kabul Intercontinental Hotel, combined operations with the Afghan Taliban, and significant suicide bombs targeting the Indian Embassy in Kabul, have been attributed to the Haqqani Network. In 2011, they took part in a day-long attack against important targets in Kabul, such as the Afghan National Directorate of Security headquarters, the US Embassy, ISAF headquarters, and the Afghan Presidential Palace.

The Haqqani Network's role in the Afghan insurgency, assaults on US military and civilian people, and affiliations to the Taliban and al-Qa'ida led to the US Government designating it as a Foreign Terrorist Organisation in 2012. A number of important Haqqani Network members, including Saidullah Jan, Ibrahim Haqqani, Muhammad Omar Zadran, Yahya Haqqani, Qari Abdul Ra'uf (Qari Zakir), and Muhammad Omar Zadran, have either been singled out for financial penalties or placed on US most-wanted lists.

In addition, the gang engages in illegal activities in Afghanistan and Pakistan, including extortion, kidnapping for ransom, and smuggling. The Haqqani Network continues to pose a serious threat in the region and carry out attacks and destabilise the area in spite of measures to counter it, including targeted military operations and financial sanctions.

• **Turkish Domestic Terrorism**

The Revolutionary People's Liberation Party/Front (DHKP/C), born out of the splintering of its predecessor group, Devrimci Sol or Dev Sol, in 1994, is a Marxist-Leninist organization with a staunch anti-US, anti-NATO, and anti-Turkish establishment ideology. For decades, DHKP/C has intermittently targeted US interests, culminating in a suicide bombing at the US Embassy in Ankara in February 2013, resulting in the death of a Turkish security guard. The group's objectives include overthrowing the Turkish state, removing US and NATO presence from Turkey, and abolishing the one- to three-man prison cells known as F-type prisons in Turkey. In response to the US Department of State offering rewards for information on three

DHKP/C leaders in April 2014, the group labeled the United States its "chief enemy."

DHKP/C expanded its tactics in 2001 to include suicide bombings, in addition to improvised explosive devices and targeted assassinations, with notable attacks against Turkish police. The surge in attacks in 2003 likely stemmed from Turkey's support of Operation Iraqi Freedom. After a period of reduced activity, DHKP/C resumed attacks against Turkish police targets in mid-2012, persisting even after the 2013 US Embassy bombing. Subsequent actions included the hostage-taking of a Turkish prosecutor in March 2015, resulting in a fatal shootout with police, and a failed suicide bombing attempt targeting the Turkish National Police's Istanbul headquarters in April 2015.

On the other hand, the Kurdistan People's Congress (Kongra-Gel or KGK), formerly known as the Kurdistan Workers' Party (PKK), is a Kurdish separatist group primarily operating in northern Iraq and southeastern Turkey. Originating in 1984, the PKK launched an armed campaign, including terrorist activities, resulting in over 45,000 deaths. Clashes between KGK and Turkish forces escalated in 2011 and 2012, highlighted by an attack in October

2011 that claimed the lives of 24 Turkish troops, marking the deadliest incident since 1993. KGK intensified its kidnapping operations against Turkish state personnel, including the unprecedented abduction of a Turkish parliamentary deputy in August 2012.

In 2012, the KGK leader who was imprisoned, Abdullah Ocalan, started peace talks with the Turkish government. KGK officials expressed dissatisfaction in 2014 while negotiations went on, citing the Turkish government's alleged inability to create constitutional and legal safeguards. The establishment of Turkish military outposts in southeast Turkey raised tensions, but the cease-fire held and skirmishes were confined. However, fighting in July 2015 led to Turkish airstrikes on the group's facilities in northern Iraq and the widespread detention of suspected KGK members. At least 11 police and army personnel had died as a result of renewed KGK violence by the end of July 2015.

The stability and security of Turkey are seriously threatened by both DHKP/C and KGK, whose actions exacerbate already-existing tensions in the area. The varying goals and philosophies of these groups highlight how complicated the security situation is in Turkey and the Middle East as a whole.[10]

VII. <u>Four P's of Terrorism</u>

Our national strategy is built on four key pillars: Prevent, Pursue, Protect, and Prepare. These pillars converge into a unified response strategy, both locally and abroad, as we strive to enhance the integration of our capabilities and personnel on the frontline. Over the next three years, our efforts will be focused on advancing specific priorities within each of these strands.

Prevent: Our foremost objective under the Prevent strand is to safeguard and assist those vulnerable to radicalization, aiming to prevent them from embracing terrorism or supporting terrorist activities. To achieve this, we will concentrate our efforts and resources in areas where the threat of terrorism and radicalization is most acute.In addition, we plan to increase the number of people getting rehabilitative interventions by more than twice as many within the next 12 months by expanding our Desistance and

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[10] "Terrorist Groups", *available at*: https://www.satp.org/terrorist-groups/india (last visited on Apr. 29, 2024).

Disengagement Programme. Multi-agency pilots will be developed to enhance our understanding of individuals at risk of terrorism involvement, facilitating earlier intervention. Our online endeavors will prioritize countering terrorist narratives and preventing the dissemination of terrorist material. Strengthening partnerships with communities, civil society groups, and other stakeholders will be crucial, alongside reinforcing safeguarding measures to protect communities and families from exploitation by violent extremists.

Pursue: In the Pursue strand, our primary goal is to prevent terrorist attacks within the UK and against UK interests overseas. This involves implementing a significant enhancement in our domestic investigative capabilities based on the recommendations of operational reviews conducted by MI5 and CT Policing. New counter-terrorism legislation will be introduced to disrupt terrorist threats earlier, considering the evolving nature and pace of terrorist plots. We are bolstering our security and intelligence agencies with over 1,900 additional staff and fostering multi-agency collaborations to improve information sharing at the local level.

Foreign fighters will be brought to justice through legal processes, irrespective of their nationality, and measures to disrupt terrorist financing will be maintained. Maintaining a robust global reach to counter threats against the UK or its interests remains a priority, with a commitment to strong independent oversight of our counter-terrorism efforts.

Protect: Under the Protect strand, our focus is on enhancing our defenses against terrorist attacks, both domestically and overseas. This entails leveraging high-quality data analysis to target individuals and goods of counterterrorism concern, advancing screening and detection technologies at border points, and addressing insider threats in sensitive environments. Strengthening security across critical infrastructure, such as the transport network, and collaborating closely with the aviation industry and international partners are key priorities. We aim to improve security at crowded places and enhance capabilities to detect and control terrorist activities involving CBRNE materials.

Prepare: Finally, in the Prepare strand, our aim is to mitigate the impact of terrorist incidents by swiftly responding to and recovering from such attacks. This involves investing in the capabilities of emergency

services, ensuring readiness to respond to CBRNE threats, and promoting interoperability among emergency services. Regular testing and exercising of multi-agency response capabilities are essential, alongside improved support arrangements for victims of terrorism.

Our comprehensive strategy encompasses proactive measures to prevent radicalization, robust efforts to pursue and disrupt terrorist threats, strategic initiatives to protect against attacks, and meticulous preparations to respond effectively in the event of an incident. Through these concerted actions, we are committed to safeguarding our communities and upholding national security against the scourge of terrorism.

VIII. <u>Eight Phases of Terrorism</u>

In this era of uncertainty, citizens shoulder the responsibility of safeguarding their communities. Vigilance and prompt reporting of suspicious activities are integral to ensuring safety and security in Indiana. Recognizing the signs of terrorism is paramount, as they may manifest over an extended period, spanning weeks, months, or even years. Every detail, regardless of its apparent significance, warrants documentation to aid in preempting potential threats.

1. **Surveillance:** Terrorist operatives typically conduct extensive surveillance when planning an attack. They observe targets to assess vulnerabilities, emergency response capabilities, and layout details. Suspicious behaviours during this phase may include individuals recording activities, sketching diagrams, using vision-enhancing devices, or possessing blueprints of high-value sites such as government facilities or financial institutions. Establishing surveillance routes is also common during this preparatory phase.

2. **Inquiries:** Terrorists seek information about their targets through inquiries. They may attempt to gather details about critical infrastructure like power plants or military installations. Unusual questions about operations or attempts to place individuals in strategic positions to gather insider knowledge are red flags indicating potential threats.

3. **Tests of Security:** Terrorists evaluate target security measures by conducting tests. These may involve driving by sensitive areas to assess response times or attempting to breach physical security barriers. Understanding how security personnel respond to different scenarios helps terrorists identify weaknesses they can exploit during an actual attack.

4. **Fundraising :** Financial resources are crucial for sustaining terrorist activities. Detecting suspicious fundraising activities can disrupt their operations significantly. Look out for signs such as credit card fraud, unconventional donation requests, or large cash transactions. Terrorists often resort to creative methods to raise, transfer, and utilize funds.

5. **Acquiring Supplies:** Procuring explosives, weapons, or stolen identification is indicative of terrorist preparations. Attempts to obtain uniforms or equipment resembling those of first responders may facilitate access to secured areas. Additionally, terrorists may seek flight passes, passports, or other identification documents to evade detection.

6. **Suspicious Behavior :** While profiling individuals is unethical, identifying suspicious behaviors is crucial for threat detection. Individuals exhibiting demeanor, language, or actions that seem out of place in a particular setting warrant scrutiny. Pay attention to behaviors that deviate from the norm, as they may indicate potential threats.

7. **Dry Runs:** Practice sessions, or "dry runs," precede the execution of a terrorist plot. These rehearsals allow terrorists to identify and address flaws in their plans. Monitoring police frequencies and recording emergency response times are common practices during dry runs, signalling imminent threats.

8. **Deploying Assets/Getting into Position:** The final stage before a terrorist attack involves positioning assets for execution. Reporting any suspicious activities during this phase offers authorities a last opportunity to intervene and prevent catastrophic events.

By remaining vigilant and attuned to these signs, citizens play a crucial role in enhancing community safety and thwarting terrorist threats. Collaborative efforts between law enforcement agencies and the public are essential for effectively combating terrorism and preserving the integrity of our society.[11]

IX.   The events of 9/11 & 7/7

Terrorists connected to Osama bin Laden's al Qaeda, an Islamic extremist organisation, took control of four commercial aircraft on September 11, 2001, and carried out suicide strikes against American targets. In New York City, two planes were intentionally flown into the World Trade Centre towers, leading to their eventual collapse and substantial damage in lower Manhattan. Just outside of Washington, D.C., in Arlington, Virginia, was the target of another plane. Nevertheless, Flight 93's intrepid occupants resisted the hijackers, and as a result, the plane crashed into a field close to Shanksville, Pennsylvania.

