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International Efforts to Counter-Terrorism with Special Reference to India and the United Nations

MANISH YADAV¹, DR. C.B SAINI² AND DR. CHIMAN LAL³

ABSTRACT

Terrorism is a threat to every country; it does not have any religion, caste or face. In the era of globalization where there is a free flow of goods and services and economic development and prosperity on one side, there are some factions of society who are unsatisfied and in pathetic condition on the other side. These few unsatisfied people in society use some unacceptable and undesirable means using violence and threat as a method to get their demands fulfilled and create chaos and unrest at the international level and came to be known as terrorists. In today's world where whole the world is looking forward to providing just and humane conditions to its citizens, the problem of terrorism is a global hindrance in this direction. The United Nations has been formed with the intention to secure peace and security around the globe therefore it has also worked in the direction of counter-terrorism and has passed various Conventions in this direction. The UNSC and the whole world have been continually working in the direction of countering terrorism in which India also played an important role. India has recently hosted United Nations Security Council's Counter-Terrorism Committee (UNSC-CTC) in October 2022 in which India strongly condemn the act of terrorism and terror financing by some neighbouring countries. Countering terrorism is not a responsibility of a single nation or an organization but a global responsibility, therefore strong and effective action is the need of the hour to contain this cancer prevailing in society. This can be done by collective efforts only then we can provide and preserve the Human Rights of the people and provide them with an adequate opportunity for their overall development.

Keywords: *United Nations, Counter-Terrorism, India, UNSC (CTC), International Conventions, Terror Financing, International Organizations.*

¹ Author is a Research Scholar at Baba Masthnath University Asthal Bohar, Rohtak, Haryana, India.

² Author is a Professor at Department of Political Science and Public Administration, Baba Masthnath University, Asthal Bohar, Rohtak, Haryana, India.

³ Author is an Associate Professor and Head Department of Political Science at S.D College, Ambala, Haryana, India.

I. INTRODUCTION

The 21st Century is the era of Globalization, Modernization and Technological advancement. Globalization means the free flow of goods and services including the flow of man, capital, economy, technology etc. but every boon comes with a curse, where on the one hand globalization brought economic development, technological advancement and rapid development of countries, it has also brought poverty, hunger and economical unrest on the other hand. These unsatisfied and ignorant sections of people face adversities in day-to-day life and are ignored by all the nations and the government has provoked them to take some illegal and unjustifiable steps using violence, mass destruction and chaos in society to pressurize the government to get their perverse demands fulfilled. As of 2022, there are many International and national terrorist organisations active around the globe like Abdullah Azzam Brigades, Abu Sayyaf, Al-Mourabitoun, al- Qaeda etc... The world has witnessed some very brutal and petrified terror attacks like the 9/11 attack in the United States of America, the Mumbai terror attack in India in 2008, the Suicide bomber attack in four Shia mosques in Yemen in 2015 killing around 140 people and an Attack on Garissa University in Kenya taking 147 innocent lives to name a few.⁴ As of 2022, the Sub-Saharan Africa region emerged as the epicentre of terrorism. The world sees a hike in terrorist activities as 5,226 attacks have been reported alone in 2021.⁵

No country in the world can seek development and bring prosperity to its state if; the rights of the general masses are at threat or are living in a state of fear. Therefore countering terrorism becomes an important debatable issue around the globe. Almost all the countries around the globe condemned the act of terrorism except a few nations who are supporting and backing these activities for their own sake and playing dirty international politics. The United Nations which is the world's biggest international organization of the world has taken some concrete steps in this direction to counter-terrorism and has passed various conventions and directions to curb the growing terrorism activities. Many other international organizations like Interpol, International Criminal Court, FATF etc have also been working in this direction.

India, the seventh largest country in the world with the second largest population has been surrounded by some chaotic neighbours who are supporting these terrorist activities and creating a disturbance in the country and the globe. To Counter this menace India has been actively taking adequate steps to put control over these activities and create a peaceful full

⁴ Office of the Director of National Intelligence <https://www.dni.gov/nctc/timeline.html> visited on 29-12-2022.

