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TERRORISM – THE PROBLEM OF DEFINING IT
Text is published in periodical "Survey" 5-6, 2007

Summary

Terrorism is seen as the main threat to human rights and to political and economic stability in many countries, with significant consequences to the benefit of the wider social community. A complete analysis of terrorism requires an inter-disciplinary approach and parallel research in several areas. It frequently happens that certain countries, solely for the purpose of achieving their own interests, breech international obligations which need to be implemented in order to prevent terrorism. The problem of contemporary terrorism becomes even more complex with the pro-liferation of weapons of mass destruction (WMD), such as biological, chemical and nuclear weapons. One should also keep in mind that, parallel with globalization, terrorism is also experiencing a globalization in terms of space, the pace of its expansion and activities. Terrorism is increasingly assuming a form of power, i.e. a form of global distribution of power and its main lever is fear. In the fight against terrorism, one of the main aims of terrorism should not be realized – the "democracy antivirus", in other words using methods which result in violations of human rights and liberties; the so-called "preventive methods" - killing, imprisonment, persecution, exile of the "potential terrorists". The global "solidarity for fear", aimed at preventing the spread of terrorism may, through its actions, create an environment of manipulation over terrorism for the political purposes through untimely and non-selective approach to the "international fight" against terrorism. For the purpose of a comprehensive elaboration on terrorism, this text analyses the "problem" of defining terrorism.

Introduction

While sociologists see terrorism as a phenomenon, victims' blood runs cold by the very mention of the word. Everybody is aware of the existence of terrorism, considering the events in the world and increasingly present topicalization of the issue of terrorism. Not a single day passes without news on a terrorist act somewhere. Today, dealing with the issue of terrorism as a social phenomenon is highly complex, primarily because of the numerous shapes in which modern terrorism reveals itself. [1]

The contemporary world strives to achieve the highest degree of safety possible, but it is constantly exposed to different sources, hosts and shapes of threat. It is the individual and global, as well as general and special security that is at stake. Among the perils which concern the world on a daily basis is terrorism. The objectives of terrorism serve the political and other goals of organizations that conduct it. One of the main goals of terrorism is attracting the attention of the public and focusing it on issues imposed by terrorism. In most cases the targets are important figures from the public, political, military and economic sphere of life, as well as diplomats, consular offices, military and economic facilities, etc.

Terrorist activities vary: diversions, assassinations, kidnappings, armed raids, robberies, etc. Contemporary terrorism has also acquired some new characteristics: professionalization, unselect attacks against mass targets (WHICH KILL PEOPLE WHO HAVE NOTHING TO DO WITH THE GOALS OF TERRORIST ORGANIZATIONS), increased fire-power

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[1] The clear cases of murder in schools or mass killings of patients by some doctors say something about the above-cited. A case has been recently revealed in Europe, of a doctor who killed over 200 of his patients, although he has not been characterized as an acute lunatic of any kind. Violence, together with terror, has entered our daily lives, in a perhaps greater extent than any ideology. The examples cited explain its nature, as well as ways in which people think, politically react and solve political problems; especially the fact that people today choose terror as a method of solving their own social problems, which they inevitably meet.

of small groups, new forms of terrorism (electronic and information), serious nuclear terrorism threats. [2]

Terrorism captures the attention not only of politicians, but of all people who feel that humanity needs peace and safety. An increasing number of individuals are dealing with the issue of terrorism as a characteristic of the contemporary world. Science has a chance to analyze terrorism for the purpose of examining the causes and understanding the extents of danger from possible terrorist activities. Scientists should especially "make sure "that the powerful destructive weapons do not end up in the hands of terrorists and make sure that they themselves do not fall into the "embrace"of terrorists.

Terrorism has rather quickly imposed itself as one of the burning issues of contemporary mankind. The new, in many ways hybrid form of terrorism, is more rigid, unscrupulous and more deadly than anything seen so far. Using the above-mentioned means terrorists "ensure" that, as a result of ineffective measures for fighting terrorism employed by official institutions and structures, these institutions and structures now also reach for undemocratic methods which often turn into brutality and violations of human rights and liberties on an ever greater scale.

This situation is the consequence of a "virus in democracy" which terrorists insert successfully in the public and in security services responsible for fighting terrorism. One obvious example is the recent "execution" of Jean Charles de Menezes from Brazil, who was shot dead (with seven bullets in the head) by police. Witnesses stated that the man had not, in any way, stood out, or had been suspicious or had refused to cooperate.