When the 19 terrorists involved in the 9/11 attacks are taken into account, about 3,000 people lost their lives. The events that followed shocked and horrified the entire globe and had a significant impact on it. President George W. Bush's government responded by declaring a "war on terrorism," which involved starting military operations in Afghanistan and establishing the Department of Homeland Security.

❖ World Trade Centre

A catastrophic incident occurred at the World Trade Centre in New York City early on September 11, 2001. A Boeing 767 operated by American Airlines struck the north tower at 8:45 a.m., inflicting severe damage and starting a fire close to the 80th level. Hundreds of people lost their lives in this horrifying catastrophe very away, and there were still many more trapped in the higher floors.

News organisations reported on the events as they happened, originally characterising it as a terrible accident as the evacuation procedures got underway. But only eighteen minutes later, United Airlines

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[11] "Pre-Attack Indicators of Terrorist Activity", *available at*:
https://www.police1.com/terrorism/articles/8-pre-attack-indicators-of-terrorist-activity-P8AygwXO2OkKaznw/ (last visited on Apr. 29, 2024).

Flight 175, another Boeing 767, approached the World Trade Centre and struck the south tower on the sixty-fifth level. The enormous explosion from this second impact spread blazing debris across neighbouring buildings and streets, indicating that the United States was being attacked.

❖ Osama Bin Laden

The majority of the hijackers were radical Islamics from Saudi Arabia and other Arab nations. Funding for them was allegedly provided by the terrorist organisation al-Qaeda, which is run by Osama bin Laden, a Saudi national on the run. Anger over America's alleged support of Israel, its involvement in the Gulf War, and its military buildup in the Middle East is said to have driven their acts.

A few of the attackers had studied flying at American commercial flight schools and had been living in the country for more than a year. Others were in charge of carrying out the actual hijacking operation; they had entered the nation in the months preceding September 11, 2001.

❖ Where did 9/11 planes take off from?

At three East Coast airports, Logan International Airport in Boston, Dulles International Airport in Washington, D.C., and Newark International Airport in New Jersey, the 19 terrorists were able to elude security personnel with box cutters and knives. Then, because the aircraft were carrying a lot of fuel for the lengthy journey, they chose to board four aeroplanes that were bound for California. The terrorists took over the aircraft shortly after takeoff and began flying them themselves, converting ordinary passenger jets into lethal weapons.

❖ Pentagon Attack

At 9:45 a.m., American Airlines Flight 77 hovered over downtown Washington, D.C., and then crashed into the western side of the Pentagon military headquarters, while millions watched the events unfold in New York.

The U.S. Department of Defence was housed in a massive concrete building that collapsed in part due to a severe fire caused by jet fuel from the Boeing 757.

All 64 people on board the aeroplane as well as 125 military personnel and civilians died in the Pentagon.

❖ Twin towers collapse

The south tower of the World Trade Centre collapsed in a massive cloud of dust and smoke, worsening the situation in New York less than fifteen minutes after the terrorist attack on the Pentagon.

The building's structural steel, intended to endure strong winds and fires, was not strong enough to endure the immense heat produced by the burning jet fuel.

The north tower of the twin towers collapsed about 10:30 a.m. Of those inside the towers when they collapsed, only eighteen made it out alive. The majority of them were FDNY firefighters inside Stairwell B of the North Tower, which held. One woman made it out alive when the steps she was on collapsed beneath her. Almost 10,000 more people received care for injuries, many of which were severe.

❖ Flight 93

Shortly after taking off from Newark Liberty International Airport, United Flight 93—the fourth aircraft headed for California—was taken over by terrorists. Through phone calls to the ground, passengers on board were informed of the attacks in New York and Washington. When they learned what the hijackers wanted, some travellers and flight attendants made plans to fight back.

Passenger Thomas Burnett, Jr., told his wife they were going to take action, saying, "I know we're all going to die. There's three of us who are going to do something about it. I love you, honey." Another passenger, Todd Beamer, rallied others with the phrase, "Are you guys ready? Let's roll."

Flight attendant Sandy Bradshaw called her husband, telling him she was preparing to confront the hijackers. The passengers fought back, likely using a fire extinguisher to try to regain control of the

plane. The aircraft crashed in a rural field near Shanksville, Pennsylvania, killing all 44 people on board. The intended target of the hijackers remains uncertain.

❖ How many people died in 9/11

The 9/11 attacks resulted in the deaths of 2,996 individuals, including the 19 hijackers. These fatalities occurred in New York, Washington, D.C., and Pennsylvania, involving citizens from 78 different countries.

In the World Trade Center, 2,763 people lost their lives following the impacts of the planes. Among them were 343 firefighters and paramedics, 23 New York City police officers, and 37 Port Authority police officers who were bravely aiding in the evacuation and rescue efforts.

The Pentagon suffered 189 casualties, including those on board American Airlines Flight 77, which struck the building. Additionally, Flight 93, which crash-landed in Pennsylvania, resulted in the deaths of 44 individuals.

❖ America responds to attack

President George W. Bush, who had been transferred about the nation for security reasons and was in Florida at the time of the attacks, returned to the White House around 7 p.m.

"Terrorist attacks can shake the foundations of our biggest buildings, but they cannot touch the foundation of America," he said in a televised speech from the Oval Office at nine o'clock at night. The steel of American determination is stronger than the broken steel caused by these deeds.

Referring to the future U.S. military response, he said, "We will make no distinction between the terrorists who committed these acts and those who harbor them."

On October 7, the United States launched Operation Enduring Freedom, an attempt to topple the Taliban government in Afghanistan and destroy Osama bin Laden's terrorist organisation. Though the Taliban had been essentially driven from power in less than two months, fighting went on as coalition and American forces battled a Taliban insurgency out of Pakistan.

The mastermind of the September 11th attacks, Osama bin Laden, eluded arrest until May 2, 2011, when American forces discovered and eliminated him in Abbottabad, Pakistan. President Barack Obama declared in June 2011 that major troop withdrawals from Afghanistan would begin, and they would end in August 2021.

❖ Department of homeland security is created

The Department of Homeland Security was established by the Homeland Security Act of 2002, which President George W. Bush signed into law on November 25, 2002, in response to security concerns raised by the 9/11 attacks and the anthrax mailings. The department is in charge of processing immigration and customs, guarding borders, preventing terror attacks, and providing disaster relief and prevention.

Two days later, the National Commission on Terrorist Attacks Upon the United States, or "9/11 Commission," was created in order to look into what happened before September 11th. In its report, which was made public on July 22, 2004, the commission named Khalid Sheikh Mohammed as the main 9/11 attack architect.

After being apprehended on March 1, 2003, by the CIA and Pakistan's Inter-Services Intelligence, Khalid Sheikh Mohammed was questioned and subsequently detained in the Guantanamo Bay detention facility with four other suspected terrorists. International outrage has been generated by the use of dubious interrogation methods, like as waterboarding, during Mohammed's detention. Mohammed and the other four men accused of planning the 9/11 attacks have a trial date set by a U.S. military court judge in August 2019. The trial was originally supposed to take place in 2021 but was delayed because of the COVID-19 epidemic.

❖ Economic impact of 9/11 attack

The events of September 11th had an immediate negative effect on the US economy. The New York Stock Exchange was among the several Wall Street establishments that were evacuated in the wake of the attacks. The market had a notable drop of 7.1 percent, or 684 points, on the first trading day following the assaults. The economy of New York City lost $2.8 billion in earnings and 143,000 jobs per month in the first three months. The industries experiencing the biggest job losses were finance and aviation, which together for 60% of the total. The cleanup at Ground Zero was projected to have cost $750 million, while the damage to the World Trade Centre was estimated to have cost $60 billion.

❖ Victim Compensation fund

After the 9/11 attacks, thousands of people were exposed to poisonous substances, including first responders and inhabitants of Lower Manhattan close to the World Trade Centre. Approximately 10,000 people had received cancer diagnoses as a result of the 9/11 attacks by 2018.

More than $7 billion was set aside between 2001 and 2004 to compensate relatives of 9/11 fatalities and others hurt in the attacks. The James Zadroga 9/11 Health and Compensation Act, which offers survivors and first responders ongoing health monitoring, was signed into law by President Obama in 2011. The statute guaranteed continued support and was named for James Zadroga, a police officer who died from a respiratory illness he developed while assisting with rescue operations at Ground Zero.

In 2015, a five-year extension of $7.4 billion in funds was granted for the treatment of disorders related to 9/11. The Victim Compensation Fund was originally scheduled to close for claims in December 2020, but a measure approved by President Trump in July 2019 prolonged the fund's lifespan until 2092. Following a time in which benefits were slashed by as much as 70% because the fund was depleting, this extension honoured the work of champions including 9/11 responder John Feal, late NYPD officer Luis Alvarez, who died of cancer soon after testifying before Congress, and Jon Stewart.

❖ Anniversary and memorial

Congress declared September 11, 2001, to be "Patriot Day" in observance of the 9/11 attacks' anniversary on December 18, 2001. Additionally, September 11 was designated as a National Day of Service and Remembrance by Congress in 2009.

The earliest memorials after the 9/11 attacks included floral offerings and candlelight vigils at American embassies across the globe. At a ceremony at Buckingham Palace, Queen Elizabeth of Great Britain even performed the American national anthem. Billboards in Rio de Janeiro showed the city's Christ the Redeemer statue hugging the skyline of New York City.

The Municipal Art Society of New York organised an annual project known as "Tribute in Light," which consisted of two dazzling columns of light displayed in New York City on the first anniversary in 2002. These beams are visible from a distance of more than 60 miles on clear nights.

A competition was held to choose a permanent memorial for the 9/11 victims, and Michael Arad's design, "Reflecting Absence," was chosen as the winner. This memorial has two reflecting pools with waterfalls tumbling down where the Twin Towers once stood. It is situated in an eight-acre park outside the museum.

Engraved on 152 bronze panels around the pools are the names of all 2,983 victims, ordered according to the victims' whereabouts on the day of the assaults. This method guarantees that individuals on the same flight and workplace will be remembered together. On September 11, 2011, the memorial site was made publicly accessible to commemorate the ten-year anniversary. The Freedom Tower debuted in November 2014, while the National September 11 Memorial & Museum opened in May 2014 on the site of the former World Trade Centre.[12]

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[12] Bergen, P. L. (2024, April 25). September 11 attacks. Encyclopedia Britannica. https://www.britannica.com/event/September-11-attacks

X.   **7th July London Bombings**

London was rocked by a series of devastating terrorist attacks that resulted in the tragic loss of 52 lives and left hundreds more injured. The attacks, which took place on 7 July 2005, marked the worst single terrorist atrocity on British soil.

