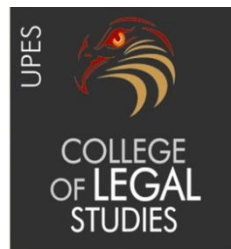
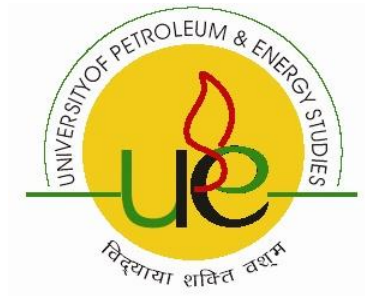


United Nations and counterterrorism strategy

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This dissertation is submitted in partial fulfillment of the degree of B.B.A., LL.B. (Hons.)



College of Legal Studies

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CERTIFICATE

This is to certify that the research work entitled **“United Nations and counterterrorism strategy”** is the work done by AAYUSH TIWARI under my guidance and supervision for the partial fulfillment of the requirement of B.B.A., LL.B. (Hons) degree at College of Legal Studies, University of Petroleum and Energy Studies, Dehradun.

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DECLARATION

I declare that the dissertation entitled “**United Nations and counterterrorism strategy**” is the outcome of my own work conducted under the supervision of Mr. Tony George, at College of Legal Studies, University of Petroleum and Energy Studies, Dehradun.

I declare that the dissertation comprises only of my original work and due acknowledgement has been made in the text to all other material used.

Aayush Tiwari

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ABBREVIATIONS

| | |
|----------------|--|
| UNO: | United Nations Organization |
| GA: | General Assembly |
| SC: | Security Council |
| CTED: | Counter Terrorism Execution Directorate |
| CTITF: | Counter Terrorism Implementation Task Force |
| CBRN: | Chemical Biological Radiological and Nuclear |
| OAS: | Organization of American States |
| ASEAN: | Association of South Eastern Asian Nations |
| UNESCO: | United Nations Educational Social and Cultural Organization |
| UNSC: | Organization |
| IGO: | International Governmental Organization |
| NGO: | Non Governmental Organization |
| LCT: | Lashquar-e- Toiba |
| JEM: | Jaish-e-Muhammad |
| HM: | Hizbul Mujahiddin |
| FARC: | <i>Fuerzas Armadas Revolucionarias de Colombia</i> |
| CTC: | Counter Terrorism Committee |

EU: European Union

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Chapter1: INTRODUCTION

There is neither an academic nor an international legal consensus regarding the definition of the term terrorism. Various legal systems and government agencies use different definitions. Moreover, governments have been reluctant to formulate an agreed upon, legally binding definition. These difficulties arise from the fact that the term is politically and emotionally charged.

Angus Martyn in a briefing paper for the Australian Parliament has stated that "The international community has never succeeded in developing an accepted comprehensive definition of terrorism. During the 1970s and 1980s, the United Nations attempts to define the term foundered mainly due to differences of opinion between various members about the use of violence in the context of conflicts over national liberation and self-determination." [4] These divergences have made it impossible to conclude a Comprehensive Convention on International Terrorism that incorporates a single, all-encompassing, legally binding, criminal law definition of terrorism.

In the meantime, the international community adopted a series of sectoral conventions that define and criminalize various types of terrorist activities. In addition, since 1994, the United Nations General Assembly has condemned terrorist acts using the following political description of terrorism: "Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them."

A 2003 study by Jeffrey Record for the US Army quoted a source (Schmid and Jongman 1988) that counted 109 definitions of terrorism that covered a total of 22 different definitional elements. Record continued "Terrorism expert Walter Laqueur also has counted over 100 definitions and concludes that the 'only general characteristic generally agreed upon is that terrorism involves violence and the threat of violence.' Yet terrorism is hardly the only enterprise involving violence and the threat of violence. So does war, coercive diplomacy, and bar room brawls".

As Bruce Hoffman has noted: "terrorism is a pejorative term. It is a word with intrinsically negative connotations that is generally applied to one's enemies and opponents, or to those with whom one disagrees and would otherwise prefer to ignore. (...) Hence the decision to call someone or label some organization 'terrorist' becomes almost unavoidably subjective, depending largely on whether one sympathizes with or opposes the person/group/cause concerned. If one identifies with the victim of the violence, for example, then the act is terrorism. If, however, one identifies with the perpetrator, the violent act is regarded in a more sympathetic, if not positive (or, at the worst, an ambivalent) light; and it is not terrorism." For this and for political reasons, many news sources (such as Reuters) avoid using this term, opting instead for less accusatory words like "bombers", "militants", etc

Ben Saul has noticed that "A mix of practical and principled contentions underpins the case for characterizing terrorism in universal law", including the need to sentence infringement to Human rights, to secure the state and deliberative legislative issues, to separate open and private Violence, and to guarantee International Peace and Security.

Carlos Diaz-Paniagua, who facilitated the transactions of the proposed United Nations Comprehensive Convention on International Terrorism, noted, on his part, the need to give an exact meaning of terrorist exercises in universal law: "Criminal law has three reasons: to

proclaim that a behavior is illegal, to anticipate it, and to express society's judgment for the wrongful demonstrations. The typical, regularizing part of criminalization is of specific significance on account of terrorism. The criminalization of terrorist acts communicates society's repulsiveness at them, conjures social scold and disgrace, and derides the individuals who perpetrate them. Also, by making and reaffirming qualities, criminalization may serve, over the long haul, as an impediment to terrorism, as those qualities are internalized." Thus, global criminal law bargains that try to avert, censure and rebuff terrorist exercises, require exact definitions:

"The meaning of the offense in criminal law settlement assumes a few parts. Most importantly, it has the typical, regularizing part of communicating society's judgment of the illegal demonstrations. Second, it encourages understanding. Since states have a tendency to be hesitant to attempt stringent commitments in matters identified with the activity of their local locale, an exact meaning of the wrongdoing, which limits the extent of those commitments, makes understanding less excessive. Third, it gives a between subjective premise for the homogeneous use of the bargain's commitments on legal and police participation. This capacity is of specific significance in removal bargains in light of the fact that, to concede a removal, most lawful frameworks oblige that the wrongdoing be culpable both in the asking for state and the asked for state. Fourth, it helps states to establish household enactment to criminalize and rebuff the wrongful demonstrations characterized in the arrangement in congruity with their human rights' commitments. The rule of *nullius crimen sine lege* requires, specifically, that states characterize unequivocally which acts are restricted before anybody can be arraigned or rebuffed for carrying out those same acts."

Saul noted in this feeling that, missing a for the most part concurred, all-encompassing, meaning of the term:

"Terrorism' as of now does not have the accuracy, objectivity and assurance requested by lawful talk. Criminal law endeavors to maintain a strategic distance from emotive terms to avert preference to a blamed, and evades vague or subjective terms as inconsistent with the guideline of non-retroactivity. In the event that the law is to concede the term, advance definition is vital on grounds of reasonableness, and it is not sufficient to leave definition to the one-sided translations of States. Lawful definition could conceivably recover terrorism from the ideological entanglement, by disjoining a concurred legitimate importance from the rest of the versatile, political idea.