The international association of police chiefs has recently publicly announced its policy which includes the use of specially trained squads that have received orders to shoot "suspicious" suicide bombers straight in the head. Ministers of interior affairs of some "democratic" countries advocate the "preventive imprisonment of potential terrorists". What are the legal basis for general suspension of human rights and liberties guaranteed under all international agreements, declarations, pacts and international law in general?

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[2] Božidar Javorović, Terrorism, Police Safety, Zagreb, 1997

The "Problem" of Defining Terrorism

The term terrorism has Latin roots – terror, terroris = immense fear. A full definition of terrorism is a problem[3] over which no international consensus has been reached so far. The problem arises in situations when an individual, branded by a part of the society as a terrorist, becomes an idol or a symbol of a freedom fighter in the other part of that society. It is clear that the definition of terrorism is an open issue. Defining terrorism is necessary in order to precisely define the actions which are unacceptable and illegal in the context of criminal law of a country. Besides, it is necessary to achieve an international consensus concerning the definition of terrorism, so that all nations are able to develop a cohesive anti-terrorist policy which would support bilateral and multilateral goals. Sadly, the recent UN attempt has again failed to make any progress on defining terrorism, which continues to provide fertile ground for "various" forms of fighting terrorism.

The first elaboration of terrorism was conducted by the Russian theoreticians M. A. Bakunin and S.G. Nechayev in the famous *Catechism of a Revolutionary.* In contemporary political practice the term *terrorist government* is a familiar one. It means that a country rests not on the system of rights and laws, but on the rule of terror and anarchy.

The Criminal Code of Bosnia and Herzegovina defines terrorism the following way: "Whoever perpetrates a terrorist act with the aim of seriously intimidating a population or unduly compelling the Bosnia and Herzegovina authorities, government of another state or international organization to perform or abstain from performing any act, or with the aim of seriously destabilizing or destroying the fundamental political, constitutional, economic or social structures of Bosnia and Herzegovina, of another state or international organization…"[4]

Controversies regarding the use of the term terrorism are several centuries old. Ethimologically (from the Latin language), the word terrorism was used unnecessarily, especially in the political practice, for the purpose

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[3] Terrorism – conducting terror, rule by fear; tyranny; destruction of the opponent by the cruelest of means (persecutions, oppression, murder). Bratoljub Klaic, *Veliki rjecnik stranih* rijeci, Zora, Zagreb, 1974

[4] Criminal Code of Bosnia and Herzegovina, "The Official Gazette of Bosnia and Herzegovina", No. 3/2003

of manipulation. Because of the lack of a generally-accepted definition of terrorism, the definition from the US Criminal Code is frequently used: "The term *terrorism* means premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, usually intended to influence an audience… The term *international terrorism* means terrorism involving citizens or the territory of more than one country… The term *terrorist group* means any group practicing, or that has significant subgroups that practice, international terrorism."

The definition used by the FBI, which states that 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" is a lot more "elegant". One of the US Army's SOP's (Standard Operating Procedure) states that it is "the calculated use of unlawful violence or threat of unlawful violence to inculcate fear; intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological."

Internationally, the definition of terrorism creates the basis for a distinction between acceptable enemy actions and unacceptable criminal acts. Defining terrorism could also help avoid the problem of differentiating between political and common crime. In spite of numerous problems we may face when defining terrorism, there is a consensus that terrorist acts reduce terrorists to the level of criminals. One common element of all the definitions of terrorism is that victims of terrorists are killed, injured or threatened, via actions that are mostly illegal. Some experts see terrorism as method warfare. Others hold that categorizing terrorism as warfare, not a criminal activity legitimizes terrorists, and places their actions in the context of acceptable international behavior.

In spite of the fact that in the past several decades entire libraries of books have been published on terrorism, special institutes for researching terrorism formed and special courses on terrorism and antiterrorism introduced, there is still no general agreement on the definition of this phenomenon. Thus, for example, a well-known authority in the field of terrorism Alex Schmid mentioned 109 definitions of terrorism. Experts of different profiles reacted in several ways: Some tried to introduce a synthetisized definition through identification of the most frequent elements

mentioned in the definitions of terrorism. The example of a synthetitized definition is indeed Alex Schmid's proposal, and it has been described as the "most rigorous effort" so far in the attempt to define this phenomenon.

