

Forum: The Security Council

Issue: Eliminating the threat of international terrorism

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Position: President

Mandate of the Security Council

This mandate is taken directly from the United Nations Security Council webpage. Under the United Nations Charter, the functions and powers of the Security Council are:

- to maintain international peace and security in accordance with the principles and purposes of the United Nations;
- to investigate any dispute or situation which might lead to international friction;
- to recommend methods of adjusting such disputes or the terms of settlement;
- to formulate plans for the establishment of a system to regulate armaments;
- to determine the existence of a threat to the peace or act of aggression and to recommend what action should be taken;
- to call on Members to apply economic sanctions and other measures not involving the use of force to prevent or stop aggression;
- to take military action against an aggressor;
- to recommend the admission of new Members;
- to exercise the trusteeship functions of the United Nations in "strategic areas";
- to recommend to the General Assembly the appointment of the Secretary-General and, together with the Assembly, to elect the Judges of the International Court of Justice.

All members of the United Nations agree to accept and carry out the decisions of the Security Council. While other organs of the United Nations make recommendations to

member states, only the Security Council has the power to make decisions that member states are then obligated to implement under the Charter.

Introduction

Increasingly in modern times, acts of terrorism have become more prominent around the world. It is associated with being a fourth-generation war tactic. Although terrorism is not new to the 21ST century, globalisation and a general spread of ideas can be considered the main factor leading to certain groups becoming hostile towards others. In 2014 alone, 32,765 people were killed in 93 countries as a result of terrorism.

Terrorist groups such as Boko Haram, ISIL, the Taliban, and al-Qaida have been identified as the largest cause of deaths, making up 74% of total casualties. Statistics also show that lone actors (not organised by a group of people) are also accountable for the high rates of death due to terrorism. For example, since 2006, 98% of deaths in the United States of America are shown to be carried out by lone actors.

The main problem faced by countries today is the issue of controlling terrorism. Many countries allow free speech and thought, and this may foster conflict between groups with opposing views. The extent to which people should be allowed to express their thoughts is difficult to monitor. Therefore, extreme activities and actions that are disruptive to society may be undertaken in order to convey and assert certain views. Furthermore, another major problem is the lack of an internationally agreed definition between all countries to confirm acts of terrorism. This can prevent crucial decision-making between parties and organisations.

Some significant and well-known acts of international terrorism in the 21ST century include the September 11 2001 attacks and September 1 2004 Beslam attacks.

Definition of Key Terms

International Criminal Law

International Criminal Law is applied to cases with international characteristics, for example crimes such as genocide. It regulates the behaviour of states, organisations, and other groups or individuals. This criminal law is applied in international criminal tribunals and the International Criminal Court (ICC).

International Terrorism

Terrorism has been given many different definitions by different parties. For example, the Federal Bureau of Investigation (FBI) defines international terrorism (in accordance with the United States code) with three characteristics:

- “Involve violent acts or acts dangerous to human life that violate federal or state law;
- Appear to be intended (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and
- Occur primarily outside the territorial jurisdiction of the U.S., or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum.”

Overall, international terrorism is generally associated with violence used to achieve aims that can be political, ideological, or religious.

Non-State Actors

These are groups or individuals that involve themselves in international relations and are able to influence politics even without belonging to an established institution or state. These could include religious groups, multinational corporations, and non-governmental organisations. In regard to international terrorism, non-state actors will use violence to achieve their aims. Violent non-state actors (VNSAs) have become more prominent in the 21ST century “become a persistent challenge to nation-states”. In many cases, VNSAs generally develop due to weak governing forces but only contribute to challenge the present government.

National Liberation Movements

These are groups that engage themselves in wars related to national liberation of a state. Commonly used tactics related to these movements are guerrilla warfare and bombing. Sometimes these can be directed towards third parties, thus becoming terrorism.

Key Issues

LACK of definition

International terrorism has not been given an internationally agreed definition. Although a general idea and concept surrounds the term, governments and organisations

have varied interpretations. Without a proper definition, challenges are presented when evaluating and deciding on punishment for the crime.

Difficulties in defining the term

The differences in interpretations lead to the difficulties experienced when trying to establish an internationally accepted definition. Generally, these difficulties arise from the political and emotional connotations associated with the term. For example, countries such as the United States of America and Israel believe that acts of terrorism can only be committed by non-state or lone actors. However, other states argue that a distinct separation between national liberation movements and terrorist organisations must be established in the definition. As a result, this has also prevented the United Nations from properly coining a term as its member states disagree. Furthermore, this also prevents an international legal regime against terrorism to be properly developed.

INTERNATIONAL Criminal Law

Currently, different types of terrorism are prohibited by International Criminal Law. Terrorist acts have also been labelled as crimes against humanity and war crimes. However, international terrorism has yet to be included in the jurisdiction of relevant entities such as the International Criminal Court.

Transnational Crimes

Transnational crimes are domestic crimes that will also involve foreign states. Generally, acts of international terrorism are punished according to domestic law in the state where the act occurs. In these cases, there is a lack of international involvement, even though the act of international terrorism has transcended borders and thus involve more than one state. The question of whether the punishment is suitable or not may become a topic of discussion within the international community. Moreover, not all states are in agreement regarding international conventions or distinguish between international and domestic terrorism. Therefore, with the transnational characteristic, punishment becomes more difficult to award.