Diaz-Paniagua has noticed that, so as to "make a powerful legitimate administration against terrorism, it would be important to figure a thorough meaning of that wrongdoing that, from one perspective, gives the strongest good judgment to terrorist exercises while, then again, has enough accuracy to allow the indictment of criminal exercises without censuring acts that ought to be esteemed to be genuine. In any case, because of significant divergences at the worldwide level on the topic of the authenticity of the utilization of viciousness for political purposes, either by states or independent from anyone else determination and progressive gatherings, this has not yet been possible." [21] In this sense, Bassiouni notes:

"to characterize "terrorism" in a manner that is both exhaustive and unambiguous is extremely troublesome, if not unimaginable. One of the primary challenges lies in the key values in question in the acknowledgement or dismissal of fear rousing brutality as method for finishing a given objective. The conspicuous and extraordinary scope of perspectives on these issues are what makes a globally acknowledged particular meaning of what is inexactly called "terrorism," a generally unthinkable undertaking. That is the reason the quest for and universally settled upon definition may well be a worthless and pointless exertion."

Sami Zeidan, a Lebanese ambassador and researcher, clarified the political reasons fundamental the flow troubles to characterize terrorism as takes after:

"There is no general accord on the meaning of terrorism. The trouble of characterizing terrorism lies in the danger it involves of taking positions. The political estimation of the term presently beats its legitimate one. Left to its political significance, terrorism effortlessly falls prey to change that suits the diversions of specific states at specific times. The Taliban and Osama receptacle Laden were once called flexibility contenders (mujahideen) and sponsored by the CIA when they were opposing the Soviet control of Afghanistan. Presently they are on top of the universal terrorist records. Today, the United Nations sees Palestinians as opportunity warriors, battling against the unlawful control of their territory by Israel, and occupied with a since a long time ago settled genuine resistance, yet Israel views them as terrorists. Israel likewise marks the Hizbullah of Lebanon as a terrorist bunch, while a large portion of the global group views it as a true blue resistance gathering, battling Israel's control of Southern Lebanon. Indeed, the effective expelling of Israeli powers from a large portion of the South by the Hizbollah in 2000 made Lebanon the main Arab nation to really vanquish the Israeli armed force. The repercussion of the current dominance of the political over the legitimate estimation of terrorism is expensive, leaving the war against terrorism specific, fragmented and inadequate."

In the same vein, Jason Burke, a British columnist who expounds on radical Islamist action, said:

There are various methods for characterizing terrorism, and all are subjective. Most characterize terrorism as "the utilization or danger of genuine viciousness" to propel a "reason". Some state obviously the sorts of gathering ("sub-national", "non-state") or reason (political, ideological, religious) to which they allude. Others just depend on the nature of the vast majority when stood up to with honest regular citizens being murdered or mangled by men equipped with explosives, guns or different weapons. None is palatable, and grave issues with the utilization of the term

hold on. Terrorism is truth be told, a strategy. The expression "war on terrorism" is accordingly viably strange. As there is no space here to investigate this included and troublesome verbal confrontation, my inclination is, in general, for the less stacked term "Militancy". This is not an endeavor to excuse such activities, only to examine them in a clearer way.

The political and passionate meaning of the expression "terrorism" make troublesome its utilization in legitimate talk. In this sense, Saul takes note of that:

"In spite of the moving and challenged importance of "terrorism" after some time, the impossible to miss semantic force of the term, past its strict connotation, is its ability to defame, delegitimize, stigmatize, and dehumanize those at whom it is coordinated, including political adversaries. The term is ideologically and politically stacked; pejorative; infers good, social, and quality judgment; and is "tricky and quite misused." without a meaning of terrorism, the battle over the representation of a vicious demonstration is a battle over its authenticity. The more befuddled an idea, the more it fits crafty allocation."

IDENTIFICATION OF PROBLEM

Terrorism like any other 'ism'(imperialism, nazism, fascism) is an ideology. It can be said to be an ideology that advocates recognition by terrorising. But the problem can be identified as a fact that unlike other ideologies, terrorism does not have a point source of origination, it does not revolve around one man's idea but has its roots deeply imbedded in religious incidents, historical incidents and international politics. Whatever one might say but in fact counterterrorism is the most important necessacity in the present time of crisis as the entire development of a country, security of its borders, proper maintenance of law and order are being threatened because of terrorism.

However it is important to understand what is terrorism and does it have a point source of origination? What has lead to terrorism? Is terrorism just a brute ideology or is a product of unaddressed demands and international injustice. Is terrorism a reaction to the oppression done on minority or is it just a cactus grown in the beautiful garden of humanity?

Well, a non-biased outlook is the essence of any research. The research from various angles analyses terrorism and intends to come up with a thesis that may add something new to the present understanding of the notion. In the light of the above the problem has been identified under following issues to make the work streamlined as much as possible.

ISSUES

A : Religious interpretation/misinterpretation.

Terrorism has a deep nexus with religion, specially Islam. Testimonies of various captured terrorists reveal a wave of fear that the allies are joining forces day by day to eradicate their religion from the Earth. The young uneducated youths are being brain washed in bulk by terrorist masterminds for their own vested interests. They are being convinced that Islam is

in danger and the only way to protect it is 'War'. By this so called religious war or 'Jihad' can only be the souls enter the gates of heaven(Jannat).

Through video tapes and other modes of communication, think tanks of various terrorist organisations seem to summon all the followers of Islam around the world to a common platform from where united they can fight for the common cause. And today not only the un-educated but even the intellect does not remain unfazed from the message.

So it is the most important aspect of this dissertation to understand whether this influential message is supported by prudence or is just a weapon of intellectual disruption as was used by Adolf Hitler against the Jews (resulting in a genocide of more than 20 million Jews between 1933 -45*).

Issue 2: International Politics

International politics is perhaps the masked reason underpinning the genesis of the most lethal militant organisation AL-QUADA. As the reason goes the origination of Al-quada has its roots deeply imbedded in the pages of the cold war(*). After World War 2(1939-1945) with the fall of colonialism, the USSR(United States of Soviet Republic) and the USA emerged as world powers. However there was a vast difference between the socio-economic policies followed by the both. The USA always preached capitalism while USSR was an ardent follower of communism. Therefore because of this difference in governing ideologies there could never be an assentio mentium between these world powers at international realms. Consequently a cold- war broke between the two nations. Joseph Stalin the omnipotent dictator of USSR was unanimously the most ruthless person the world had ever seen, far more than even Adolf Hitler and Benito Mussolini. So even after his death(*) USSR continued to follow his footsteps conquering Afghanistan, Mongolia,

Kazakhstan, Uzbekistan and almost half of Southern Asia. It was obviously alarming to the United Nations and the principals of UDHR.

Therefore alarmed with this the United Nations decided to keep a check and balance on USSR by creating, supporting and cultivating a pressure group, which today the world knows as “Al – Quada”. All the incentives, arms and ammunitions , training and livelihood was provided by the Allies to this group in their fight against communism and the results were also favourable. USSR got disintegrated in 1991 and the purpose was met.

However by then no one knew that the harvest of another tale of mortification had been sowed by this International Politics. As the incentives were smothered after the purpose was met Al-quada and Taliban kept on growing vicious against the Allies day by day. It was natural that a feeling of being made a scap-goat cropped in their minds which kept on fostering day by day till it finally exploded on September 11th, 2001.