Based on the analysis of 109 different definitions of terrorism, this author chose 16 most frequently mentioned elements and merged them into a single definition: "Terrorism is an anxiety-inspiring method of repeated violent action, employed by (semi) clandestine individual, group, or state actors, for idiosyncratic, criminal, or political reasons, whereby - in contrast to assassination - the direct targets of violence are not the main targets. Many authors advocate abandonment of the comprehensive (connotative) definition of terrorism in favor of defining terrorism via examples (denotative definition). Apart from the two above mentioned groups, there is a third group of authors who think that terrorism should not be defined at all, since it is recognized like many other phenomena (pornography…) through manifestation.

Debates and the lack of a unanimous position regarding the definition of terrorism have brought about the need for a comprehensive answer to the question: What is the cause of difficulties which make a global phenomenon difficult to define? There are some objective facts that appear when trying to answer to this question: Terrorism is an old phenomenon in human history. It has come in different forms and in different historical circumstances, and that is why it is difficult to define it in a way that would encompass all its essential characteristics. Secondly, the word terrorism has a negative political charge and has been frequently used by some governments with the purpose to discredit political opponents regardless of the methods of their activities, which often had nothing to do with terrorism.

The Oxford English Dictionary offers a detailed and interesting history of the term terrorism and its derivations. Terror (Lat. Terror – terrorem, v. terrere = to fear) means:

- The state of being intimidated, terrified.

- An act or deed which instills fear. Terrorism is the system of fear, reign of terror (-*ism* stands here for a "system", not an "ideology").

In the above mentioned meaning, the word "terrorism" was first used in 1795, with the intention to characterize the rule achieved through intimidation, the way the ruling party in France had done during the Revolution from 1789 to 1794. In that sense, Jacobins were the terrorists,

as well as their agents and followers, especially the ones linked with the revolutionary courts during the period of the Reign of Terror from March 1793 to July 1794. Although violence has always been one of the base forms of political fight, the very term "terror" appeared for the first time during the Jacobin dictatorship in the French Revolution.

A wider meaning of the term "terrorism", which has developed through time, is that it is a policy aimed to instill fear; the use of intimidation methods; an act of intimidation or the state of being intimidated. This means that the term "terrorist" has been given a wider meaning – a terrorist is anyone attempting to support his attitudes through forceful intimidation systems. The Oxford English Dictionary states that a terrorist is usually "a member of a secret or foreign organization aimed to force certain government through acts of violence against that government or its citizens".

According to Donna M. Schagleck, important elements which constitute terrorism are:

1. Terrorism is the use of violence or threats of the use of violence. The concept of violence appears regularly in the definitions of terrorism. Violence has the following aspects:

- An intention of causing damage or injury.

- Acts which produce damage or injuries (planting explosive devices, assassinations, kidnappings and the like).

- An idea of victims, who are aims or witnesses to the violence.

2. Terrorist violence is unpredictable. It is not known until the very moment of the attack who the targets are, as well as the time or place of the action. Uncertainty and unpredictability increase the feeling of anxiety, since everyone is threatened.

3. Victims of terrorism always carry a symbolic value. Victims of terrorist violence are chosen because their identity, location or activity symbolize something terrorists want to attack. A difference is usually made between the immediate victims of violence, who are really attacked, and wider public which is the target of intimidation and which receives certain messages from the terrorists through violence.

4. Terrorists want publicity. Terrorist violence is not aimed to intimidate or kill the immediate victims, but to influence the wider public. That is why terrorism seeks publicity.

5. Terrorists have political goals. They do not want to simply intimidate their victims. They want to achieve certain goals. Those goals

may be personal benefits (criminal terrorism), manifestation of a mental illness and problems (psychopathic terrorism) or political (political terrorism). Political goals may be national liberation, enforcement of an ideology, etc.

6. Terrorism possesses great flexibility. It can be used by anyone – governments, groups or individuals – and can be used against anybody. Its flexibility is seen in the transformation of terrorism from an internal problem of a certain country (domestic terrorism) to international problems (international terrorism).

7. Terrorism is a complex issue. It includes many forms of violence and there are no proven solutions to it. Complexity of the phenomenon is also seen in the disagreement over who and when can be branded a terrorist.