⁵ Global Terrorism Index 2022.

environment around the globe. India has many times put its voice in the United Nations against these terrorist activities and condemns Pakistan for being the epicentre of these terrorist activities and terror financing to these organizations.

(A) Definition of terrorism:

There is no well-defined single definition of terrorism in the world. The United Nations High Commission for Human Rights defines terrorism as terrorism involves the intimidation or coercion of the population or governments through the threat or perpetration of violence, causing death, serious injury or the taking of hostage.

The Indian Unlawful Activities (Prevention) Act, 1967 defines any act intended to threaten or likely to threaten the integrity, security or Unity and the Sovereignty of India or intended to create terror or is likely to create terror in the people or any section of the people in India or a Foreign Country by using any violence like bombing, death or injury to any person, damage to any property in India or foreign, kidnapping, abduction and threat to kill or injure some person.⁶

(B) Types of terrorism:

1. Cross-border terrorism: Cross-border terrorism can be understood as people from some other parts of the nation migrating to some other country with the intention or likely to cause harm, threat or injury to an individual, state or property. These kinds of terrorists are supported by some other host nations who provide shelter to them to create disturbance and distract some other nations' attention to hide their illegal works.

2. Intra-state terrorism: Intra-state terrorism is those unsatisfied factions of people who remained untouched and isolated and have not been given proper representation and opportunities by their native state to get their desired needs to adopt the method of violence and threat to put pressure on the government. Some of the Intra-state terrorist groups in India are United National Liberation Front, People Liberation Army (PLA), Naxals etc.

3. Cyberterrorism: Cyberterrorism is a new challenge in the world. Terrorists are using malware and viruses to hack the important systems of governments to collect confidential data and even threaten the nation to leak it to get their demands fulfilled. This is a major threat because if terrorists could access information about nuclear weapons or other lethal warheads, then it could be a huge threat to the whole world.

(C) Causes of Terrorism:

1. Political Unrest: Political Instability and Unrest remain one of the core reasons for the

⁶ See section 15, The Unlawful Activities Prevention Act, 1967.

un-satisfaction and unrest among the masses. Political Unrest hinders economic growth provoking challenges like unemployment, hunger, high mortality rate etc. The countries like Pakistan and Afghanistan which faced the worst instability in the government, ignited the people's movement to get their demands fulfilled which were supported by the political parties for their self-interest. In pursuit of that, some people took some harsh steps and adopts unpeaceful aggressive means to get their demands fulfilled. Therefore most of the terrorist organizations found their emergence from such countries. The Political parties in Pakistan are even using unfair means to get themselves in power by igniting revolt and intentionally promoting terrorism by providing safe shelters to them. India and many countries in the FATF have condemned Pakistan for terror funding and being the epicentre of terrorism⁷.

2. Economic Causes: Economic challenges to any country have a direct impact on people's development and provoke issues like Hunger, Poverty, the Spreading of diseases, unemployment etc. which remains one of the core factors for the emergence of terrorism. It has been found that the countries that face economic instability are the main hubs of terrorist organizations. The unsatisfied and hungry youth finds no other options other than fighting for survival. Therefore, the least developing countries like Africa and Asia face the highest scorches of terrorism. To contain United Nations Peacekeeping forces are constantly engaged in providing basic amenities to the people living in these poor countries.

3. Ethnic Causes and Conflicts: Ethnic conflicts remained one of the major threats to international peace and security. Promoting own ethnic superiority over another remains a reason for the rise of conflict among the masses and the use of threat and violence gave birth to terrorism. Countries like Balkan, RawaRwandaechnya, Iran, Indonesia, Sri Lanka, India and Darfur, as well as in Israel, the West Bank and the Gaza Strip are among the best-known and deadliest examples from the late 20th and early 21st centuries affected by such conflicts. Ethnic terrorism organizations threaten the lives of an array of individuals in a region, including not only state officials and rival ethnic group members but also members of their ethnic constituencies.⁸

4. Religious Conflicts: There are different ideologies and customs attached to every religion. Some customs of one religion sometimes do not match with the ideology of another religion, some people give wrong teaching to the people and tries to prove their religion's

⁷⁷ Haidar, Suhasini, *Pakistan is out of FATF 'grey list' on terror funding*. The Hindu. <https://www.thehindu.com/news/international/terror-financing-watchdog-fatf-removes-pakistan-from-grey-list/article66041564.ece> accessed on 25.03.2023.