The events of that day began when four suicide bombers set out from Leeds, West Yorkshire, in the early hours of the morning. Three of the bombers, Mohammad Sidique Khan, Shehzad Tanweer, and Hasib Hussain, met up with their accomplice, Germaine Lindsay, in Luton, Bedfordshire, before traveling to London by train.

Once in the capital, the bombers carried out their deadly mission, detonating four devices three on the London Underground and one on a double-decker bus.

The following is the attack timeline:
- 04:00 BST: Hussain, Tanweer, and Khan drive out of Leeds.
- 06:51–07:24: After meeting Lindsay, the group boards a train for London.
- 08:23: King's Cross Station receives the bombers.
- 08:38–08:48: At the Russell Square, Edgware Road, and Aldgate Underground stations, Khan, Tanweer, and Lindsay set off their devices.

- 09:47: Hussain triggers his device on a double-decker bus.

The attacks were a stark reminder of the threat posed by terrorism and the need for continued vigilance in combating this scourge.

Edgware Road Attack

The explosion at Edgware Road resulted in the deaths of six people. Mohammad Sidique Khan, the ringleader, detonated his bomb on a westbound Circle Line train heading towards Paddington. The explosion occurred in the second carriage near the second set of double doors.

Emergency services did not arrive at the station until 09:12, despite the bomb going off at 08:50 BST, as revealed in the 2011 inquests into the killings.

At the inquest, witnesses recounted tales of survival and bravery alongside the tragedy of the explosion's aftermath. Daniel Biddle remembered witnessing a brilliant flash. He still has shrapnel from the blast in his body, including a 20p piece stuck in his thigh bone.

The explosion occurred when Catherine Al-Wafai was travelling to a job interview. She sustained minor injuries to her arm and thigh. She was covered in blood, yet she managed to leave the scene on her own. When she went back, she fell in the hallway, later realising she had lost a shoe.

On the other side of the carriage from Khan sat Professor John Tulloch, who had returned from Australia and was carrying three bags. He was spared significant injury by a hard suitcase by his feet, but he did suffer a punctured eardrum and shrapnel in his skull.

The explosion claimed the life of management accountant David Gardner, who also lost his spleen. Blown from his seat, he fell to the carriage floor and lay there dreaming and dreaming again. An ex-Army soldier named Jason Rennie, a fellow passenger, rescued him by applying a tourniquet on his severely injured left leg. When the bomb went off, Mr. Gardner was reading the Julius Caesar script for a theatre production.

❖ Aldgate attack

The explosion at Aldgate, caused by Shehzad Tanweer, occurred on an eastbound Circle Line train between Liverpool Street and Aldgate, resulting in the deaths of seven people.

Philip Duckworth, a survivor who was in close proximity to Tanweer, was blinded in one eye by a fragment of the bomber's shinbone.

Martine Wiltshire, formerly Wright, a Paralympian who competed in the London 2012 Paralympics, was just a few feet away from the bomber. She lost both of her legs in the blast but was saved by off-duty police officer Elizabeth Kenworthy, who provided a belt for use as a tourniquet.

Andrew Brown, an airport worker who lost a leg in the bombing, initially thought he had been electrocuted and blacked out for 15 minutes. When he regained consciousness, he realized the extent of his injuries and attempted to help others on the train.

Bruce Lait, a professional dancer, was reading a newspaper next to his dance partner in a different part of the carriage. He suffered minor burns, cuts, and burst eardrums and is partially deaf. He stayed with victim Fiona Stevenson, holding her hand until she passed away.

❖ Russell Square Attack : 26 killed

The bloodiest incident happened between Russell Square and King's Cross on the Piccadilly Line, when Germaine Lindsay blew up his bomb in the front carriage next to the back set of double doors. There were 26 fatalities from the explosion, which happened right after the train left King's Cross station.

Survivor Paul Glennerster recounted how he managed to "pick up" his severely injured limb and "hop" off the train after the bombing.

Paul Mitchell, who was travelling to his workplace on Regent Street, recounted the disorder and fear that pervaded the packed train following the explosion. He gave gratitude to fellow traveller Julie Gruen, who used her coat and a sanitary towel to help him put a tourniquet around his injured leg, for saving his life.

Lilian Ajayi, who gave up her seat for another passenger who later died, described the horrific scene of the injured piled up "like a laundry basket" after the explosion. She tried to help a man with a severe leg injury but realized she couldn't move him.

After the explosion claimed both of Gill Hicks' legs, she used tourniquets to save her own life. She passed out, believing herself to be having a heart attack, and only later did she wake up to find she had been injured.

When the bomb went off, Alison McCarthy, who boarded the train at Finsbury Park, blacked out and woke up beneath bodies and injured people. She treated other passengers despite her own wounds, providing tourniquets and talking them back to consciousness.

Being in his "favourite" seat allowed Philip Patsalos, who was critically injured in the explosion and lost a leg, to live. If he had been seated in his second favourite seat, which was just inches from the explosion site, he thought he would have perished.

❖ Tavistock Square attack

Thirteen people were killed when Hasib Hussain, the youngest bomber, exploded his weapon on a double-decker bus in the Tavistock Square attack.

At 09:47 BST, the bombing took place, almost one hour following the other blasts. After the first three explosions, Hussain was seen on CCTV near King's Cross station. Cell phone records revealed that Hussain had made many unsuccessful attempts to get in touch with his pals.

Near the British Medical Association offices, the site of a meeting, the bus was destroyed. In the absence of medical supplies, several medical professionals donated their knowledge to help preserve lives.

Police barriers forced bus driver George Psaradakis to deviate from his customary route the day of the explosion. Just before the explosion, he remembered, about fifty passengers had gotten off the bus due to a change in route. Psaradakis said of being taken aback and overcome when he saw his passengers hurt.

The Tavistock Square explosion wounded Louise Barry, who had been evacuated from the Underground at Edgware Road following an earlier incident. She thought she was having a seizure at first, but then she felt hot water trickling down her arm from the bus's radiator, which she confused for fuel. She made it to safety by crawling between the corpses.

The explosion claimed the life of Camille Scott-Bradshaw's friend and coworker Marie Hartley when she was in London on business. She attempted to locate her companion in the adjoining building's courtyard despite having serious injuries to her legs and hearing loss.

Because there wasn't enough room for her laptop, Lisa French, a BT employee from Newcastle-upon-Tyne, barely managed to escape sitting next to Hussain on the bus. She was rendered unconscious by the explosion and sustained scrapes, bruises, fractured teeth, and punctured eardrums. During the inquest, French sobbed as she related how a policeman stopped her from assisting other travellers.[13]

XI.   <u>Government's response to terrorism and measures</u>

The Anti-terrorism Front (ATF), an initiative of the Anti-Corruption Front, is a mass movement organization in India dedicated to promoting peace and condemning terrorism at all levels. Following the 26/11 terrorist attack in Mumbai, ATF launched a national and international peace movement,

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[13] "7 July London Bombings: What Happened that Day?", *BBC*, July 03, 2015, *available at*: https://www.bbc.com/news/uk-33253598 (last visited on Apr. 29, 2024).

organizing numerous events focused on anti-terrorism and peace, both in India and around the world. Recently, ATF has reaffirmed its condemnation of terrorism in India and has supported government efforts against terrorism through dialogues, banner campaigns, and national conferences.

The deadly terrorist attack in November 2008 on Mumbai and a series of bomb attacks across India's cities that same year have resulted in the loss of hundreds of lives, once again highlighting India's vulnerability to terrorism. According to the latest report from the U.S. government's National Counter-Terrorism Center, over one thousand people were killed in terrorist attacks in India in 2007, ranking the country fourth in terms of casualties, behind Iraq, Afghanistan, and Pakistan. India, with its billion-strong population, has been dealing with terrorism since its inception, facing various regional groups primarily focused on separatist agendas.

India is the target of many terrorist attacks due to several factors, including ongoing low-intensity conflicts in various regions of the country. One of the most significant areas of conflict is Jammu and Kashmir, where a territorial dispute involving India, Pakistan, and China has been ongoing since the end of British colonial rule in 1947. India claims the entire region as its sovereign territory but controls only about half, with Pakistan and China controlling the rest. This dispute has led to multiple military confrontations and has fueled militant groups seeking independence for the region, some of which are believed to have support networks in Pakistan. Over the past decade, about two-thirds of all terrorist attack fatalities in India have been linked to this conflict.

Another area affected by terrorism is Andhra Pradesh, particularly by the Naxalite movement. Naxalites are revolutionary communists who began their movement in the town of Naxalbari in 1967. While not all Naxalites are militant, an estimated 10,000 are members of armed militias that continue to wage a low-intensity insurgency. This insurgency has led to the establishment of "people's courts" in areas under Naxalite control, where individuals deemed "class enemies" or "caste oppressors" are prosecuted. According to the U.S. State Department, Naxalite terrorism is becoming more sophisticated and deadly, and it presents a serious long-term threat.

Northeastern states of India have also experienced significant violence, particularly in states like Assam and Nagaland, which have seen an influx of immigrants and are prone to tribal friction. Demographic shifts, poverty, and demands for independence due to perceived neglect and discrimination by the Indian government have fuelled conflicts in these regions. In an effort to undermine government control, militant organisations such as the United Liberation Front of Assam have taken aim at infrastructure and politicians.

The Member States in the OSCE acknowledge that terrorism poses a serious danger to international peace, security, and stability as well as to human rights and development in the OSCE region. They oppose linking any one racial, ethnic, or religious group to terrorism. The OSCE is dedicated to putting into action efficient countermeasures against terrorism, viewing it as an egregious offence without of excuse, regardless of its source or intent.

In support of global counterterrorism operations, the OSCE supplements UN-led programmes. It tackles the underlying causes of terrorism, such as the political, social, and economic issues that could encourage and facilitate the recruitment of terrorists. In addition to coordination between national authorities, cooperation between states, cooperation with international and regional organisations, and, when appropriate, public-private partnerships involving state authorities, the private sector, civil society, and the media, the OSCE promotes a cooperative approach to counterterrorism. The OSCE Consolidated Framework for the Fight against Terrorism is being followed, and these initiatives are in line with the UN Global Counter-Terrorism Strategy and pertinent UN Security Council resolutions.