Issue 3: : “Majority dominance (Might is right)”

The Gulf Wars(1990-91)(*) are another example that speaks for terrorism of louder than any other. The biggest asset of the Arabian Countries that gave them an edge over the world was their huge reservoir of oil fields. Everyone knew the desperate dependency of developed countries on Petroleum but no one had ever imagined the dreadful solution that got unfolded in August 1990. The step taken in 1990 was certainly drastic enough to antagonise and convince Islamic nations all over the world for a fight to finish. America had intervened aggressively in the political tension generated between Iraq and Kuwait conducting operation DESERT STORM on Iraq.

The operation soon turned into the Gulf War. Kuwait was liberated and Iraq was aggressively wiped out. America since then had captured most of the oil fields in the

region and its effects directly got manifested as its pleneum dominium on FOREX since then. The devastation of Iraq by the American army was no doubt a direct invitation to terrorism at international level. Besides this fuel to fire was added in this story of mortification with the execution of Saddam Husain by the allies in 2007. This in the eyes of Muslims spread all over, was certainly a call for Armageddon against the whole Western world. Execution of Saddam Husain was certainly a stigma on all the principals of UDHR and Human Rights the Allies had been preaching so intensely over last few decades. And it would not be wrong to assert that with that execution the gun powder of a Third World War lies prepared, which can ignite any time.

HYPOTHESIS

The examples used and the case laws referred are product of statistical survey of real sets of circumstances. Still the hypothesis had to be used because of different legal conditions prevailing in different countries. It was hence indispensable to generalise a uniform legal atmosphere in order to conduct the study.

To make the research neutral and transparent it is found expedient in the intrest of justice to define terrorism not in the manner the United Nations or the United States define it. To understand terrorism in totality it is important to go into its very roots and understand the entire chain of events precisely. Therefore the legal hypothesis assumes terrorism to be just an ideology rather being judgemental whether it is good or bad, scrupulous or unscrupulous. It therefore refrains to quote any authority reflecting its perceptions of terrorism be it western or Islamic.

SCOPE AND LIMITATION

As the status quo reveals India is deeply influenced by the same and therefore it is expedient in Indian context to converge focus on the United Nations approach (regardless of the fact that it is deeply influenced by the western school of thoughts).Hence for a utilitarian approach and to avoid any beating about the bush the counterterrorism strategy of United Nation is analyzed neglecting the intricacies of legal atmosphere prevalent in various Islamic, Communist and Third World Countries .

Chapter 2.2: Objectives of dissertation.

The purpose of research is to discover answers to questions of Admiralty Jurisdiction through the application of practical procedures, information analysis and innovative ideas. The main aim of the research is to find out the truth which is hidden and which has not been discovered as yet. The motivation behind this dissertation is desire to face the challenge in solving unsolved problems of a complex topic like this one, to get intellectual joy of doing some creative work with pious intentions to ensure that this effort is of some service to society and mankind. Hence the objectives of this dissertation can be pin pointed as follows.

1: To gain familiarity with evolution of terrorism and to achieve new insights into United Nations strategy to tackle it.

2: To portray accurately the characteristics of a International legal structure concerning terrorism, practical situation and impacts on the native country.

3: To determine the frequency with which Terrorist attacks occur, present legal status for remedy.

4: To test the hypothesis of a casual relationship between variables

5: To develop an original idea of counterterrorism and come up with some new solutions and ideas to address the fact in issue.

RESEACH METHODOLOGY

This is a doctrinal study based on primary and secondary sources of legal data. The primary sources are Indian legislation, rules and bye-laws, case laws of Indian, American, British and international courts, international instruments such as the IMO Conventions, ILO Conventions, the EU Directives, soft laws like the Marine Environmental Protection Committee resolutions and guidelines, guidelines of international organizations such as the UNEP, Comity Maritime International, Green peace initiatives and the Agenda 21 and various commission reports. The secondary sources are books, journal articles, conference papers, annual port reports, web- articles, news- paper and magazine reports. The

theories and opinions of many legal scholars are also Examine to find out whether they are supporting the existing laws.

SIGNIFICANCE AND RELEVANCE OF RESEARCH

The subject of research methodology brings to light the fact that there are two basic approaches to research viz Quantitative approach and Qualitative approach. The former involves generation of data in quantitative form which can then be subjected to rigorous quantitative analysis in formal and rigid fashion. This approach can be further sub classified inferential, experimental and simulation approaches to research. The purpose of inferential approach is to form a data base from which to infer characteristics and relationships of the subject matter and the variables contained therein. This usually means a survey research where a sample of cases patterns and statutes is studied(questioned or observed) to determine its characteristics and is then inferred that the pattern has the same characteristics.

Experimental approach is exercised by a much greater control on the research environment and in this category some independent variables are manipulated in orders to observer the impacts of this manipulation on other dependent variables.

Whereas simulation approach involves construction of an artificial environment within which the relevant data and information can be generated. It is much more utopian than the previous approaches. This permits an observation of the dynamic behaviour of a legal system or its sub system (as in this case admiralty jurisdiction is a sub subject of admiralty jurisprudence). The term simulation in legal context refers to “operation of roaring legal canons that govern the functioning of a dynamic process.”

Given the values of historical evolution, groundwork, prevailing conditions, parameters and exogenous variables, a simulation is run to represent the behaviour of the process over

time. Simulation model can hence be useful in building models for understanding future conditions.

Qualitative approach on the other hand with subjective assessment of attitudes, opinions and behaviour. Research hence in such a situation is a function of researcher's insights and impressions. Such an approach in to research generates results either in non quantitative or in a form which is not subjected to rigorous quantitative analysis.

As reflected in the chapters that follow the methodology that is adopted for this dissertation is quantitative analysis including all its subsets ie experimental, inferential and simulation.

Abiding by a standard model of approach is not only convenient to the researcher but also is tremendously helpful in bringing out a clear idea with less obscurity. Therefore special attention has been paid to stick to the standards of research methodologies widely and vastly recognized.

CHAPTER 2

Introduction

The United Nations Global Counter-Terrorism Strategy was embraced by the General Assembly (GA) on September 8, 2006 (General Assembly Determination 60/288). This occasion denoted the first run through part states

consented to an exhaustive, worldwide, vital system on counterterrorism since the issue preceded the League of Nations in 1934. The procedure points to bring all the counterterrorism exercises of the United Nations framework into a typical structure, putting extraordinary accentuation on the Security Council's Counter-Terrorism Executive Directorate (CTED) and the Secretariat's Counter-Terrorism Implementation Task Force (CTITF). The GA is planned to survey advance on the procedure in September of 2008, including criticalness also, impetus for UN orgs, part states, and different on-screen characters to show advance on its execution.

To inspect how the universal group of intergovernmental organizations (IGOs), governments, and transnational on-screen characters could better execute the counterterrorism system, the Stanley Foundation assembled its 42nd gathering on the United Nations of the Next Decade, "Usage of the UN Global Counterterrorism Strategy," on June 8-13, 2007. Delegates what's more, specialists from the United Nations, national governments, research organizations, and nongovernmental associations (NGOs) met in St. Michaels, Maryland, to examine how future exercises could be made more compelling and reasonable.