⁸ Boylan, Brandon M., *What drives ethnic terrorist campaigns? A view at the group level of analysis*. Conflict Management and Peace Science, 2016, Vol. 33(3), p.250-272.

superiority over others. This remains a major reason for giving birth to terrorism. Muslim countries like Tunisia, Jordan, Saudi Arabia, Turkey Morocco, Lebanon etc. found more cases of active terrorism on their land. The wrong teaching of Jihad as a means to found Allah by sacrificing their life promoting their religion and dying fighting for it. These cases are even more prevalent in less educated countries with high illiteracy rates. Young children, uneducated masses, and Unsatisfied masses remain easy targets for imbibing the feeling of Jihad and sacrificing their life while promoting their religion over others.⁹

II. ROLE OF THE UNITED NATIONS IN COUNTERING TERRORISM

The United Nations is the world's biggest international organization with almost all the countries around the globe as its member states¹⁰. The establishment of the United Nations aimed to conserve peace and order in society and maintain a just and humane environment around the globe. The charter of the United Nations clearly defines the purpose of its establishment. The conservation of the Human Rights of people around the globe is among one them. But the terrorism is seen as the biggest hindrance to Human Rights conservation. Therefore the United Nations has passed some important legislation and conventions to counter these activities and stands for the purpose it was established.

The first such step to counter-terrorism was taken by the United Nations in 1972 and General Assembly passed an agenda in this direction in its Sixth Committee meeting. On the recommendations of the committee, the Assembly adopted a resolution in December 1972 and established an *Ad hoc* Committee on International Terrorism consisting of 35 members.¹¹ In 1994 the Assembly passes the Declaration on Measures to Eliminate International Terrorism¹² and extended the meaning of terrorism by adding criminal acts intended to provoke terror in the general public by a person or a group for political purposes.

UN agencies and organizations working to counter-terrorism:

- **United Nations Security Council:** The Security Council of the United Nations has been bestowed with the responsibility to maintain international peace and security in that direction, the Charter of the United Nations gives some powers to the Security Council to use even force whenever required for the maintenance of the peace. The Security Council becomes active in counter-terrorism only after the attack on 11th September

⁹ *The Jihadi Treat: ISIS, AL Qaeda and beyond*, United States Institute of Peace, Wilson Centre, January, 2017. <https://www.usip.org/sites/default/files/The-Jihadi-Threat-ISIS-Al-Qaeda-and-Beyond.pdf> accessed on 25.03.2017.

¹⁰ As of 2022 the United Nations have 193 member states.

¹¹ General Assembly Resolution 3034 (XXVII), December 18, 1972.

¹² General Assembly Resolution 49/60 of December 9, 1994.

2011 in New York, Washington and Pennsylvania. After the incident, the Security Council passed a resolution and make complete strategies for counter-terrorism.¹³ The Security Council has actively deployed its peacekeeping forces in various counter-terrorism operations around the globe.