When it comes to counterterrorism operations, the OSCE concentrates on many critical areas:

1. Putting into practice the international legal framework against terrorism and strengthening collaboration between nations in criminal cases pertaining to terrorism;
2. Using a multifaceted strategy to combat violent extremism and radicalisation that leads to terrorism.
3. Stopping and preventing the funding of terrorism;
4. Refusing to allow the use of the Internet for terrorist activities.

5. Encouraging communication and collaboration on counterterrorism matters, including public-private partnerships.

6. Increasing national efforts to carry out UN Security Council resolution 1540 (2004) on the non-proliferation of WMDs;

7. Securing travel documents; and

8. Encouraging and safeguarding fundamental freedoms and human rights within the framework of counterterrorism measures.

The OSCE Executive structures—the Secretariat, the OSCE Office for Democratic Institutions and Human Rights, the OSCE Representative on Freedom of the Media, and OSCE field operations—carry out these tasks in accordance with their mandates..[14]

XII. Role of UN and other major international organisations in preventing and curbing terrorism.

The United Nations, established with the ratification of the United Nations Charter on 24 October 1946, is an international organization comprising 192 Member States. The Charter serves as a foundational document, akin to a constitution, for the United Nations, and it includes a clause stating that the obligations of Member States under the Charter supersede any other international agreements they may have. This makes the United Nations Charter the highest authority in the hierarchy of international law.

The United Nations system consists of various organs, entities, and specialised agencies, each with distinct roles, powers, and mandates. As will be covered in the appropriate chapters, some of these

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[14] "Counter Terrorism and Counter Radicalization Division", *Ministry of Home Affairs*, *available at*: https://www.mha.gov.in/en/divisionofmha/counter-terrorism-and-counter-radicalization-division (last visited on Apr. 29,

2024).

organisations actively participate in counterterrorism efforts, while others handle the problem from their unique angles.

As per the United Nations Charter Chapter IV , the General Assembly:

- Can discuss and provide recommendations on general principles for international cooperation to maintain peace and security, including disarmament.
- Can deliberate on any matter related to international peace and security and, unless the Security Council is already discussing a dispute or situation, make recommendations on it. - Ensures that states not members of the United Nations adhere to these principles as necessary for maintaining international peace and security.

- Cannot intervene in matters within a state's domestic jurisdiction but can enforce measures under Chapter VII if needed.

- Can debate and suggest measures on any matter falling under the purview of the Charter or impacting the authority and operations of any UN body.
- carries out research and makes suggestions to improve global political collaboration, create and codify international law, advance human rights and basic freedoms, and engage in global cooperation in the domains of the economy, society, human rights, culture, education, and health.
- Can recommend peaceful resolutions for any situation that might harm friendly relations among nations.
- Gets and takes into account reports from the UN Security Council and other agencies.
- Sets the Member States' budgetary contributions and approves the UN budget.
- Chooses the Secretary-General on the Security Council's proposal and elects non-permanent members of the Security Council and other UN committees and bodies.

The creation of an international legislative framework that promotes cooperation against terrorism and pushes nations to work together more closely to combat this threat is a critical task for the General Assembly. Regardless of where or who commits them, acts of terrorism are illegal and unacceptable, as

the General Assembly reaffirmed in 1994. It further said that no matter what political, philosophical,

intellectual, racial, ethnic, religious, or other justifications may be offered, criminal acts that aim to incite fear in the general public or among certain groups for political objectives are inexcusable under any circumstances. But despite lengthy discussions throughout the years, disagreements over the concept of terrorism have prevented the General Assembly from reaching a consensus.[15]

i) Third Committee (Social, Humanitarian and Cultural Committee)

A wide range of social, humanitarian, and human rights concerns are handled by the Third Committee. The Committee's work includes a significant amount of analysis on human rights issues. Along with dealing with terrorism from a criminal justice and crime prevention standpoint, it also handles these topics. [16]

ii) Sixth Committee (Legal Committee)

Legal concerns are sent to the Sixth Committee for consideration. The landmark Declaration on Measures to Eliminate International Terrorism49, which was issued in 1994, defined terrorism as "criminal acts" that are unjustifiable "wherever and by whomever committed."[17]

iii) Ad Hoc Committee established by General Assembly resolution 51/210

In order to supplement related already-existing international instruments, the General Assembly established the Ad Hoc Committee on December 17, 1996, with resolution 51/210, giving it the task of developing an international convention for the suppression of terrorist bombings, followed by one for the suppression of terrorist financing and another for the suppression of acts of nuclear terrorism.50 The three relevant treaties have been adopted as a result of the texts that the Ad Hoc Committee negotiated.

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[15] "Counter Terrorism", *available at*: https://www.un.org/counterterrorism/ (last visited on Apr. 29, 2024).

[16] "Third Committee (Social, Humanitarian and Cultural Committee)", *available at*: http://www.un.org/ga/third/index.shtml (last visited on Apr. 29, 2024).

[17] "Sixth Committee", *available at*: www.un.org/ga/sixth/index.shtml (last visited on Apr. 29, 2024).

The Ad Hoc Committee has been working on this since the end of 2000. It was also given the mandate to discuss ways to build a comprehensive treaty on international terrorism in the future. The Ad Hoc Committee typically convenes once a year, for one or two weeks, in the early part of the year. It then carries out its work under the auspices of a Working Group of the Sixth Committee, which is constituted later in the year during the General Assembly's regular session..[18]

Although not legally enforceable, the General Assembly has also passed a number of resolutions on terrorism that serve as helpful sources of soft law and are highly significant politically.The September 2006 approval of the UN Global Counter-Terrorism Strategy by consensus was a significant event.

The Counter-Terrorism Implementation Task Force (CTITF) was established by former UN Secretary-General Kofi Annan in July 2005 as a coordinating and information-sharing body within the United Nations system to address counter-terrorism efforts. It aims to identify strategic issues and approaches and promote coherent action across various UN entities involved in counter-terrorism. Chaired by the Office of the Secretary-General, the CTITF includes representatives from 24 UN departments, specialized agencies, funds, and programmes, as well as other entities like Interpol.

Since the adoption of the UN Global Counter-Terrorism Strategy, the CTITF has expanded its focus to include operational work in addition to policy work. It has established working groups to address specific issues such as financing of terrorism, human rights, radicalisation and extremism, use of the Internet for terrorist purposes, victims of terrorism, and vulnerable targets.

The United Nations Office on Drugs and Crime (UNODC) in Vienna's Terrorism Prevention Branch (TPB) is crucial in strengthening the legal framework against terrorism by offering technical support in legal and related fields. It offers specialised services in support of counterterrorism initiatives and complies with certain obligations.

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[18] "Ad Hoc Committee Established by General Assembly Resolution 51/210", *available at*: www.un.org/law/terrorism (last visited on Apr. 29, 2024).

The CTITF and TPB demonstrate how the UN system collaborates to address terrorism by mapping and analysing national and international initiatives, advancing human rights protection, protecting vulnerable targets, and addressing the needs of terrorism victims.

XIII. Balancing curtailment of human rights by restrictions in the name of security and sovereignty of the country.

Gould, Benjamin & Lazarus, Liora. (2007). Security and Human Rights.

The complex relationship between security and human rights, particularly in the context of post-9/11 political and legal landscapes, is highlighted. The pursuit of security and the protection of human rights are often perceived as conflicting goals, especially in the face of terrorism and other security threats. While security and human rights are not inherently opposed, they are often framed as such in political discourse, leading to challenges in finding a balance between the two.

The post-9/11 era is characterized by a perceived state of emergency or "new normalcy," where exceptional measures are seen as necessary for security, potentially at the expense of human rights. This shift is attributed to a broader cultural shift towards prioritising security and risk management in late modern states, which has reshaped the role and legitimacy of the state in addressing societal problems.

The emergence of a "politics of rights skepticism," where there is increasing skepticism towards the moral foundation and judicial protection of human rights, is also discussed. This skepticism, coupled with the focus on security, has created a challenging environment for reconciling security imperatives with human rights protections.

There is a need for a new language or framework to reconcile security and human rights in the contemporary political and legal context, particularly in addressing the challenges posed by terrorism and other security threats. The text suggests that bridging the gap between security and human rights

requires critical engagement with the politics of security, understanding the social and philosophical foundations of security claims, and addressing fundamental tensions in democratic orders. It emphasizes

the need for a nuanced understanding of security discourse, societal conditions, and philosophical underpinnings to develop a language of reconciliation between security and human rights. Additionally, the text discusses the importance of engaging with the language of risk in debates about security and human rights, and warns against conceding too much to security concerns at the expense of fundamental rights.

Grantable human rights are those outlined in the thirty articles of the UDHR (UN, 1948) and are reliant on social, moral, and emotional capital such as goodwill, altruism, empathy, trust, and open-mindedness. They are not contingent on finite limits of physical resources. Throughout history, rulers have implemented measures for the 'common good,' often necessitating the curtailment of individual rights and liberties. Article 29 of the UDHR addresses this need, though not in a dictatorial manner. However, it is often challenging to determine whether such curtailments led to preferable outcomes overall, with human rights often being violated in the process. Every law represents a compromise between societal benefits and individual autonomy sacrifices.

The coming decades will witness significant lifestyle changes towards greater efficiency, reduced consumption, and organisational reform, potentially accompanied by economic downturns and population reduction. These changes, if based on deliberate policy reform, will require either unprecedented consensus on sacrificing current minority privileges or draconian repression of individual autonomy (Bowers, 1993; Daly & Cobb, 1994; Lautensach, 2010). Neither option aligns with human rights advocacy. Avoiding the problem altogether is also an option. Kofi Annan's 2005 quote from his report 'In Larger Freedom' captures the essential task while evading important questions. These include the concerns of what form of development can accomplish these aims, whose rights should be surrendered for what level of security, and how humanity should make these judgements.

Finding the ideal balance between security and rights—solutions that both national democratic societies and the global community can accept—is the difficult part of the task. Human security, focusing on individual security rather than state security against foreign threats, builds on grantable human rights while acknowledging the tension with ungrantable ones. Human security posits that by ensuring individuals are free from fear and want, states enable active participation in decision-making, making

governance through force unnecessary. Many security challenges today stem from governments and the international community failing to uphold human rights and fundamental freedoms. While some dictatorial states achieve economic gains without prioritising human rights, history shows such countries remain unstable and prone to unrest in the long run.

One guideline for finding proper compromises is establishing and sustaining a stable civil society, which augments the state's capacity to protect human rights and hold perpetrators accountable. Civil society played a crucial role in the downfall of dictatorships in several countries and is increasingly influential in setting political reform agendas. Despite these gains, over half of the world's population still faces human rights abuses, mostly perpetrated by states. The relationship between the state and civil society is crucial for peace and security, challenging the traditional understanding of security solely in international relations. A productive state-civil society relationship hinges on a minimum of human rights, a norm not yet achieved in many countries.