Many elements of Donna M. Schlagheck's definition of synthetic terrorism have been widely accepted: "Terrorism is unpredictable violence or a threat of violence. It targets symbolic victims and uses publicity for achievement of political goals through coercion. It may be used by a group or states against groups or other states". Immediate victims of violence are randomly chosen (targets of opportunity) or selected (representative of symbolic aims) from the target population; and serve as message senders. Threats, intimidation… and the process of communication based on violence between terrorists – victims – the main targets, are primarily used for manipulating the main target – the public, transforming it into an objective of terror.

Different definitions of terrorism reflect the 'experts' efforts to identify the essence and manifestations of this phenomenon and to offer its theoretical explanation. In science, terrorism is generally considered to be a kind of political violence. The overwhelming opinion is that terrorism is not (only) an ideology, but also a strategy which can be used by individuals, groups or states to achieve different goals. Hence it can be said that terrorism is instrumental violence, not its own purpose.

In terms of the perpetrators of terrorist acts, the following kinds of terrorism are distinguished:

- "Terrorism from below" – initiated by private individuals and groups, that is, sub-state organizations.
- "Terrorism from above"– state terrorism, exists in cases when a state widely uses violence for the purpose of changing the behavior of those who are not the direct objective of attack. In this case,

certain regimes use the state security machinery for forms of terrorism aimed at intimidating certain groups within the population.

- "Sponsored terrorism" – takes place when states help private terrorist groups (state sponsored terrorism). Such assistance may, among other, be political, financial and diplomatic; terrorists are also given refuge, military or paramilitary training, etc. States helping the terrorist organizations are called "terrorist states".

It is no coincidence that the first and third kind of terrorism attracts the most attention of experts and governments, both in terms of research, documentation, theoretical explanation and in terms of legislation, prevention and punishment.

According to some opinions, terrorism is a form of warfare ("a low intensity conflict"). That is why the army and its special forces deal with terrorism. According to this opinion, terrorists are war criminals responsible for violations of human rights and for crimes against peace, because they have unjustly initiated a war. However, terrorists do not wage war because they operate at a time of peace and avoid a military response. Some circles often wish to represent terrorists as soldiers and in naming their organizations terrorists use military terminology (for example, "army", "brigade", "forces", etc.). Still, terrorist organizations are not military formations because they lack clear political control, uniforms, chain of command and do not bare weapons openly.

There is also an opinion that terrorism is a manifestation of deep social and political problems. At the international stage, that can be a fight against colonialism and foreign occupation, racism, discrimination, unemployment, social differences, etc. Terrorism is also viewed as "the weapon of the weak", although this opinion is not considered to be correct nowadays, because terrorists are increasingly beginning to "dominate" in the application of methods of carrying out terrorist acts, which can by no means be described as "weak", and because they have started internatiolizing their organizations and activity methods.

Some authors, like Paul Gilbert, think that terrorism has a dual nature – it is both a war and a crime. On their part, terrorists cannot maintain their political role and admit that they are criminals. If they want to be accepted as a warring party, they at least need to try to respect the rules war. The position on the legal nature of terrorism determines the way in which this threat will be reacted to. If terrorism is considered to be

a crime, then, according to Paul Wilkinson, a British politologist, the answer should follow the "rule of law". This means that:

Law breakers need to be punished.

2. Punishment should be individual – only for the perpetrators – it should not be in the form of retaliation against the groups suspected of supporting terrorists.

3. Law enforcement structures need to act within the law.

The dilemma on whether terrorism is a crime or an unjust war may be solved in the way to consider terrorist acts as criminal actions which, in the case of war, would be characterized as war crimes. This means that what is considered a war crime in the time of war is considered terrorism in the time of peace.

Wider theoretical attitudes that concern the legal nature of terrorism enable a better understanding of this phenomenon, not only in the sense of approval, but also in the sense of realizing the causes and formulating a long-term political fight against terrorism. The contemporary society needs a long-term objective – achieving general consensus on which forms of behavior any community needs to prevent to survive as a community. That means that germs of absolutely illegal violence need to be determined – regardless of who the perpetrators may be and of the circumstances that prevail. The issue is if the society has a will to do this, or will it simply realize some other goals, of economic and other nature, through the legendary fight against terrorism.

The spread of the terrorist phenomenon in the 20th century and its expansion in the 21st century have resulted in the formulation of legislative responses to this challenge, both at the national and international level. However, national legislative structures have proven to be much more efficient in this respect than the efforts made by the United Nations (UN) and some other regional organizations. Political and ideological differences have prevented the necessary agreement at the international level.