- **United Nations Human Rights office of the High Commission:** The United Nations Human Rights office has been working in the field of counter-terrorism and guided by the General Assembly resolution 57/219 (2002) and Commission on Human Rights resolution 2003/68.
- **United Nations Office on Counter-Terrorism:** To pay special heed to counter-terrorism, the United Nations passed a resolution in the General Assembly and formed the United Nations Office of Counter-Terrorism in 2017. Since its inception, the Office has taken many steps to counter terrorism. Some of the achievements of the office are as follows:
 - i. Celebration of Counter-terrorism week
 - ii. Provided a platform for professionals to discuss and deliberate upon the matter of terrorism
 - iii. Awareness-creating policies have been formed to aware the masses about the negative effects of terrorism and promoting the states to adopt effective policies in this direction.
 - iv. It also discusses and passed resolutions to be followed by all the member states of the United Nations to curtail the terrorism rate.
- **UN Peacekeeping Forces:** The deployment of peace-keeping forces to maintain peace and order in the desired area is under the ambit of the United Nations Security Council. The forces have taken various operations in most conflicted areas and helped in maintaining peace and preserving the Human Rights of the people. The UN forces have been actively deployed in African, Middle East, and Asian Countries which are on the verge of terrorism. Many soldiers have even contributed their supreme sacrifice while defending and fighting against terrorism. The UN peacekeeping forces had played an imperative role in containing terrorism in various countries like Yemen, Congo and Syria etc... India has remained one of the highest contributors in sending troops in peacekeeping operations and has led various special operations.

¹³ Security Council Resolution 1373/2001, dated September 28, 2001.

III. INTERNATIONAL CONVENTIONS AND LEGAL INSTRUMENTS FOR THE COUNTERING OF TERRORISM BY THE UNITED NATIONS

- **Instrument regarding Civil Aviation:**

The instrument framed the laws concerning the safety of flights, suppression of Unlawful Seizure of Aircraft, curbing hijacking and making stringent laws and directing party states to punish the offenders.¹⁴

- **Instrument regarding the protection of International Staff:**

It framed various conventions for the protection of International Staff like the Convention on the Prevention and Punishment of Crimes Against International Protected Persons, 1973.¹⁵

- **Instrument regarding the taking of hostages:**

The instrument framed the Convention against the Taking of Hostages in 1979 and declared the hostage by threatening anyone to kill or to do harm as an offence under the act.¹⁶

- **Instrument regarding the nuclear material:**

The instrument criminalizes the unlawful possession, use, transfer, pilling or theft of nuclear material to cause harm, threat or serious property damage. The instrument made the Convention on the Physical Protection of Nuclear Material binding to the member parties.¹⁷

- **Instrument regarding maritime navigation:**

The Instrument criminalizes the unlawful seizer or exercising control over a maritime ship by threat, force or using violence to get control over the ship. It intended to make navigation through ships safer. It further criminalizes the use of maritime ships and other vehicles as a device of terrorism.¹⁸

- **Instrument regarding explosive materials:**

The Convention directed the member parties to ensure effective control over unmarked plastic explosives. It further directs the parties to prohibit and prevent the manufacturing and selling of unmarked plastic explosives within their respective territories.¹⁹

¹⁴ Convention on Offences and certain Other Acts Committed on Board Aircraft Act, 1963.

¹⁵ Convention on the Prevention and Punishment of Crimes Against International Protected Person, 1973.

¹⁶ International Convention against the Taking of Hostages, 1979.

¹⁷ Convention on the Physical Protection of Nuclear Material, 1980.

¹⁸ Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988.

¹⁹ Convention on the Marking of Plastic Explosives for the Purpose of Detection, 1991.

- **Instrument regarding the terrorist bombing**

The instrument created a regime to control and regulate the unlawful and international use of explosive material and other lethal materials which could be used to threaten or kill anyone.²⁰

- **Instrument regarding the financing of terrorism:**

The instrument requires parties to identify and seize terror financing to the terrorist groups and commit states to hold those who provide funds to finance terrorism.²¹

- **Instrument regarding nuclear terrorism**

The instrument encourages the parties to cooperate in preventing terror attacks and sharing information and helping each other in the investigation and extradition process. The instrument covers a wide range of acts and targets, including core nuclear reactor areas and plants. It deals with both crises and post-crisis situations.²²

IV. INDIA'S STANCE ON COUNTERING TERRORISM

India is a country with the second largest population and seventh largest country in the world has been bestowed with the responsibility to play an imperative role in the world for maintaining a just and pleasant atmosphere around the world where each individual got an adequate opportunity to develop their scientific temper and live in harmony. Since the inception of the United Nations India has always condemned acts of violence and terrorism in the world.