XIV. <u>Laws governing terrorism in India</u>

The research conducted by the Vidhi Centre for Legal Policy in June 2015 focused on key issues in India's jurisprudence of terror, including federalism, the impact on center-state synergy, terrorism-related laws, judicial interpretation of anti-terror laws, and procedural issues. The findings highlighted several key points:

1.   The statutory approach to terrorism in India has remained largely unchanged since TADA, despite changes in the nature of terrorism and counterterrorism efforts over the years.

2.   The haste in legislating anti-terror laws has led to incoherence and delays in terrorism trials due to problems in the language of statutes.

3.   There is a greater chance that anti-terrorism laws would be abused since they were created without considering the effects and abuse of earlier legislation like TADA and POTA.

4.   Special courts established under various anti-terror legislation have occasionally compromised due process and frequently failed to accelerate cases.

5.   Counterterrorism efforts in India have faced challenges due to the complexities of federalism, reflecting the difficulties in characterising terrorism.

6.   The "extraordinariness" of anti-terror laws has not been sufficiently explored in judicial reasoning, leading to a gradual undermining of civil liberties.

In India, there was initially inadequate attention given to enacting specific domestic legislation to effectively counter terrorist groups. Terrorist incidents were treated as law and order issues, and investigations and prosecutions followed provisions in major laws like the IPC and Criminal Procedure Code. However, as terrorist acts became more frequent and widespread, the need for special enactments became apparent. The first two specific anti-terror legislations, TADA and POTA, were eventually repealed primarily due to political expediency and a lack of national will.

In 1985, TADA was enacted but allowed to lapse in 1995 due to abuse and misuse. POTA was enacted in 2002 but repealed in 2004 for similar reasons. There was a gap of four years without special federal legislation to deal with terrorism, during which states enacted their own laws largely based on TADA and POTA provisions.

To better understand the many operational features of India's anti-terrorist legislation, a first examination of these laws—which are mostly based on the trial of terrorism cases—serves as a starting point. Such an overview need to cover federal and state laws that control substantive offences and the associated processes with regard to situations of terrorism. Depending on the seriousness of the crime, specific laws were passed throughout time in accordance with court recommendations and guidelines. The question of whether the current legal frameworks, including the Code of Criminal Procedure (Cr.PC) and the Indian Penal Code (IPC), was sufficient to combat the growing threat of terrorism on a national and international scale was discussed. This research aims to evaluate India's social demand for more precise and strict laws, such as special judicial

In notable terrorism trials, such as the Parliament Attack of December 2001 and the Mumbai Terror Attack of November 2008, charge sheets were filed under the provisions of the Indian

Penal Code. Certain laws, such as the Terrorist and Disruptive Activities (Prevention) Act (TADA), passed in 1985 in the wake of Prime Minister Indira Gandhi's assassination, and the Prevention of Terrorism Act (POTA), passed in 2002 in response to the 2001 attack on the Indian Parliament, were criticised and ultimately repealed because of claims that they were abused and violated human rights. For example, POTA was only in effect for a brief time before being abolished in 2004.

Despite its repeal, cases initiated under POTA continued, demonstrating its lasting impact. The only current anti-terrorism legislation in force in India is the Unlawful Activities Prevention Act (UAPA), which came into existence in 1967 and was amended in 2004 to include stringent provisions related to acts of terror. Subsequent amendments in 2008 and 2013 further strengthened the UAPA, broadening its scope to include economic and financial offenses related to terrorism. The 2013 amendment enabled the prosecution of offenses under the UAPA even if committed outside India, enhancing India's legal framework to combat transnational terrorism.

In order to preserve public safety and order, certain state governments have also implemented laws unique to their states. For example, the Armed Forces Special Powers Act (AFSPA), which was passed by the Parliament in 1958 and subsequently expanded to include the state of Jammu and Kashmir, was established in 1990. AFSPA provides special operational and legal cover to the armed forces in "disturbed areas," although it should be viewed more as an enabling provision for the armed forces to address situations in these areas, rather than as an anti-terror specific legislation.

xv. **Trail under terrorism laws in India.**

The anti-terrorism and security laws in India have faced criticism for their ambiguous scope and potential for misuse. One example is the National Security Act, 1980, which allows the government to detain individuals to prevent actions deemed prejudicial to the security of the state or public order. However, the act does not define what constitutes "state security," "public order," or "actions prejudicial to either," leading to concerns that dissenting voices or criticism of the government could be targeted under this provision.

Similarly, the Unlawful Activities Prevention Act (UAPA) covers a wide range of activities under the umbrella of "committing a terrorist act," including actions that "threaten the unity, integrity, security, or sovereignty of India" or "strike terror in people." However, the law allows for individuals to be booked even if their actions are "likely to" have these results, leading to ambiguity about whether individuals must intend to cause harm or merely be negligent about the consequences of their actions.

The Chhattisgarh Special Public Security Act of 2005 empowers the Chhattisgarh government to prosecute organizations engaged in "unlawful activities," but the term "unlawful activities" is not clearly defined, potentially allowing for the criminalisation of peaceful speech or conduct critical of the government.

These broadly formulated laws give the executive branch significant discretion in determining which actions should be prosecuted, making it difficult for individuals to understand the consequences of their actions under such loosely defined standards. As a result, challenging executive actions as excessive under these laws becomes challenging due to their broad and ambiguous formulation.

The concept of the preventive state, which focuses on using state power to prevent harm, has been applied to legislative measures aimed at preventing harm through the restraint or deprivation of liberty. This concept may encompass various preventive practices, not limited to criminal law or the criminal justice system. It provides a framework for understanding the government's use of preventive measures and their implications for individual rights.

In judicial approaches to terrorism laws, the Indian judiciary has generally upheld the validity of anti-terrorism legislation, recognizing the need for strict measures to combat terrorism. However, the judiciary has also emphasised the importance of protecting individual rights and ensuring that preventive measures do not violate due process. Overall, while recognizing the serious threat posed by terrorism, the judiciary has sought to balance the need for security with the protection of individual liberties.

The Supreme Court, in its rulings, has consistently upheld the constitutionality of anti-terror laws, including POTA, TADA, and UAPA, considering the nature of terrorist acts as distinct from ordinary

crimes. These laws are seen as necessary to protect the sovereignty and integrity of India, as allowed under Article 19(4) of the Constitution. The court has also affirmed the right of citizens to form associations or unions but noted that such rights are subject to reasonable restrictions in the interest of the nation.

Regarding the declaration of an organization as terrorist under POTA, the court found the post-decisional remedy provided sufficient, even without a pre-decisional hearing, as organizations have the opportunity to prove their innocence and seek redress through the Central Review Committee and constitutional remedies. The composition of the Review Committee, with a chairperson who is or has been a judge of a High Court, was deemed sufficient to ensure fairness.

The court also addressed concerns about the strict bail provisions under POTA, noting that after one year of detention, accused individuals can seek bail under the ordinary procedures of the Code of Criminal Procedure, thereby mitigating the impact of the stringent bail provisions of POTA.

Regarding confessional statements made to the police under POTA, the court emphasised the importance of judicial oversight and the admissibility of such statements, noting that any irregularities in the process of recording confessions would be subject to judicial review.

In cases involving membership in a terrorist organization, the court clarified that mere membership does not automatically imply criminal liability unless the individual actively participates in terrorist activities. The court emphasised the need for specific intent to further the illegal aims of the organization for criminal liability to apply.

The court has taken a balanced approach, recognizing the need for stringent measures to combat terrorism while ensuring that fundamental rights are not unduly curtailed. It has upheld the legislative competence of Parliament to enact anti-terror laws and has provided guidance on the interpretation and application of these laws to ensure they are in accordance with constitutional principles and international standards.

XVI. Collection of evidence and drawings inference on which conviction is placed.

The relationship between intelligence collection and criminal investigation is crucial for drawing inferences and obtaining evidence for convictions. In countries like Russia and the United States, intelligence collection is divided among various agencies, leading to challenges in coordination. The 9/11 Commission highlighted failures in intelligence sharing and operational execution, emphasizing the need for better integration of all relevant stakeholders in counterterrorism efforts.

In the United States, prior to 2001, there was a policy limitation within the Department of Justice that restricted communication between intelligence agents and criminal investigators and prosecutors. This limitation aimed to prevent the misuse of intelligence tools for criminal investigative purposes. However, a 2002 court decision removed this limitation, allowing for better coordination between intelligence and criminal investigation.[19]

Other countries, like France and the United Kingdom, have mechanisms in place to integrate intelligence information into criminal investigations. In France, intelligence information can be included in investigative files without specifying the sources or methods of collection. In the United Kingdom, academic or non-governmental experts can provide testimony based on open-source information, avoiding the disclosure of sensitive sources and methods. The effective use of intelligence information in criminal investigations requires a balance between protecting sensitive information and ensuring fair trials. Various legal systems have developed mechanisms to address this balance, allowing for the integration of intelligence into criminal proceedings while protecting national security interests.[20]

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[19] "Digest of Terrorist Cases", *available at*:
https://www.unodc.org/documents/terrorism/Publications/Digest_of_Terrorist_Cases/English.pdf (last visited on Apr. 29, 2024).

[20] Ramanand Garge, "Jurisprudence of Anti Terrorism Law", *available at*:
https://vifindia.org/sites/default/files/jurisprudence-of-anti-terrorism-laws-an-indian-perspective.pdf (last visited on Apr.

29, 2024).

XVII <u>Conflict on use of torture and inhuman, degrading punishment on suspected or accused.</u>

Because it aims to erase the victim's identity and deprive them of their innate dignity, torture is generally condemned. Torture is considered one of the most heinous crimes against humanity, according to the United Nations, which has officially condemned it. Torture is a crime that is strictly forbidden by international law and cannot be excused in any situation. Regardless of whether they have ratified treaties that expressly forbid torture, all members of the international community are required to abide by this ban, which is regarded as a component of customary international law.

The Universal Declaration of Human Rights, adopted in 1948, forbade torture and other forms of cruel, inhuman, or degrading treatment. In response to vigorous lobbying by non-governmental organisations (NGOs), the General Assembly also passed the 1975 Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.

Progress has been made in the development of legal standards and enforcement against torture since the 1980s and 1990s. In order to fund organisations that assist torture victims and their families, the United Nations Voluntary Fund for Victims of Torture was founded in 1981. Since its adoption in 1984, the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment has been in effect. This Convention is monitored by the Committee against Torture, a body of independent experts. The General Assembly also established the first Special Rapporteur on torture in 1985, who reports on the global situation of torture.