LARGE Terrorist Organisations Have Support

As a result of factors such as globalisation and a general spread of ideas, large terrorist organisations are now able to create alliances and gain support outside of their immediate working areas. For example, the illegal trading of arms has provided these organisations with weaponry in order to further undermine governments. Additionally, this has also led to terrorist organisations receiving funding. Whether through earning profit from

other illegal activities or funding by other organisations around the world, to some extent the growth of terrorist organisations has been facilitated by globalisation.

Major Parties Involved

Large Terrorist Organizations

Some of the largest terrorist organizations recognised today are listed below. These are responsible for a significant number of deaths, and have also committed other grave crimes. As mentioned, many terrorist organisations arise from ideological, political, and religious beliefs, and can be seen in the below examples.

ISIL

The Islamic State of Iraq and the Levant has been recognised by the United Nations as a threat 'to international peace and security' and been a subject of resolutions. The terrorist organisation gained world-wide attention in 2014.

Boko Haram

This terrorist organisation is an African extremist group and was ranked the world's deadliest terror group by the Global Terrorism Index in 2015. It has been recognised by the United States as a terrorist group.

The European Union

Although the European Union has no officially delegated criminal law powers, it remains quite invested in countering international terrorism. In recent years, the European Union has launched several programs and strategies. The European Union also employs a strategy of four pillars: prevent, protect, pursue, and respond. Some relevant strategies include the Strategy for Combatting radicalisation and recruitment. Furthermore, the organisation aims to work together with third countries (states outside of the European Union) in order to promote international standards.

The United Nations

One of the first resolutions adopted by the Security Council aiming specifically at countering terrorism was resolution 1373 in response to the September 11, 2001 attacks. Since then, the United Nations have involved themselves more by introducing a committee and strategies countering terrorism.

Counter Terrorism Committee

Resolutions 1373 and 1624 called for the establishment and set the guidelines for the Security Council Counter Terrorism Committee. This committee is composed of 15 member states, and focuses on various areas within terrorism such as human rights and violent extremism.

A relevant document produced is the 'Plan of Action to Prevent Violent Extremism'.

Timeline of Relevant Resolutions, Treaties and Events

| Date | Description of Event |
|-------------------|--|
| 9 December, 1994 | Declaration on Measures to Eliminate International Terrorism <i>is adopted by the General Assembly</i> |
| 15 December, 1997 | International Convention for the Suppression of Terrorist Bombings <i>is adopted by the General Assembly</i> |
| 9 December, 1999 | International Convention for the Suppression of the Financing of Terrorism <i>is adopted by the General Assembly</i> |
| 13 April, 2005 | International Convention for the Suppression of Acts of Nuclear Terrorism <i>is adopted by the General Assembly</i> |
| | United Nations Counter-Terrorism Implementation Task Force (CTITF) <i>is established</i> |
| 8 September, 2006 | Global Counter-Terrorism Strategy <i>is adopted by the General Assembly</i> |

Previous Attempts to Solve the Issue

The United Nations Counter-Terrorism Implementation Task Force (CTITF) was established in 2005. It aims to help implement the four aspects of the United Nations Counter-Terrorism Strategy (adopted in 2006). These four aspects are described as 'pillars', which aim to counter terrorism through a strategic approach in all member states. This strategy is reviewed every two years, allowing it to be adapted as events occur.

The United Nations Office on Drugs and Crimes is also involved in combating terrorism with its branch, the Terrorism Prevention Branch. This branch provides crucial assistance and works together with member states with all aspects of terrorism.

The United Nations Security Council has passed several specific resolutions that concern terrorist groups such as al-Qaida and ISIL. Some of these resolutions include clauses that suspend transactions of funds, and the prevention of arms and weaponry given to the groups. Throughout the years, several legal instruments have also been adopted by the United Nations in different areas such as the taking of hostages, protection of international staff, and terrorist bombings.

Moreover, the European Union has also been actively involved in countering terrorism. These include strategies such as the Strategy for Combating the Phenomenon of Foreign Fighters in Syria and Iraq to help combat ISIL.

Possible Solution

Although it will be difficult to completely eradicate the threat of international terrorism without removing the rights of free speech, certain laws or regulations could be implemented in order to prevent the development of terrorist organisations. However, this could infringe on the rights to free speech and thought.

Governments already incorporate various strategies, including military tactics, to combat terrorism. There are also several counter-terrorism committees in existence, established by different states. Although this has been effective in some cases, another solution would be to increase communication between states and focusing on covering a wider area. By combining resources and knowledge, strategies could possibly become even more effective.

Furthermore, heavier emphasis should also be placed on limiting the strength of terrorist organisations, for example through regulating illegal trade of arms. Other proposed solutions include education on a wide scale to counter the extremist propaganda sent out by terrorist organisations and promoting certain ideals. Educating and improving expertise of terrorist organisations through research could also help to a certain extent.

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