(A) Terrorism Challenges to India

India shares a vast international border with seven countries. The North-Western border is shared with Pakistan which is the most buffered area in terms of trans-border terrorist activities from Pakistan. Let us take a glimpse at terror attacks in Jammu and Kashmir.

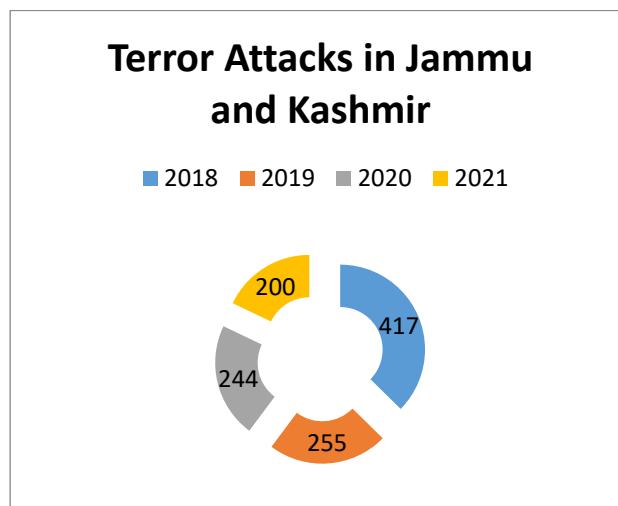
Alone in Jammu and Kashmir India reported 417 terrorist attacks in 2018, 255 in 2019, 244 in 2020 and 200 in 2021.²³ The northern border is shared with Afghanistan and China where Afghanistan is already dwindling with the Taliban issue though remained a core area. China shares a major land boundary, but the bitterness has been seen between both countries' relations in the LAC area and the Gharwal valley area. The other border area shared between Bangladesh, Myanmar, Bhutan and Sri Lanka is quite stable but incidents of smuggling of cows, weed, etc have been reported.

²⁰ International Convention for the Suppression of Terrorist Bombing, 1997.

²¹ International Convention for the Suppression of the Financing of Terrorism, 1999.

²² International Convention for the Suppression of Acts of Nuclear Terrorism, 2005.

²³ 'Inflation and Terrorist Attacks in J&K', PIB, Ministry of Home Affairs, <https://www.pib.gov.in/PressReleasePage.aspx?PRID=1776816> accessed on 31.12.2022.



India is also dwindling with Intra-state terrorism in the northeastern and north-western states. Some groups like Naxals, Jamaat-ul-Mujahideen, Lashkar-e-Tayyiba etc. continuously remained a matter of great concern to India. Some of the organizations are said to be supported by our neighbour Pakistan, providing them with shelter homes and financing them.

V. INDIA'S ROLE IN COUNTERING TERRORISM

1. Active Voice in United Nations General Assembly: India remained a strong contender for peace and humanity in the world. As India's Western front is shared by Pakistan, the LOC remained the most buffer border area with trespassers from Pakistan to India and terrorist incidences in the bordering states. India has strongly condemned Pakistan's support of terrorist organizations and has put its voice in the United Nations continuously since 1948. India has also supported the weak and third-world countries and supported them in the General Assembly against terrorist acts on their soil.

2. Convened UNSC (CTC) Council: India during its two-year tenure as the non-permanent member of the United Nations Security Council which ended in 2022. India hosted the UNSC CTC meet which is attended by all the members of the United Nations Security Council and other International agencies. India tabled some important matters concerning terrorism activities and terror financing by some nations.

3. As a Non-Permanent member of UNSC: India has served eight times as a non-permanent member of the United Nations Security Council. The Security Council is the enforcement agency and the most powerful organ of the United Nations. In its latest tenure from 2020 to 2022, India brought the attention of the whole world to some important matters of terrorism acts around the globe. Recently while India presided over and wrapped its Presidency of the United Nations Security Council meeting in December 2022 put special heed on the

matter of terrorism, Global South and maritime security. Ms Ruchika Kamboj, India's permanent representative to the United Nations, stated in a clear voice that India did not hesitate to raise its voice against the common enemy of humanity, such as terrorism.²⁴ This shows India's clear commitment to the elimination of terrorism on an International platform.