The United Nations recognises the crucial role played by NGOs in combating torture. They have been instrumental in advocating for the establishment of international instruments and monitoring mechanisms, as well as in enforcing their implementation. Individual experts and treaty monitoring bodies also heavily rely on information provided by NGOs and individuals.

By preventing torture and other cruel, barbaric, or humiliating treatment or punishment, these initiatives seek to protect the rights and dignity of every person.[21]

XVIII. <u>Rights of suspects or accused under terrorism laws.</u>

- Investigation and Evidence gathering

The guidance emphasises that international human rights standards applicable to the investigation of criminal offences should also be applied to terrorism offences, without weakening or disregarding safeguards. Specialised courts handling terrorist cases should apply ordinary rules of evidence and procedure, avoiding reliance on uncorroborated intelligence. Evidence obtained through torture or other human rights violations should never be admissible, and judges should ensure thorough investigations into such allegations.

Regarding surveillance and interception of communications, judges should ensure that these measures respect the right to privacy and are necessary, proportionate, and non-discriminatory. Independent judicial review is crucial to ensure compliance with human rights obligations. Information obtained from other states should not be used if obtained in violation of human rights.

The guidance highlights the need for balancing national security considerations with privacy rights and the importance of effective safeguards and oversight in covert surveillance schemes. It also stresses the importance of human rights and rule of law-based information sharing between states to prevent misuse and ensure integrity.[22]

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[21] "No One Shall Be Subjected to Torture or to Cruel, Inhuman or Degrading Treatment or Punishment.", *available at*: https://www.ohchr.org/sites/default/files/Documents/Publications/FactSheet4rev.1en.pdf (last visited on Apr. 29, 2024).

[22] "Investigative Phase", *available at*:

https://www.unodc.org/e4j/zh/terrorism/module-11/key-issues/investigative-phase.html (last visited on Apr. 29, 2024).

- # **Detention in Counter terrorism**

Detention in cases related to counter-terrorism must undergo prompt, impartial, and efficient judicial review to prevent arbitrary deprivation of liberty. This right is enshrined in international law and mandates that judges meticulously examine the legal grounds, necessity, and proportionality of pre-trial detention, treating it as an exceptional measure and exploring alternative options. Any form of administrative detention must adhere to the law, and detainees must be able to challenge their detention in court at any time. Furthermore, detainees should be promptly informed of the reasons for their arrest and granted access to legal counsel, family members, and necessary medical care. Judges must also be alert to the potential discriminatory effects of pre-trial detention.

In cases concerning counter-terrorism, it is imperative that the detention of individuals is subject to prompt, impartial, and effective judicial review to prevent arbitrary deprivation of liberty. This fundamental right is enshrined in international law and requires that judges carefully assess the legal grounds, necessity, and proportionality of pre-trial detention, considering it as an exceptional measure and exploring alternative measures. Any administrative detention must be in accordance with the law, and detainees must have the right to challenge their detention in court at any time. Moreover, detainees should be promptly informed of the reasons for their arrest and provided with access to legal assistance, their families, and necessary medical care. Judges must also remain vigilant against any potential discriminatory impacts of pre-trial detention.

Detention in counter-terrorism cases must be subject to prompt, independent, and effective judicial review to prevent arbitrary deprivation of liberty, as guaranteed by international law. Judges are required to scrutinize the legal basis, necessity, and proportionality of pre-trial detention carefully, treating it as an exceptional measure and considering alternative options. Administrative detention must be lawful, and detainees should have access to court to challenge their detention at any time. Additionally, detainees should be informed promptly of the reasons for their arrest and have access to legal assistance, family members, and necessary medical attention. Judges should also be wary of potential discriminatory impacts of pre-trial detention.

In counter-terrorism cases, the detention of individuals must undergo prompt, independent, and effective judicial review to prevent arbitrary deprivation of liberty, a right guaranteed by international law. Judges must meticulously scrutinise the legal basis, necessity, and proportionality of pre-trial detention, viewing it as an exceptional measure and exploring alternative options. Any administrative detention must adhere to the law, and detainees should have access to court to challenge their detention at any time. Furthermore, detainees should be promptly informed of the reasons for their arrest and have access to legal assistance, family members, and necessary medical attention. Judges must also be alert to potential discriminatory impacts of pre-trial detention.

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• Fair trial in front of an unbiased, independent court advice

The right to a fair trial is a fundamental principle enshrined in international law, crucial for upholding the rule of law in criminal proceedings. This right is particularly pertinent in cases involving terrorism, where ensuring justice while maintaining human rights protections is paramount.

In the European Union, Directive 2017/541 emphasises the importance of fair trial guarantees in responding to crimes. It asserts that all individuals, including those accused of terrorist offences, have the right to be tried before a competent, independent, and impartial court established by law. This principle is central to maintaining the integrity of the legal process and upholding the presumption of innocence.

To safeguard fair trial rights, it is essential that legal procedures and safeguards are not weakened, either in law or in practice, in cases involving terrorism. Alleged offenders must be tried only by a tribunal that is independent and impartial, ensuring that they are accorded full fair trial guarantees. These protections cover the following: the right to adequate legal representation and guidance; the right to interpretation and translation; and the right to judicial appeal.

In counter-terrorism cases, judges play a crucial role in ensuring fair trials. They must ensure that the accused have the opportunity to access and challenge evidence presented against them. This includes the ability to test the lawfulness of the evidence and oppose its use. Judges should also be vigilant in questioning and seeking to reduce security measures, such as handcuffs or other restraints, which can affect perceptions of the defendant and the presumption of innocence.

Special procedures, such as the use of anonymous witnesses, should not erode fair trial rights. If anonymous witnesses are used, the defense must have the opportunity to challenge them. Military courts should be limited to trying military personnel for military offenses and should not be used to try persons in counter-terrorism cases.

Judges and lawyers involved in counter-terrorism cases must be able to perform their professional functions without intimidation, hindrance, harassment, or improper interference. This is consistent with the UN Basic Principles on the Role of Lawyers and the Independence of the Judiciary, which highlight how crucial it is to preserve the integrity and independence of the legal profession.

In conclusion, it should be remembered that everyone has the fundamental human right to a fair trial, including in situations involving terrorism. Upholding fair trial guarantees is essential for maintaining the rule of law and ensuring justice for all individuals, regardless of the nature of the charges against them.

- ## Sentencing

In ensuring justice, judges are tasked with the responsibility of imposing penalties that are proportionate to both the crime committed and the individual's role in it. This principle of proportionality is a fundamental tenet of the criminal justice system, reflecting the need to balance the severity of the penalty with the gravity of the offense and the circumstances of the offender.

However, when it comes to crimes related to terrorism, judges must exercise particular caution in applying this principle. While the gravity of such offenses is undeniable, the expansive nature of terrorism laws means that they can encompass a wide range of conduct, including actions with minimal involvement or even without clear criminal intent. In some cases, individuals may be prosecuted for conduct that is tangentially related to terrorist acts, but which may not warrant the severe penalties typically associated with terrorism offenses.

Judges must so carefully weigh all the relevant facts and circumstances in each instance to guarantee that the sentence meted out is appropriate for the offence committed as well as for the part played by the defendant in it. This requires a nuanced assessment of the level of culpability of the accused, taking into account factors such as their degree of involvement, their intentions, and the harm caused by their actions.

One of the key challenges in applying the principle of proportionality to terrorism offenses is the need to strike a balance between the legitimate aim of combating terrorism and the protection of individual rights. While it is essential to ensure that those who commit terrorist acts are held accountable for their actions, it is equally important to avoid imposing disproportionate penalties that could infringe upon the rights of the accused.

To achieve this balance, judges must consider a range of factors when determining the appropriate penalty for a terrorism offence. These may include the nature and severity of the offence, the degree of harm caused, the intentions of the offender, their level of involvement, and any mitigating circumstances that may be present.

In cases where the conduct in question is remote from the actual commission of a terrorist act, judges must exercise particular caution in imposing harsh penalties. While such conduct may warrant prosecution, the severity of the penalty should be commensurate with the gravity of the offense and the individual's role in it. This requires a careful weighing of the facts and circumstances of the case, taking into account the specific context in which the offence occurred.

Moreover, judges must be mindful of the potential impact of their decisions on the broader legal framework governing terrorism offences. Imposing disproportionate penalties in terrorism cases can undermine public confidence in the criminal justice system and may lead to calls for the reform of terrorism laws.

In conclusion, the principle of proportionality is a cornerstone of the criminal justice system, ensuring that penalties are commensurate with the gravity of the offence and the individual's role in it. In applying this principle to terrorism offences, judges must exercise particular caution, taking into account the expansive nature of terrorism laws and the need to balance the legitimate aim of combating terrorism with the protection of individual rights. By carefully weighing all the facts and circumstances of each case, judges can ensure that justice is served while upholding the rule of law.

• Children in criminal process

In cases involving children, it is essential for judges to prioritise the best interests of the child, particularly in situations where children are indirectly impacted by legal proceedings related to terrorism, such as those involving family members. It is crucial to recognize children primarily as victims rather than perpetrators, even in cases involving child soldiers. Children should not be prosecuted for criminal offences, including war crimes. In addition, it's critical to make sure that juvenile justice guidelines are followed and that kids are not treated like adults. Prosecutors and judges shall take all necessary steps to ensure that the procedures in any prosecutions or trials involving minors for offences linked to terrorism are tailored to the child's requirements, allowing them to participate in the proceedings in an effective manner while maintaining their best interests.

The principle of prioritising the best interests of the child is fundamental in matters concerning children, especially when they are indirectly affected by legal proceedings related to terrorism. This principle emphasises that the well-being and protection of the child should be the primary consideration in all actions concerning them, including legal proceedings. When children are involved in cases related to terrorism, such as those involving family members, it is crucial for judges to ensure that their best interests are upheld. This includes providing them with the necessary support and protection to minimise any negative impact on their well-being.

In cases involving child soldiers, it is important to recognize that these children are victims of circumstances beyond their control. They should not be prosecuted for any criminal offences, including war crimes, but should instead be provided with rehabilitation and reintegration programs to help them recover from their experiences and reintegrate into society. Treating child soldiers as victims rather than perpetrators is essential for their rehabilitation and reintegration into society.

Furthermore, juvenile justice regulations should be followed while treating youngsters instead of trying them as adults. Juvenile justice systems are designed to take into account the special needs and circumstances of children and to ensure that their rights are protected. Treating children as adults in legal proceedings can have serious negative consequences for their well-being and development.