The legal response to the threat of terrorism is expressed in national legislations in the form of two kinds of measures:

1. Change in the criminal legislation – introduction of new criminal acts.

2. Increased efficiency of state structures on identification, investigation and prosecution of terrorism and other criminal acts linked to it.

Majority of terrorist activities are common criminal acts which are considered to be terrorist because of the motif of the perpetrators. The Italian criminal code describes terrorism as acts undermining democratic order. The Spanish criminal code defines terrorism as activities aimed at undermining the constitutional order and serious breaches of public peace. The French criminal code defines terrorist activities as a serious threat to social order, performed by the use of threat and terror. Of all European countries, Great Britain has the most comprehensive legislative act – Terrorism Act, passed in 2000. The Law defines terrorism as "the action or use of threat designed to influence the government or to intimidate the public or a section of the public", "the action or threat which involves the use of fire arms or explosives". "Action falls within this subsection if it involves: serious violence against a person, serious damage to property, if it endangers a person's life, other than that of the person committing the action, if it creates a serious risk to the health or safety of the public or a section of the public, or is designed seriously to interfere with or seriously to disrupt an electronic system. "

After September 11 2001, the European Union undertook emergency measures on harmonizing legislation of EU member states. These measures are a continuation of the previous efforts of the European Union, especially the European Convention on the Suppression of Terrorism (passed 27th January 1977). The Convention generically treats terrorism and provides a list of terrorist acts. It is interesting that, until September 11 2001, only six EU member states had had legal instruments dealing with terrorism.

The United States of America adopted following September 11 2001 a large number of detailed legislative acts on anti-terrorism. The US Patriot Act 2001 or the Uniting and Intercept and Obstruct Terrorism USA PATRIOT, passed 26th October 2001, bears a special significance. This Act improved the existing US definition of international terrorism presented in the US Code. The amended definition of international terrorism in the context of criminal law and procedures now stands for activities which:

- are violent and are dangerous to human life and are a violation of criminal laws of a state or the United States;
- appear to be intended to intimidate or coerce a civilian population; to affect the conduct of a government by intimidation or coercion; to affect the conduct of a government by mass destruction, assassination or kidnapping;

- have to occur primarily outside of the territorial jurisdiction of the United States, or are outside of the state border in the sense of means used to perform the acts or persons who are proven to be the object of intimidation or coercion or location in which the perpetrators are acting or seek refuge.

In the context of foreign affairs, as well as the practice of the US Secretary of State submitting the Annual Terrorism Report to the US Congress, the term "international terrorism" is defined as "terrorism involving citizens or territory of more than one country". "Terrorism means premeditated, politically motivated violence against non-combatant targets carried out by sub-state groups or secret agents. A terrorist group is any group practicing, or has significant groups practicing, international terrorism." These definitions are used in the drafting of the US Secretary of State's annual report on forms of global terrorism.

The new US anti-terrorist legislation introduced a new form of criminal act – domestic terrorism – defined on the concept of "international terrorism". The introduction of domestic terrorism as a criminal act into the US legislation makes possible for domestic organizations to be characterized as terrorist. This new criminal act in US legislation – domestic terrorism - is defined by the US Patriot Act (Sec. 802) as activities which:

- are dangerous to human life and which represent a violation of the criminal laws of the US or any of the States;
- are proven to have been intended to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; to influence the conduct of a government by mass destruction, assassination or kidnapping;
- are performed within the territorial jurisdiction of the United States.

Based on this short review of the national legislations of Western countries, one can conclude that the general tendency is to define terrorism as activities that are seen as common criminal acts according to the national jurisdiction, but which, because of the nature of their aims, like intimidation or coercion of a civilian population, undermining the constitutional order, peace and government or population, become terrorist. Perpetrators of this criminal act are defined as individuals or groups of a sub-state character.

Efforts of the UN, as well as of its predecessor, the League of Nations, in the past six decades to formulate an international response to the challenge of terrorism were conducted in two directions:

1. Reaching an agreement on defining terrorism (normative response). This kind of response failed to bring any results, hence no generally accepted definition of terrorism exists today.
2. Formulating an agreement on incrimination of certain aspects of the overall problem (pragmatic response).