The essential finishes of the amassed members on purposes of both arrangement and UN association focused on the accompanying issues and routes forward:

Characterizing Terrorism: The Role of a Human Rights-Based Approach

There is a far reaching feeling inside and outside of UN circles that worldwide counterterrorism activities are principally of significance toward the "Northern" states while, indeed, the larger part of passings from terrorism are South-South as opposed to South-North in nature. Seen in this light, viable and reasonable counterterrorism endeavors really adjust and coordinate to the objectives of maintainable improvement and human rights. This arrangement and mix is reflected in the United Nations' procedure which takes an all encompassing way to deal with tending to the terrorist risk.

On the other hand, the unlucky deficiency of an unmistakable meaning of terrorism is a hindrance to the improvement of uniform laws important for usage over the global framework. Members watched that a coupling meaning of terrorism would help shape law authorization endeavors, brainpower parts, and

the foundation of "general tenets of engagement." An unmistakable definition would likewise institutionalize the estimation of results for UN and contributor programs. Thusly, a fruitful worldwide structure would oblige systematizing what constitutes a terrorist demonstration and creating instruments for authorization.

Human rights standards and traditions over and again surfaced in examinations as being key to the worldwide meaning of a terrorist demonstration. The aftereffects of terrorism are clear human rights infringement, just as unpardonable as the all the more customarily perceived infringement by administrative powers. Therefore the normal ground for worldwide activity on terrorism is not any one terrorist bunch's plan also, philosophy, yet rather the infringement of the exploited people's human rights.

Appropriately, regard for essential opportunities and the guideline of law are key apparatuses in countering terrorism, and ought not be seen as benefits to be yielded in times of high weight. Such measures not just expand the authenticity of counterterror endeavors in common society, yet taking after legitimate police methods likewise expands the unwavering quality and thus the viability of any brainpower accumulated. The preparation of legal and law authorization limbs all through the world was seen by members as a possibly critical advancement objective, further showing the accord among members that improvement and counterterrorism are personally connected.

In entirety: existing human rights conventions ought to be fused into counterterrorism preparing on a predictable and all inclusive premise. Anyhow to achieve this, the counterterrorism and human rights groups need to perceive furthermore, advance the intrinsic collaborations between their two systems. The United Nations could help the two groups make a joint correspondence program

that shows their shared view and targets something toward which both the UN Security Council's CTED and the UN Secretariat's CTITF may have the capacity to act in an intervening or facilitating capacity.

Members suggested the further mix of human rights agents with specialized support groups and vital arranging boards of trustees of the United Nations and part state governments. UN activities ought to additionally make a stage for victimized people's voices by means of a discussion for a genuine dialog with governments and worldwide authority. This worldwide discussion, maybe beginning with a significant open gathering, ought to encourage what one UN member considered three "tomahawks of correspondence:

victimized people to victimized people; exploited people to governments; and government to government."

These exercises would be an effective method for countering terrorist enlistment what's more, impelling exercises. A human face ought to be put on the capacity of terrorist exercises to underscore humanity's powerlessness despite this security risk and to demonstrate the lives that terrorism decimates. Affirmations of survivors or exploited people's families could be dispersed through the Internet and other media to make an open picture account.

Chapter 3: The role of United Nations

Building State Capacities:

The Role of the United Nations in Coordination and Coherence. Law enforcement and intelligence communities within and across states are

collaborating to address issues such as the terrorist use of chemical, biological, radiological, or nuclear (CBRN) materials; misuse of the Internet for terrorist purposes; improvement of border security; the detection and confiscation of forged travel documents; and the protection of the most vulnerable targets. Many of these training and assistance programs will naturally be bilateral in nature and based on the national initiatives of wealthier states. However, the legitimacy and effectiveness of the current process is undermined by donor incoherence among Northern states, as well as a preference for what one participant called “pet projects” of donors.

Follow-up, monitoring, and evaluation of results have thus far been largely haphazard. Too often, overlapping service providers create wasteful redundancies in the training process. Continuity of training and structured follow-up are two critical components of truly durable state capacity-building. In this effort, the United Nations could have a role in helping Northern donor states match their intentions and goals with realities on the ground in specific localities. Several participants suggested that the United Nations is best positioned to make sure that “the right meeting is held at the right time, with just the right group of 15-20 people around a table” to achieve the next step—whether the participants come from domestic civil society groups, the private sector, transnational NGOs, state governments, regional IGOs such as the Association of Southeast Asian Nations (ASEAN) or the Organization of American States (OAS), or the multitude of UN agencies working on overlapping issue areas.

Toward this end, clearer structural and procedural guidelines would create a more synergistic and positive-sum relationship between the CTED and the CTITF, as well as between the Security Council (SC) and the GA. Thus far, the focus of the CTED has been fairly narrow, equipping member states to incorporate acceptable international legal norms and addressing money laundering and terrorist financing issues. Over the next year, prior to the 2008 assessment of progress made on strategy implementation, SC members need to do more to review and clarify the role of the CTED and its relationship to the CTITF.

Many participants contended that the CTITF can and should play a greater role as a bridge-builder between the GA and SC, more effectively synergizing the activities of different stakeholders and ensuring standardized training, monitoring and evaluation of efforts across countries. Acquiring additional funding and personnel for the CTITF is a significant step that the UN community can take to bolster these efforts. The CTITF is currently an underfunded and understaffed committee that must borrow all but one intern of its 24-person staff from other mandates and agencies. Participants also encouraged member states and officials to discuss funding and resource issues with the United Nations' Administrative and Budgetary Fifth Committee, and to set up an in-progress review for member states at the fall 2007 meeting of the GA.

Increasing Private-Public Synergies

Given greater resources, private sector contributions across many industry sectors could provide value-added knowledge to global efforts. Several participants acknowledged existing partnership initiatives with private entities in the finance, private security, transportation, and communications sectors. Unfortunately, systematic and comprehensive ways to integrate the private sector into information-sharing efforts still do not exist. Whether in the financial sector, across critical infrastructure industries such as energy and communications, or in multinational corporations, enhanced cooperation is required.

In its coordinating role, the United Nations should therefore start an initiative that draws consistently and regularly on private sector resources and expertise by establishing a Center of Excellence for best practices across industries.

The Role of UN in spreading Education, Intercultural, and Interfaith Initiatives

More educational initiatives are needed to weaken support and sympathy for terrorist activities and groups. Participants acknowledged, however, that government involvement in “education” activities tends to undercut the legitimacy of the moderate groups it might be supporting in the community.

Several participants stressed positive intergovernmental examples by organizations such as ASEAN, which may be seen as more legitimate than individual efforts by state governments. One UN official suggested that the CTITF and UNESCO develop and disseminate education and reeducation materials to avoid agenda-pushing by any individual country. The United Nations, with the cooperation of regional IGOs, can facilitate intercultural and interfaith dialogues by convening global and regional events. Yet such discussions should not limit themselves to counterterrorism. Many participants thought that the issue may be better couched in terms of meeting human security needs. Also, there is a need for such dialogues in non-Muslim countries as well as in the Arab or Islamic world.

Throughout the discussions, participants noted the importance of ensuring that audiences understand that the use of terrorism as a tactic also occurs in Christian, Orthodox, Hindu, Buddhist, and secular societies.