When it comes to situations where minors are charged with acts connected to terrorism, judges and prosecutors ought to do all within their power to assist in customising the processes to the demands of the kid. This includes providing the child with legal representation, ensuring that the proceedings are conducted in a manner that is understandable to the child, and taking into account the child's age, maturity, and psychological state. Prosecutors and judges must also ensure that the child's best interests are upheld throughout the proceedings, including considering alternative measures to prosecution or trial that are in the child's best interests.

In conclusion, the child's best interests need to always come first in any decision involving children, even those involving terrorism-related judicial processes. Children should be treated primarily as victims rather than perpetrators, and their rights and well-being should be protected at all times. Prosecutors and

judges have a crucial role to play in ensuring that children involved in terrorism-related cases are treated in accordance with the principles of juvenile justice and that their best interests are upheld throughout the proceedings.

• **Judicial Co-operation**

According to the Refugee Convention, judges and prosecutors cannot support or permit the expulsion or extradition of anyone if there are good grounds to suspect that the person in question may be the victim of grave human rights violations, such as torture or cruel, inhuman, or degrading treatment, or if their life or freedom would be in danger due to their race, religion, nationality, membership in a specific social group, or political beliefs. For reasons of public health, policy, national security, public order, or terrorism, the ban on "refoulement" cannot be waived. Rather than focusing on proving that a danger exists, judges and prosecutors must confirm that there are good reasons to believe it does.

Even in situations when there is mutual confidence between nations, they have an obligation to guarantee that rights are upheld via collaboration. The danger of refoulement should be evaluated by judges and prosecutors independently, without waiting for the individual in question to bring it up.

Judges and prosecutors examining extradition requests should take into account the fact that diplomatic assurances are ineffective as a deterrent when there is reason to suspect a person may be seriously violated. In order to prioritise the best interests of the child, they should also evaluate how extradition would affect the right to a family life, especially as it relates to minors.

If there is a chance that information may be utilised to get a conviction via an unfair trial, then it should not be shared with law police, prosecutors, or judicial authorities in another State. Any claims of such misuse have to be investigated in light of both the particulars of the case and the nation's overall human

rights status. Regular information sharing should not occur without measures to guarantee that each case's risk of human rights breaches has been evaluated beforehand.[23]

XIX.   Gaza genocide in relation to violations of civil rights of casualties admist war and terrorism

On November 16, 2023, UN experts in Geneva declared that serious breaches by Israel against Palestinians following October 7, particularly in Gaza, point to a possible genocide. They presented proof of growing incitement to genocidal acts, expressed a definite desire to

"destroy the Palestinian people under occupation," and demanded a "second Nakba" in Gaza and other Palestinian regions that are under occupation. There have been many fatalities and significant damage to essential infrastructure as a result of the employment of strong weapons with indiscriminate effects.

The experts expressed concern over the failure of governments to respond to their warnings and achieve an immediate ceasefire. They criticised certain governments for supporting Israel's strategy in Gaza and the international system for not mobilising to prevent genocide.

According to reports, since October 7, 2023, there have been over 11,000 fatalities, over 27,000 wounded, and 1.6 million displaced people as a consequence of the shelling and blockade of Gaza. Women make about 25% of those slain, while children make up about 41%. The UN Secretary-General has called Gaza a "graveyard for children" because, on average, one kid dies and two are injured every ten minutes. In addition, several families spanning five generations have been destroyed, along with almost 200 medical personnel, 102 UN employees, 41 journalists, frontline workers, and human rights advocates who have all lost their lives.

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[23] "Counter Terrorism", available at:
https://www.icj.org/wp-content/uploads/2020/11/Guidance-counter-terrorism-ENG-2020-1.pdf (last visited on Apr. 29,

2024).

The experts highlighted Israel's 16-year unlawful blockade of Gaza, which has intensified, preventing people from escaping and depriving them of essential supplies despite international pleas for humanitarian access. They condemned intentional starvation as a war crime.

Additionally, they pointed out that approximately 40,000 housing units, hospitals, schools, mosques, bakeries, water and sewage systems, and electrical networks—more than half of Gaza's civilian infrastructure—have been devastated. The sustainability of Palestinian life in Gaza is threatened by this catastrophe.

According to the experts, "the reality in Gaza, with its unimaginable pain and trauma on the survivors, is a catastrophe of enormous proportions."

The experts declared, "Such heinous violations cannot be justified in the name of self-defense following Hamas attacks on October 7, which we have condemned in the strongest terms possible." They declared, "Israel cannot wage a war against the population under its belligerent occupation because it is still the occupying power in the occupied Palestinian territory, which includes the Gaza Strip."

"Israel's response must strictly adhere to the parameters of international humanitarian law in order to be legitimate," the UN experts stated. – and the failure of the global community to demand a more forceful halt to hostilities right away.
The experts cautioned that if a ceasefire is not quickly put into place, there is a chance that this may turn into a genocide using weapons and tactics from the twenty-first century.

They also expressed worry about the explicitly dehumanising and murderous rhetoric being employed by public leaders, professional groups, and important members of the Israeli government. The "total destruction" and "erasure" of Gaza, the need of "finishing them all," and the forced relocation of Palestinians from the West Bank and east Jerusalem into Jordan have all been demanded in these declarations. Israel has demonstrated that it has the military power to carry out such horrific plans, the researchers said.

The experts stated, "For this reason, it is imperative that we heed our early warning." The experts stated that the international community must take quick action to prevent horrific crimes, such as genocide, and should explore all diplomatic, political, and economic options.

They demanded that the UN system as a whole and its member states take swift action.

In the near future, the experts urged Israel and Hamas to carry out an instant cease-fire and:

Permit the unhindered provision of much-needed humanitarian aid to the Gaza population;

Assure the captives kidnapped by Hamas of their unconditional, safe, and secure release.

Make certain the prompt release of Palestinians who have been arbitrarily arrested by Israel; Create humanitarian corridors from the West Bank, east Jerusalem, and Israel, particularly for the sick and disabled who have been most impacted by the conflict.[24]

They also suggested:

1. Establishing a UN-supervised global protective presence in the occupied Palestinian territories.

2. Assuring all parties' cooperation with Israel, the Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and the Prosecutor of the International Criminal Court in their joint investigation of crimes beginning in March 2021, while emphasising that current crimes are partially caused by impunity and a lack of deterrence.

3. Pressuring all sides to the war to adhere to a weapons embargo.

4. Resolving the conflict's underlying issues by putting an end to Israel's occupation of Palestinian territories.

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[24] "Gaza UN Human Rights", *available at*:
https://www.un.org/unispal/document/gaza-un-human-rights-experts-call-on-international-community-to-preven t-genocide-against-the-palestinian-people-ohchr-press-release/ (last visited on Apr. 29, 2024).

The experts emphasised that the international community, including both States and non-State actors like businesses, must take all possible actions to immediately eliminate the risk of genocide against the Palestinian people and ultimately end Israeli apartheid and occupation of the Palestinian territory.

They also reminded Member States that the outcome of this situation impacts not only Israelis and Palestinians but also risks escalating the conflict in the region, leading to further human rights violations and suffering among innocent civilians.

XX. Where does international authorities lack to hold authority against terrorism in any state.

To effectively combat terrorism, international authorities face several challenges in holding authority against terrorism in any state. One of the key challenges is the lack of a common definition of terrorism, which hinders the development of a unified approach to counterterrorism efforts (Imran & Nordin, 2019). The absence of a consensus on what constitutes terrorism makes it difficult for nations to unite against it (Mahmood, 2020). Additionally, the international regime for combating terrorism remains fragmented due to the lack of a strong mechanism for monitoring and enforcing standing counterterrorism norms and laws (Etta-Nyoh, 2020).

Furthermore, the involvement of government officials in organized crime or in supporting terrorism poses a significant challenge (Schmid, 2018). This highlights the complexity of addressing terrorism, as it often intersects with transnational organized crime, making it difficult for international authorities to effectively combat these intertwined threats.

Another critical issue is the need for international legal instruments to intensify efforts to implement all international anti-terrorist conventions and support work on a general convention on international terrorism (Laskowski & Laskowska, 2021). The lack of a comprehensive legal framework at the international level hampers the ability of authorities to effectively address terrorism across borders.

Moreover, the role of state sovereignty is challenged by acts of international terrorism, which pose a threat to the sovereignty of states (Morozova, 2022). This highlights the need for international

cooperation and coordination to address terrorism effectively, as it transcends national boundaries (Blomberg & Hess, 2006).

International authorities lack the necessary authority to effectively combat terrorism in any state due to several challenges. These include the absence of a common definition of terrorism, the fragmented nature of the international regime for combating terrorism, the intersection of terrorism with transnational organized crime, the need for comprehensive international legal instruments, and the threat posed to state sovereignty by acts of international terrorism.

XXI. <u>Conclusion</u>

The research on counter-terrorism and human rights underscores the complex interplay between security imperatives and the protection of fundamental rights. While counter-terrorism measures are essential for ensuring public safety and security, they must be implemented in a manner that upholds human rights standards and respects the rule of law.

The definitional challenges surrounding terrorism, as highlighted in the literature, emphasize the importance of clarity and consensus in defining terrorism to prevent misuse or abuse of counter-terrorism measures. This is crucial for safeguarding the rights of individuals, including the right to a fair trial, freedom from arbitrary detention, and protection against torture and other forms of ill-treatment.

Efforts to combat terrorism should be guided by international legal frameworks, such as the United Nations Global Counter-Terrorism Strategy, which emphasize the need to respect human rights while countering terrorism. Additionally, regional cooperation, as exemplified by the European Union's common counter-terrorism policy, can serve as a model for ensuring a coordinated and rights-based approach to counter-terrorism.

It is also essential to consider the impact of terrorism and counter-terrorism measures on trade and economic growth, as highlighted in the literature. While security concerns can influence trade relations,

it is imperative to balance security measures with respect for human rights to avoid negative repercussions on trade and economic development.

In conclusion, addressing the complex challenges posed by terrorism requires a balanced approach that prioritises both security and human rights. This necessitates the development of comprehensive and rights-based counter-terrorism strategies, guided by international legal frameworks and informed by regional cooperation. By upholding human rights principles in the fight against terrorism, states can effectively combat terrorism while preserving the fundamental rights and freedoms of all individuals.