4. Passing of Unlawful Activities (Prevention) Act, 1967: To curb the unlawful acts done by any individual or group of people the government of India has passed the Unlawful Activities (Prevention) Act in 1967.²⁵ The act defines what terrorism is and also provides a detailed mechanism to contain terrorism in and outside the country. The act also talks about the punishments for various unlawful acts, abiding by the principles describes by International law and the United Nations.

5. Diplomatic and Friendly alliance with other nations: India is surrounded by neighbours who are directly involved in provoking terrorist activities and always looking ahead to create a tense threat in India and the world, playing their dirty politics. To keep international pressure on such countries India has made some friendly relations with some neighbour countries. E.g., In the 1971 war between India and Pakistan, America came in the favour of Pakistan, at that time Russia shows its friendship and puts international pressure by coming by the side of India. Certainly, India has a good reputation on International fronts and has maintained friendly relations with a majority of nations of the world, playing its soft diplomacy to pressure the countries to curb violence and terrorist activities.

6. Other agencies engaged in countering terrorism: The intelligence agencies like Research and Analysis Wing (RAW) and Intelligence Bureau (IB) are continuously keeping track of terrorist activities and any unlawful activities going around the nation to protect the country from any unwanted threats and terror attacks. India witnessed the deadliest incident of 26/11 in 2008 in which the terrorist entered from the ocean area. Therefore India has strengthened the role of border management forces like Costal Guards, BSF, SSB and ITBP etc... To tackle any emergency in case of any terrorist attack, the National Security Guards were formed to handle hostage-like situations more tactfully.

VI. CONCLUSION AND SUGGESTIONS

International terrorism is not only a threat to a single nation but to the whole world. The vision of a peaceful world with an adequate chance of development for all the people living around

²⁴ 'India Wraps Up UNSC Presidency With Focus On Terrorism, Global South', report NDTV, <https://www.ndtv.com/india-news/india-wraps-up-unscc-presidency-with-focus-on-terrorism-global-south-3631207> ,Accessed on 31.12.2022.

²⁵ https://www.mha.gov.in/sites/default/files/A1967-37_0.pdf accessed on 31.12.2022.

the globe is only possible if terrorist activities are contained. Though United Nations and other International organizations like G7, FATF and WTO etc... have made many conventions and Policies to curb the menace of terrorism still there is a long way to travel. The following efforts can be done to effectively counter terrorism:

- Provide a conducive and healthy environment to the least developed nations: According to the Global Terrorism Report 2022. It has been found that the underdeveloped and least developed nations of the world witnessed the most active terrorist groups and incidents. The reason is that terrorists are not a different human being but a person who is unsatisfied with the government, possible reason could be Poverty, Hunger, or a threat to its property. Therefore, International organizations and the native states should focus on these areas.

- Individual Efforts: There are already many laws, conventions and policies that exist at the International Level but efforts are needed from the individual level. The states should frame their laws and policies keeping in mind the laws should not be regressive but progressive. The policies made should be friendly to them as punishment and stringent actions will bring no possible fruit other the bloodshed and chaos.

- The terrorists should be lured to surrender by providing security and adequate facilities for them so that they could have a better life. The fear of getting killed will never direct them to surrender.

- As Machiavelli has well quoted in his book 'The Prince' a leader should know when to play fox and lion. The states should also form some stringent and tactical planning to create a sense of fear in those who do not surrender.

Combating terrorism is not the work of a single Institution or a country alone but requires a collective effort. The United Nations has made many provisions but the structures of the United Nations need to be reformed as powerful nations are dominant in the Security Council. The Security Council has taken a concrete step in this direction only after America was hit by the terror attacks. Therefore, the representation of other countries should be increased so that the Security Council becomes more democratic and the interests of the weaker and other third-world nations could be reflected appropriately.