Conference members agreed that the global community will not succeed in implementing the Global Strategy simply by military or security means; the way ahead requires a determined and dedicated holistic effort. Overall, participants identified the need for both concerted short-term or “triage” tactics and longer-term efforts, embracing an incremental approach (toward clearly defined long-term goals) in order to illustrate progress by 2008. Concrete recommendations of both a short-term and longer-term nature included:

Short Term

- Increase and deepen awareness of the strategy and CTITF capabilities among UN members and at the regional levels (top-down). Hold states accountable for progress reports (bottom-up).
- To increase ownership of the process, the secretary-general and others should seek buy-in from member states that have a reputation for taking on challenging issues and moving them forward in the United Nations. In short, the counterterrorism issue and entities such as the CTED and CTITF need more member states as clear and explicit supporters of their activities and mandates.

- Empower the UN counterterrorism community with greater resources, including financial and human resource support, particularly to the CTITF as its current staff resources are already committed to other full-time jobs.
- Help reshape the lexicon of counterterrorism by avoiding terms that ostracize and/or generalize. Promote a public awareness campaign, possibly spearheaded by a special envoy or eminent person.
- Promote awareness of and support program for victims of terrorism, including a UN conference or discussion forum that gives these victims a stronger international voice.
- Review the CTED role and encourage a dual mandate from the GA and SC to illustrate comprehensive support for implementation oversight.
- Glean best practices from other UN, regional, national, private sector, and civil society best practice initiatives (e.g., peacebuilding commission, antimoney laundering networks, regulation of pornography over the Internet, civil aviation security standards).
- Research and catalog efforts by civil society, government, and private sector actors in the areas of education/reeducation and interfaith/intercultural dialogues in an effort to join forces and leverage resources.
- Convene meetings with appropriate private sector leaders and experts to discuss how to better use and counteract the use of the media and Internet by terrorist groups and actors.

Long Term

- Narrow the gap of understanding between the G-8 and G-77 on substantive issues.
- Promote interfaith and intercultural dialogues.
- Maintain an aggressive focus on combating the conditions conducive to terrorism, especially mediating and resolving violent conflict.
- Establish an international counterterrorism center to promote a global policy network.
- Reconcile the dichotomy between counterterrorism and human rights paradigms. Seek and promote common ground.
- Require periodic review of state progress.
- Advocate for a binding definition of terrorism, based on acts rather than actors, to define law enforcement roles, intelligence roles, and universal rules of engagement.
- Over time, empower entities such as the CTITF to coordinate activities in all realms of counterterrorism by states, regional and other IGOs, the private sector, and civil society. Allow and enable the United Nations to add badly needed coherence and governance to donor-recipient relations through such instruments as conferences with “the right 15 people around a table”; better measurement, monitoring, and evaluation capabilities; and more analysis of issues.
- Work toward consistent, reliable, and regularized information-sharing among the private sector, civil society, and governments with particular emphasis on infrastructure protection; creation of norms; and a code of conduct for the media, cultural dialogues, technical advice on communications issues such as terrorist traffic on the Internet, cyberterrorism; and other tasks where private entities or civil society NGOs may have more technical expertise, cultural nuance, and experience with a given problem. Move away from current ad hoc and uncoordinated efforts that, though effective, fall short of leveraging the knowledge inherent in the private sector and civil society.
- Consult with regional organizations for leadership and better on-the ground knowledge when appropriate, and empower the CTED and CTITF to “connect the dots” between concerned regional actors and ongoing global initiatives. Use examples of success such as ASEAN initiatives, European Union-OAS initiatives, and European Union-Caribbean

programs in areas such as education, reeducation, interfaith dialogue, civil society engagement, and intelligence-sharing and enforcement.

Chapter 4: THE NATURE OF THREAT AND PLAN OF ACTION

The Nature Of Threat

Indeed with this current feeling of desperation in regards to the risk of terrorism, it is essential to note that terrorist demonstrations have been submitted for quite a long time and indeed hundreds of years. This is not the first occasion when that it has gotten the consideration of the worldwide group. In 1934 the League of Nations talked about a draft tradition to address the issue of terrorist exercises.

Yet the majority of us can concur that despite the fact that the risk has existed for quite a while, there has been an advancement in its tendency in the course of the last 20 to 30 years—specifically regarding the modernity and span of some transnational terrorist performing artists. This is not to recommend that neighborhood and local terrorist performing artists and associations are unsophisticated or immaterial. An incredible opposite. Numerous UN part states keep on counterring dangers from neighborhood and local gatherings.

Case in point, the residents of Sri Lanka have confronted brutality on account of the Liberation Tigers of Tamil Eelam, all the more ordinarily known as the Tamil Tigers, for over 30 years. In South America, Colombia and a few of its neighboring states keep on tending to the exercises of FARC—the Progressive Armed Forces of Colombia—a gathering whose sources date back to the 1960s. Inside the United States, there have been inner terrorist activities and arrangements some averted and some completed.

In the meantime, the span and advancement of provincial and universal terrorist systems add new measurements to the danger. The destinations of the bunches I already specified have a tendency to be more "national" in nature, for example, looking for an autonomous condition they could call their own, or testing or toppling existing state powers. The destinations of the universal systems tend to be much bigger in extension. Al Qaeda may be the most extraordinary among them and has all the earmarks of being the one getting the most worldwide scope.

As per the US-built Council in light of Foreign Relations, Al Qaeda, "looks for to free Muslim nations of what it sees as the profane impact of the West furthermore, to supplant their administrations with fundamentalist Islamic administrations."

These couple of samples start to delineate the complex way of the terrorist danger. This single word terrorism—is utilized to portray fierce activities utilized by different gatherings to achieve altogether different destinations based upon the points of those imagining them. This is one of the reasons why concurrence on a normal definition has been so troublesome and quarrelsome. The report of the Secretary-General's High-level Panel on Threats, Challenges, and Change incorporated a working meaning of terrorism as

"any activity, notwithstanding activities officially determined by the current traditions on parts of terrorism, the Geneva Conventions and Security Council Resolution 1566 (2004), that is planned to cause demise or genuine real damage to regular folks or non-soldiers, at the point when the motivation behind such act, by its tendency or connection, is to threaten a populace, or to urge a Government or a universal association to do or to go without doing any demonstration."

We are not going invest our time here attempting to concede to a meaning of terrorism. Rather, we will consider the Global Counter-Terrorism Strategy furthermore, inspect

what must be carried out to execute and fortify it. How should we react at all levels? Terrorism dangers are perplexing and dissimilar. They are dispatched both inside and crosswise over national outskirts. They have shifted inspirations. They will oblige a heavenly body of reactions instead of a general "one-size-fits-all" methodology. To the degree the worldwide group limits itself to a disentangled single larger conceptualization, for example, a "war on fear," it might likewise breaking point its capacity to create ideal methodologies also, strategies at the nearby, state, territorial, and global levels that best arrangement with the demonstrations and desires of distinctive performing artists.

We are not going invest our time here attempting to concur on a meaning of terrorism. Rather, we will consider the Global Counter-Terrorism Strategy also, look at what must be carried out to execute and fortify it. How should we react at all levels? Terrorism dangers are mind boggling and unique. They are dispatched both inside and crosswise over national fringes. They have differed inspirations. They will oblige a group of stars of reactions as opposed to a general "one-size-fits-all" methodology. To the degree the universal group limits itself to a streamlined single all-encompassing conceptualization, for example, a "war on fear," it might likewise breaking point its capacity to create ideal procedures what's more, strategies at the nearby, state, provincial, and universal levels that best arrangement with the demonstrations and yearnings of distinctive on-screen characters.