The first international effort towards defining terrorism started in 1937, when the League of Nations drafted two conventions:

1. The first document was adopted in Geneva, on 16 November 1937. It was entitled Convention on Prevention and Punishment of Terrorism, and it defined a new criminal act in the international law – the act of terrorism. This act included assassination or attempted assassination of heads of state, members of their families, other administrative servants and members of the general public.
2. Convention on the establishment of the International Criminal Court. Criminal responsibility for the criminal acts of terrorism rests with the individual and states are forbidden to harbor such individuals. However, these conventions had not been ratified by the sufficient number of states and the entire issue was forgotten with the beginning of the Second World War.

The following attempt to define terrorism was made by the International Law Commission which developed the Draft Code on Crimes against Peace and Security of Mankind, for the needs of the UN. Article 2 Section 6 of this Draft Code describes international terrorism as "perpetration or encouragement of terrorist activities by the authorities of one country, in some other country, or a country's toleration of organized activities to perform terrorist acts in some other country". International terrorism is characterized in this document and subsequent resolutions of the General Assembly as "a violation against peace and mankind", taken in both its forms as national and sub-national. This Draft Code was again discussed in the period of 1985 – 1991, when national terrorism became the topic of a separate paragraph.

International experience in the field of generally-accepted definition of terrorism remains negative. A pragmatic approach is on the scene, which is largely inadequate for an effective fight against terrorism. Key actors of the international community are not willing to take a united stance on this issue, be it on defining this phenomenon or on fighting it.

Rosalyn Higgins, an experienced professor of international law at the University of London and a judge at the International Court at the Hague, is of the opinion that the term "terrorism" has no specific legal meaning, but that it is a rather convenient way to describe widely un-accepted activities, committed by either states or individuals, in which either the methods used, or the very attack against protected objectives, or both, are illegal. Rosalyn Higgins states that terrorism refers to the following in international law:
- State offenses against diplomats;
- State offenses against other protected persons (for example, civilians in the time of war);
- State offenses or offenses by state officials against aircrafts or ships;
- State offense of hostage taking;
- State offenses in letting the territory of the state to be used by non-government groups for military action against other states, if that action clearly includes forbidden objectives (for example, civilian targets) or forbidden use of force;
- Actions by non-government participants which include any forbidden objectives or means;
- Silent assent or failure to control such non-government action. That means that a state is indirectly responsible and it is then a case of state terrorism.

However, such an understanding of terrorism, which could serve as a valid legal and ethical base for a broad mobilization aimed at eliminating, preventing and sanctioning this crime, would most probably not be a subject of consensus in the contemporary world. Even if a consensus is achieved eventually, the next problem would be a consistent implementation of the definition of terrorism to all the acts of participants in international events, regardless of the political and ideological reasons, economic and other interests.

State terrorism can be divided into: internal state terrorism and foreign state terrorism. A state regularly finds an excuse and legitimacy for internal terrorism in the constitution and other laws stem from it, without paying much attention to the citizens who are dissatisfied with the problems in their country. In this case, terrorism is a weapon in the hands of the minority which thinks that a wider interest is threatened and, in that fear, it wants to intimidate and paralyze the opponent. In the

process, it is unable or refuses to make a difference between those who are really guilty and those who are not.

Activity of a country as a subject of terrorism is not rare and is becoming increasingly present in contemporary international relations. Governments of some countries have been engaged for a long time in various kinds of illegal secret activities, including the systematic use of terror against its enemies, both domestic and foreign.

International terrorism encompasses the interests, citizens and territory of more than one country. International terrorism, in its most obvious manifestation is an attack directed across international borders or against a foreign target in the native country of the terrorists. "Most of the terrorist actions have international dimensions, for groups abroad seek support, weapons and refuge"[5]

State sponsored terrorism has a deep influence on the wider patterns of terrorism. Since it is conducted more for the purpose of realization of foreign policy goals and less for the purpose of gaining publicity, it has fewer limitations than common terrorism. Also, keeping in mind that such terrorists do not depend on the local population in terms of support, they do not have to worry about whether or not they will alienate themselves from the people or cause a negative public reaction. In that way, terrorists and sponsors may engage in more devastating and bloodier acts of violence than the groups acting on their own behalf.

One can conclude that the failure of the international community to legally define terrorism is a political, not a technical and legal failure. This failure, as well as the failure in building an international mechanism for fighting international terrorism has brought about the situation in which states that are victims of terrorist attacks take unilateral actions and use methods of questionable legal and moral character, followed by violations of human rights on a massive scale.

[5] Paul Wilkinson, *Terrorism Versus Democracy*, Golden Marketing, Zagreb, 2002

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