XXII.   Bibliography

1. United Nations Office on Drugs and Crime. (n.d.). Education for Justice. Module 1: UnderstandingTerrorism-

https://www.unodc.org/documents/e4j/18-04932_CT_Mod_01_ebook_FINALpdf.pdf

2. United Nations Office on Drugs and Crime. (n.d.). Frequently Asked Questions (FAQs) on Terrorism - https://www.unodc.org/documents/terrorism/Publications/FAQ/English.pdf

3. Council on Foreign Relations (n.d.). Backgrounder:UNSecurity Council   -

https://www.cfr.org/backgrounder/un-security-council

4. International Court of Justice. (2020). Guidance on Counter-Terrorism and Human Rights https://www.icj.org/wp-content/uploads/2020/11/Guidance-counter-terrorism-ENG-2020-1.pd

f

5. The   White House. (n.d.). National   Security   Strategy   -
https://georgewbush-whitehouse.archives.gov/nsc/nssall.html

6.   European   Council.   (n.d.). The   Fight   Against   Terrorism   -
https://www.consilium.europa.eu/en/policies/fight-against-terrorism/

7.   National Commission on Terrorist Attacks Upon the United States. (2004). The 9/11
Commission   Report   -
https://govinfo.library.unt.edu/911/staff_statements/911_TerrFin_Monograph.pdf

8.   United Nations. (n.d.). Gaza: UN human rights experts call on international community to prevent
genocide against the Palestinian people -
https://www.un.org/unispal/document/gaza-un-human-rights-experts-call-on-international-co mmunity-
to-prevent-genocide-against-the-palestinian-people-ohchr-press-release/

9.   United Nations   Office on   Drugs and   Crime. (n.d.). Investigative   Phase -
https://www.unodc.org/e4j/zh/terrorism/module-11/key-issues/investigative-phase.html

10.   Organization   for   Security   and   Co-operation   in   Europe.   (n.d.).   Countering   Terrorism
https://www.osce.org/files/f/documents/5/f/108930.pdf

11.   United Nations Office of the High Commissioner for Human Rights. (n.d.). Fact Sheet
No.4:   Combating   Terrorism   -
https://www.ohchr.org/sites/default/files/Documents/Publications/FactSheet4rev.1en.pdf

12.   United Nations   Office on   Drugs and   Crime. (n.d.). Digest of   Terrorist
Cases
https://www.unodc.org/documents/terrorism/Publications/Digest_of_Terrorist_Cases/Eng
lish. pdf

13.   Vivekananda International Foundation. (n.d.). Jurisprudence of Anti-Terrorism Laws: An
Indian   Perspective   -
https://vifindia.org/sites/default/files/jurisprudence-of-anti-terrorism-laws-an-indian-perspecti   ve.pdf

114

14.   United Nations.   (n.d.). About the   Sustainable   Development Goals -
https://www.un.org/sustainabledevelopment/sustainable-development-goals/

15.   United Nations.   (n.d.). UN   Millennium   Development Goals -
http://www.un.org/millenniumgoals/

16.   United Nations.   (1948).Universal   Declaration   of   HumanRights -
https://www.un.org/en/universal-declaration-human-rights/index.html

17.   United Nations. (2000). We the peoples: The role of the United Nations in the 21st century -
https://www.un.org/en/events/pastevents/pdfs/We_The_Peoples.pdf

18.   United Nations   Counter-Terrorism   Implementation   Task   Force -
www.un.org/terrorism/cttaskforce.html

19.   United Nations Counter-Terrorism Online Handbook - www.un.org/terrorism/cthandbook

20.   United Nations   Office on   Drugs and   Crime Terrorism   Prevention   Branch
      -
www.unodc.org/unodc/en/terrorism/index.html

21.   Office of the United Nations High Commissioner for Human Rights. (2009). Immediate
   Anti-Terrorism   Steps   Available   Even   Without   Legal   Definition   -
   https://www.ohchr.org/en/press-releases/2009/10/immediate-anti-terrorism-steps-available-ev   en-
   without-legal-definition

22.   United Nations. (n.d.). Counter-Terrorism - https://www.un.org/counterterrorism/

23.   Organization for Security and Co-operation in Europe. (n.d.). Countering Terrorism
      https://www.osce.org/countering-terrorism

24.   Ministry   of   Home Affairs,   Government   of   India. (n.d.). Counter-Terrorism   and

Counter-Radicalization   Division   -
https://www.mha.gov.in/en/divisionofmha/counter-terrorism-and-counter-radicalization-divisi on

25.   FederalBureau of   Investigation. (n.d.). Terrorism   -
https://www.fbi.gov/investigate/terrorism

26.   British Broadcasting Corporation. (n.d.). September 11 attacks: How many people died?
https://www.bbc.com/news/uk-33253598

27.   Encyclopædia Britannica.   (n.d.). September   11   attacks -
https://www.britannica.com/event/September-11-attacks

28.   History.com   Editors.   (n.d.). 9/11   Attacks   -
https://www.history.com/topics/21st-century/9-11-attacks

29.   Police1.   (n.d.). 8   pre-attack   indicators   of   terrorist   activity
https://www.police1.com/terrorism/articles/8-pre-attack-indicators-of-terrorist-activity-P8Ayg wXO2OkKaznw/

30.   Colorado Division of Homeland Security and Emergency Management. (n.d.). Eight Signs of Terrorism - https://dhsem.colorado.gov/ciac/eight-signs-of-terrorism

31.   IndianaGovernment. (n.d.). Eight   Signs of   Terrorism   -
https://www.in.gov/iifc/8-signs-of-terrorism/

32.   South Asia   Terrorism   Portal. (n.d.). Terrorist   Groups: India   -
https://www.satp.org/terrorist-groups/india

33.   Ministry of Home Affairs, Government of India. (2022). List of banned organizations in India   -

https://www.mha.gov.in/sites/default/files/2022-08/BannedOrgOld_16032022%5B1%5D.pdf

34.   Gurung,   N.   (2015).Legal Definitions   and   Counterterrorism: What is

terrorism?   https://www.jstor.org/stable/26298448?seq=7

35.   United Kingdom   Government. (2014).UK   Counter-Terrorism   Strategy   -

https://assets.publishing.service.gov.uk/media/5b23df8f40f0b634d557b020/140618_CCS207

36.   History.com Editors. "9/11 Attacks: Facts, Background & Impact." History.com, A&E Television

Networks, 17 September 2010, www.history.com/topics/21st-century/9-11-attacks.

XXIII. <u>References:</u>

Blomberg, S., & Hess, G. (2006). How much does violence tax trade? *The Review of Economics   and

Statistics,   88*(4),599-612. [https://doi.org/10.1162/rest.88.4.599) Etta-Nyoh,A.   (2020).   The

effectiveness of international efforts in combating terrorism.

IAGS.* https://doi.org/10.7176/iags/88-03 Imran, M., & Nordin, R.

(2019). Definitional dilemma of "terrorism" under international law.

   Journal   Undang-Undang   Dan   Masyarakat,   25.
   https://doi.org/10.17576/juum-2019-25-05

Laskowski, J., & Laskowska, A. (2021). Towards a secure economic growth: development of a common European Union counter-terrorism policy. *European Research Studies Journal,

XXIV*(Special Issue 2), 666-680. https://doi.org/10.35808/ersj/2302

Mahmood, M. (2020). A quest for defining terrorism in international law: the emerging consensus. Journal International Studies, 10. https://doi.org/10.32890/jis.10.2014.7949

Morozova, O. (2022). The legal mechanisms to counter terrorism: the international legal aspect. https://doi.org/10.56199/dpcshss.bcep8599

Schmid, A. (2018). Revisiting the relationship between international terrorism and transnational organised crime 22 years later. *Terrorism and Counter-Terrorism Studies.* https://doi.org/10.19165/2018.1.06 **Appendix:**

- United Nations Office on Drugs and Crime. (n.d.). Education for Justice. Module 1: Understanding Terrorism - [https://www.unodc.org/documents/e4j/18-04932_CT_Mod_01_ebook_FINALpdf.pdf]

- United Nations Office on Drugs and Crime. (n.d.). Frequently Asked Questions (FAQs) on Terrorism - [https://www.unodc.org/documents/terrorism/Publications/FAQ/English.pdf]

- Council on Foreign Relations. (n.d.). Backgrounder:UN Security Council - [https://www.cfr.org/backgrounder/un-security-council]

- International Court of Justice. (2020). Guidance on Counter-Terrorism and Human Rights [https://www.icj.org/wp-content/uploads/2020/11/Guidance-counter-terrorism-ENG-2020-1.p df]

- The White House. (n.d.). National Security Strategy - [https://georgewbush-whitehouse.archives.gov/nsc/nssall.html]

- European Council. (n.d.). The Fight Against Terrorism - [https://www.consilium.europa.eu/en/policies/fight-against-terrorism/]

- National Commission on Terrorist Attacks Upon the United States. (2004). The 9/11 Commission Report - [https://govinfo.library.unt.edu/911/staff_statements/911_TerrFin_Monograph.pdf]

- United Nations. (n.d.). Gaza: UN human rights experts call on international community to prevent genocide against the Palestinian people - [https://www.un.org/unispal/document/gaza-un-human-rights-experts-call-on-international-community-to-prevent-genocide-against-the-palestinian-people-ohchr-press-release/]

- United Nations Office on Drugs and Crime. (n.d.). Investigative Phase - [https://www.unodc.org/e4j/zh/terrorism/module-11/key-issues/investigative-phase.html]\

- Organization for Security and Co-operation in Europe. (n.d.). Countering Terrorism - [https://www.osce.org/files/f/documents/5/f/108930.pdf]

- United Nations Office of the High Commissioner for Human Rights. (n.d.). Fact Sheet No.4: Combating Terrorism - [https://www.ohchr.org/sites/default/files/Documents/Publications/FactSheet4rev.1en.pdf]

- United Nations Office on Drugs and Crime. (n.d.). Digest of Terrorist Cases - [https://www.unodc.org/documents/terrorism/Publications/Digest_of_Terrorist_Cases/English_.pdf]

- Vivekananda International Foundation. (n.d.). Jurisprudence of Anti-Terrorism Laws: An

Indian   Perspective

                                                  -

[https://vifindia.org/sites/default/files/jurisprudence-of-anti-terrorism-laws-an-indian-perspect ive.pdf]

-        United Nations.   (n.d.). About the   Sustainable   Development
Goals   - [https://www.un.org/sustainabledevelopment/sustainable-development-goals/]

-        United Nations.   (n.d.). UN   Millennium   Development
Goals   - [http://www.un.org/millenniumgoals/]

-        United Nations.   (1948).Universal   Declaration   of
        HumanRights - [https://www.un.org/en/universal-declaration-human-rights/index.html]