This determination included building the Counter-Terrorism Committee (CTC), whose enrollment is contained each of the 15 individuals from the Security Council. The CTC was given the errand of checking the states' execution of the determination.

- In 2004, Resolution 1535 built the Counter-Terrorism Committee Official Directorate (CTED). The CTED aids the CTC to help states reinforce their ability to battle terrorism. This incorporates working with a wide mixture of worldwide associations and provincial on-screen characters to fabricate collaboration with and elevate support to countries actualizing the different resolutions.
- Also in 2004, Resolution 1540 obliged states to cease from supporting non state on-screen characters endeavoring to get weapons of mass obliteration and conveyance frameworks and to build viable residential controls to keep the multiplication of these things. The Security Council set up the 1540 Committee to survey the execution of this determination.
- That same year, the Security Council embraced Resolution 1566 and set up the 1566 Working Group. The determination censured terrorist goes about as one of the most

genuine dangers to peace and security. The working gathering submits proposals on pragmatic measures that could be forced upon performing artists included or connected with terrorist acts other than those assigned to be under the area of the 1267 Committee.

- In 2005 amid the World Summit, Resolution 1624 was received to arrangement with impelling to confer demonstrations of terrorism. It coordinated the CTC to work with part states to execute the determination.

- Also in 2005 the CTED started doing nation visits. These visits concentrate on usage of Security Council Resolution 1373 and assess the help that a state may need to further execute the determination's procurements.

- He gathered the High-level Panel on Threats, Challenges, and Change that evaluated current dangers to global peace and security. The board's 2004 report referred to what it considered the six most basic dangers, one of which was terrorism, and offered proposals for reinforcing the United Nations' reaction to them.

- In 2005 the Counter-Terrorism Implementation Task Force (CTITF) was created by the secretary-general to guarantee coordination and intelligibility between the different UN substances included in counterterrorism endeavors.

- In 2006 he submitted to the General Assembly his definite suggestions for a worldwide counterterrorism system that helped further guide production of the UN Global Counter-Terrorism Strategy. It's imperative to recognize that while individual states and the United Countries were taking significant activities to address terrorism, territorial associations were doing likewise. These territorial endeavors enveloped everything from judgment of terrorist exercises to direction for their part states, and measures to counter the more extensive transnational terrorist dangers. Formal records were delivered by such crucial associations as ASEAN, the African Union, the OAS, the OSCE, the EU, the G-8, the OIC, the GCC.

The course of action.

That conveys us to our center for the following five days. On September 8, 2006, the UN General Assembly embraced Resolution 60/288—the UN Global Counter-Terrorism Strategy and Plan of Action. The hugeness of this was communicated by General Assembly President Al Khalifa at the formal dispatch of the procedure on September 19, 2006: The death of the determination on the United Nations Global Terrorism Strategy with its Annexed Plan of Action by 192 Member States speaks to a typical confirmation that we, the United Nations, will confront terrorism head on and that terrorism in all its structures and signs, conferred by whomever, wherever and for whatever reason, must be denounced and might not go on without serious consequences.

It denoted the first occasion when that this numerous states settled upon a typical methodology and a solid arrangement of activity. It underscored the dedication of the global group to address terrorism. The Counter-Terrorism Strategy's Plan of Action encouraged all states to speedily consider getting to be gatherings to all current global traditions furthermore, conventions against terrorism and to actualize them, to close a

far reaching tradition on universal terrorism, and to actualize all General Assembly and Security Council resolutions on matters identified with global terrorism. As he presented the system in 2006, 60th General Assembly President Jan Eliasson expressed, The Plan of Action sets out various commonsense and operational measures that will improve our endeavors to battle terrorism. These incorporate the call for Member States and the United Nations framework to venture up their endeavors and reinforce their counterterrorism measures in various solid regions.

The Plan of Action introduces an all encompassing methodology, underlining the requirement for coordination and cognizance inside the United Nations and among allincluded. It is composed into four segments and incorporates in the ballpark of 47 noteworthy measures for actualizing the Counter-Terrorism Strategy.

I. Measures to deliver the conditions helpful for the spread of terrorism incorporate. Prolonged uncertain clashes; dehumanization of casualties of terrorism; absence of standard of law; infringement of human rights; ethnic, national and religious separation; political prohibition; financial minimization; and absence of great administration.

II. Measures to forestall and battle terrorism. This segment concentrates on denying terrorist gatherings access to the intends to do their assaults, to their targets, and to the sought effect of their assaults.

III. Measures to assemble States' ability to avert and battle terrorism and to fortify the part of the UN framework in this respect. This segment perceives that limit assembling in all States is a center component of the worldwide counter-terrorism exertion. It proposes measures to accomplish this and to upgrade coordination and lucidness inside the United Nations framework in advancing global collaboration in countering terrorism.

IV. Measures to guarantee regard for human rights for all and the tenet of law as the key premise of the battle against terrorism. This fourth segment reaffirms that the standard of law and the security and advancement of human rights are crucial to all parts of the

methodology. It likewise focuses on the need to advance and secure the privileges of casualties of terrorism. The degree and differing qualities of the noteworthy measures elevate the significance of compelling joint effort among states, local associations, the United Countries, common society, and the private division. This will without a doubt develop through our considerations.

Planned UN Activities to Date :

Obviously, the United Nations has not been standing still in the course of the last nine months since the dispatch of the system. It keeps on offering counterterrorism instruments and activities. In January the UN Counter-Terrorism Online Handbook was made accessible. It was made by the CTITF to "guarantee general coordination and reasonability in the counter-terrorism endeavors of the United Nations System." It moreover gives "best practices" from different UN associations. A month ago, the CTED dispatched an online database to give data about specialized aid asked for by and gave to states.

The 1267 Committee concerning Al-Qaida and Taliban Sanctions is patching up its methodology and enhancing the rundown of focused on persons and associations.

The 1373 Counter-Terrorism Committee is getting reports from all part states evaluating counterterrorism measures they have taken. Last month, Committee Chairman Arias communicated his desire that all of these reports will have been exhibited to the advisory group at this point. The current status of UN Initiatives The members lauded the appropriation of the Counter-Terrorism Strategy and its added Plan of Action as a noteworthy venture toward a dynamically iron what's more, composed worldwide reaction to a huge security danger. The endorsement of the technique by every one of the 192 part states was seen by members as giving highly required authenticity to the United Nations' counterterrorism endeavors. It was additionally seen as offering more prominent

open doors for the United Nations to work all the more nearly with the private segment, common society, what's more, local associations.

Members invested impressive time talking about strains and motion inside and between UN bodies that were seen as hampering productive procedure execution. Probably the most discriminating issues were:

- A climate of pressure and doubt between the SC and the GA.
- The absence of devoted assets in the CTITF, coupled with the incapability of the CTED. A few members additionally communicated some disarray over the real reason and part of the CTED inside the SC.
- Jurisdictional differences inside and between the GA and SC with respect to which body ought to have the power and obligation regarding actualizing the procedure.
- The impression of counterterrorism as a "Northern" (Northern Hemisphere) concern while the requirement for counterterrorism limit building and advancement help is seen as a "Southern" (Southern Hemisphere) concern—clouding the way that counterterrorism and the improvement motivation are interrelated.
- The "division of work" between the United Nations, territorial associations, furthermore, part states—including the cover and/or rivalry furthermore, or inconsistencies among reciprocal contributor beneficiary connections; part of the way multilateral endeavors at the territorial levels; and general endeavors under UN protection, organizations, and programs. Participants concurred that effective usage relies on upon how individual states draw in with the methodology. And still, at the end of the day, huge difficulties are constraining states' reactions. Those difficulties were: • Developing nations' absence of ability to react to the numerous components of the methodology.

- States effectively captivated with the methodology are troubled with progressing reporting demands that strain their constrained assets.
 - The absence of power and systems to address states who are most certainly not reporting and/or are not in consistence with the technique measures.
 - Redundancy in and an absence of coordination of the preparation endeavors for authorities in creating nations.
- . Ambiguity as to the status of every part nation's advancement in respect to limit building, generally as an aftereffect of an absence of postliminary on preparing exercises.
- A steady absence of checking and assessment of the exercises attempted as indicated by the UN Strategy and Plan of Action.

The confrence report further articulating the course of action

The United Nations Global Counter-Terrorism Strategy was received by the General Assembly (GA) on September 8, 2006 (General Assembly Determination 60/288). The selection of the determination denoted the first time that all part states consented to a far reaching, worldwide, key system on counterterrorism since the issue had preceded the League of Nations in 1934.

The operational goal of the method is condensed by an added "Arrangement of Activity" comprising of four center segments:

I. Measures to deliver the conditions helpful for the spread of terrorism.

II. Measures to forestall and battle terrorism.

III. Measures to assemble states' ability to avoid and battle terrorism and to fortify the part of the United Nations framework in this respect.

IV. Measures to guarantee regard for human rights for all and the tenet of law as the crucial premise of the battle against terrorism. The GA is planned to audit advance on the system and its Plan of Activity in September of 2008, including desperation and impetus for UN organizations, part states, and different on-screen characters to show advance on its usage. To inspect how the global group of intergovernmental associations (IGOs), governments, and transnational on-screen characters could better execute the counterterrorism technique, the Stanley Foundation gathered its 42nd meeting on the United Nations of the Next Decade, "Usage of the UN Global Counterterrorism Strategy," on June 8-13, 2007.

Agents what's more, specialists from the United Nations, territorial associations, national governments, research organizations, and nongovernmental associations (NGOs) met in St. Michaels, Maryland, to talk about how future exercises could be made more successful and sound. The selection of a general, worldwide system was a zenith of endeavors started in light of the terrorist assaults of September 11, 2001. In response

to this deplorable occasion, the Security Council (SC) made through Resolution 1373 a Counter Terrorism Committee (CTC), containing all individuals from the SC. Determination 1373 obliges part states to take various measures to avoid terrorist exercises, to criminalize terrorist activities, and to coordinate in sticking to worldwide counterterrorism instruments.

Course of action blending Religion and Culture

The incorporated methodology looked for in every aspect of the technique could likewise be connected in intra cultural and intra faith dialogs and gatherings. A few members thought the United Nations could encourage such endeavors by gathering universal and

provincial occasions. A few late points of reference were referred to as samples: the G-8 facilitated the World Summit of Religious Leaders in St. Petersburg in July 2006, and the GA facilitated intercultural gatherings in October 2006 and May 2007.

Yet while such activities are sure and dynamic, members noted that these ought not be restricted to counterterrorism. Numerous members asserted that the issue would be better couched regarding meeting human security needs. Countering terrorism might actually be a tangential center of such occasions; the general level headed discussion ought to approach the issue in more extensive terms—

identifying with peace and security, while focusing on the foundations of the radicalization. Furthermore, fanatic belief system that could prompt terrorism. One member highlighted the requirement for interethnic and interfaith dialog in non-Muslim nations, marking down only Islamic-centered activities. Case in point, Russian groups are influenced via occasional movement examples and ethnic also, religious pressures that could likewise profit from worldwide support.

Once more, while terrorism is not only an issue for radicalized Muslims, most members bolstered more prominent consciousness of the empathetic angles of Islam to change imparted (mis)perceptions crosswise over non-Muslim nations. A few members repeated the significance of the cautious utilization of dialect.

Case in point, governments could abstain from marking terrorist warriors as "jihadists" and conflating the kind parts of "battling" or pushing one's confidence with "battling" on the war zone as a terrorist. One member noticed that the best trust for directing dialect and trademarks lies with governments themselves. While it is innovatively impossible to edit and screen the media in any one nation or around the globe (and for sure, this has repercussions on the privilege to free declaration), governments can and do deliberately choose what talk to use accordingly to terrorism, whether in broadcast proclamations, press discharges, press briefings, what's more, the authority arrival of key and doctrinal

reports. In this respect, the exaggeration utilized by both Northern and Southern governments (e.g, "Extraordinary Satan," "Vile forces that be") sustains into, and fuels, existing preferences instead of sparkling light on profitable arrangements. Even from a pessimistic standpoint, government talk can induce savagery among effectively radicalized fragments of their populaces. In this manner state-level tact both open and intergovernmental—ought to be recalibrated and deliberately worded to abstain from adding to the issue of societal radicalization and resistance among UN part states.

Part of United Nations

Regardless of these illustrations, members recognized that legislature association in exercises can undercut the authenticity of the moderate bunches it plans to backing. In this respect, to expand authenticity and accordingly viability, grassroots activities by common society or private part performers will be basic. The most ideal approach to address these issues is to discover the crossing point of government, common society, and private area engages. A few people recognized existing (however to a great extent specially appointed and clumsy) association activities with trans governmental associations, and also private substances in the money related divisions, private security organizations, transportation and correspondence commercial ventures. It was additionally recommended that fusing these private part accomplices toward the begin of structure building will build their acknowledgement of the measures and the attainability of consistence what's more, regulation. A few members cautioned that such exercises ought not concentrate exclusively on a specific religion or society, in light of the fact that terrorist exercises are found in numerous states and religions. One member proposed that confining a training program or different exercises to address more extensive religious and social strains may encourage directs and scatter a portion of the misperceptions in non Muslim nations. The majority of the Muslim members concurred that dividing religion from terrorism could likewise help the more extensive Muslim group to feel less distanced, and maybe make it additionally ready and ready to contribute to the battle against radicalization.

Given these troubles, one UN authority recommended that the CTITF and UNESCO produce instruction and re-teaching materials to abstain from agenda pushing by any individual nation. These materials could be conveyed by means of a mixed bag of media, from paper duplicates to minimized plates and Web messages. It was likewise noticed that Human Rights Watch as of now creates and spreads these sorts of materials. This prompted the recommendation that such projects may be astounding open private organization open doors for the United Nations.

Casualties of terrorism

Numerous members watched that the worldwide group has by and large done little to support the casualties of terrorist acts. Best case scenario, victimized person support has been seen as a state obligation. Yet governments regularly influence terrorist acts to advance bigger political or ideological plans, to the prohibition of the exploited people's requirements. Luckily, the expanded preparation of exploited people's families and the developing data trade among promotion gatherings have raised universal mindfulness and put victimized people's requirements higher on the worldwide motivation. Composed, global advance here will face challenges. Terrorist assaults are regularly executed inside state limits, despite the fact that its exploited people have a tendency to be multinational. Alternately, while more than twelve UN instruments address definitional issues, these instruments solely apply to global terrorism, in this way barring local acts by homegrown guerilla or minority bunches. Hence there is a two-way confound: initially, a remote national who is harmed in a terrorist strike might not get support from the state where the demonstration happened, alternately, worldwide or universal standards may not matter well to a nearby assault by a household dread gathering. In this manner without an exhaustive methodology, the technique's expressed resistance to "all types of terrorism" will miss the mark.

Present and future UN activities recommended making a stage for exploited people's voices, for example, a global meeting, and a genuine dialog with governments and

universal initiative. It was likewise viewed as essential to open what one UN member called three "tomahawks of correspondence":

Exploited people to exploited people

Victimized people to governments

Government to government.

By requesting best practices in these fields, the United Nations can add to a system or set of measures that supporter for sufficient victimized person aid in future reactions to terrorist assaults. For instance, one member referred to Israel's help to exploited people as among the best. Members additionally focused that future activities must bolster casualties of all races, religions, sexual orientations, furthermore, political philosophies.

Past the quick esteem to the exploited people themselves, these exercises are likewise a capable method for disheartening terrorist enrollment and instigation exercises. A few members contended for the need to put a human face on the casualties of terrorism. For instance, the confirmations of exploited people or crew individuals could be conveyed by means of the Internet and other media as an open rejoinder to terrorist promulgation. Associations, for example, Human Rights Watch are now utilizing these sorts of activities to instruct common society and advocate for exploited people's necessities and rights. Numerous members watched that the universal group has on the whole done little to aid the casualties of terrorist acts. Best case scenario, exploited person aid has been seen as a state obligation. Yet governments regularly influence terrorist acts to advance bigger political or ideological motivation, to the rejection of the exploited people's necessities.

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despite the fact that its exploited people have a tendency to be multinational. On the other hand, while more than twelve UN instruments address definitional issues, these instruments exclusively apply to global terrorism, in this way barring residential acts by homegrown extremist or minority bunches. In this way there is a two-way bungle: first and foremost, a remote national who is harmed in a terrorist strike might not get help from the state where the demonstration happened, then again, worldwide or global standards may not have any significant bearing admirably to a neighborhood assault by a local fear bunch. Consequently without a complete methodology, the method's expressed resistance to "all manifestations of terrorism" will miss the mark.

Plan to make the Media, Internet and common society more vigilant.

There was harsh agreement that the nature, tone, and degree of media scope all impact open recognitions. At the same time notwithstanding the accord on the need to investigate the part of the broad communications and the Internet in countering terrorism, for instance by reassuring media outlets to reprimand terrorist belief system and activities while highlighting the situation of exploited people, members were questionable about what amount common society or governments can impact a move in scope.

The media is in a troublesome position. From one viewpoint, demonstrating realistic points of interest of wrongdoing scenes; executions; and harmed exploited people makes effective pictures, uncovered rising dangers, and backings the right to speak freely. Each of these can additionally help manufacture an argument against terrorism. Then again, these media pictures can be misused. Case in point, by damaging exploited people's families, sensationalizing savagery, and over and again demonstrating realistic pictures of devastation, the media can really publicize the terrorists' reason, fortify view of the terrorists' "prosperity," and overstate the significance and greatness of the demonstrations, at last making precisely the atmosphere of trepidation and shakiness that the terrorists are attempting to make. While dread occasions and the battle against

terrorism have been forefront news throughout the previous couple of years, dramatist scope can prompt open weariness, separation, or irresoluteness.

There is an almost negligible difference between utilizing the media for prompting or promulgation and utilizing it for training and securing the right to speak freely. Numerous members blamed the media for giving careful consideration to Islamic fanatics and "worldwide jihad" developments. This proceeded with media center aides make a solid connection in the Western personality in the middle of Islam and terrorism. The impact is that Muslim groups feel criticized. All through the exchanges, members noticed the significance of guaranteeing that gatherings of people comprehend that terrorism additionally happens in Christian, Conventional, Hindu, Buddhist, and common social orders. Despite the fact that no member bolstered control, a few members needed to discover more adequate portrayals of issues that don't estrange furthermore, or shun groups while adjusting this point of view with an exact representation of realities on the ground. In spite of the fact that the general population has a right to be educated, scope ought not abuse victimized people or serve the motivation of the culprits. In the mean time, Internet-based activism has changed the way of social and political developments, from terrorists affecting or commending viciousness to support by exploited people's gatherings. Terrorist associations have immediately figured out how to influence new data and correspondence advancements, frequently changing themselves into natural social developments and making their straightforward yet effective instruments accessible to anybody with Internet access.

One member noticed that the examination of late terrorist captures in an Middle Easterner nation uncovered that a greater part of the culprits had been enrolled then again radicalized over the Internet. Terrorists' utilization of the Internet to spread their belief system, actuate roughness, and take part in other criminal exercises has no limits. The Internet has engaged displeased residents far and wide to be makers, not just purchasers, of terrorist philosophies. It has too given gatherings simple access to potential enlisted

people. Most members asserted that, to some degree, governments have not done what's necessary to screen or control these Web-based exercises.

In any case, government brainpower and law authorization organizations are frequently obliged by an absence of dialect aptitudes and legitimate hindrances. They likewise have a tendency to have lacking or incapable re-informing and open tact abilities. Besides, endeavors to close down terrorist Web locales don't fundamentally tackle the issue. Terrorists can without much of a stretch move their Web information to an alternate server, one that may be considerably more troublesome for an administration to spot or track. In some cases, it might be more profitable to screen a terrorist Web website with a specific end goal to gather important information on clients. IGOs, and Governments.

Most members upheld the foundation of an implicit rules for non Internet media and perhaps even authorization measures for clear occasions of terrorist induction. Notwithstanding, they differ on oversight; on what really constitutes the distinctions among news, publicity, and/or impelling; what's more, how the global group could reasonably execute such a set of accepted rules. The global group, the CTED, and the

CTITF have almost no capacity to edit or direct the media during a time of immediate media transmissions. This is particularly valid for appropriation toward oneself on the World Wide Web, where no journalistic principles or editors are present to take part in dialog and standard setting, and un-verified data is instantly accessible to anybody.

In spite of these hindrances, members tabled a few recommendations for the CTED also, CTITF: elevate mindfulness in part conditions of worthy guidelines of work on; unite officials, the private part, and specialized and practical specialists to address the

difficulties; and make an all inclusive yet willful set of principles or UN-drove worldwide tradition on the media also, Internet.

Members concurred that viable counter messaging and advancement methods also, strategies must be made and spread at the state, local, and universal levels to counter the talk of terrorists and fanatics. Governments and IGOs must get to be more deft, adroit, and inventive in utilizing new media and Internet advances. Abnormal state UN ambassadors could likewise endeavor to dispatch an open mindfulness battle with media outlets far and wide.

One individual from the CTITF referred to the significance of including interchanges organizations and common society aggregates in this exertion, including municipal gathering that are attempting to battle radicalism and radicalization in their own communities. Not just is their aptitude fundamental, yet this could likewise fortify connections and fabricate abundantly required associations with different segments, while using those on-screen characters most persuaded to change existing conditions: organizations that need their administrations and advances utilized capably, and community assembles that need to build the success and prosperity they could call their own constituents.

Chapter 5 : Terrorism in the light of Human Rights

Viewing Terrorism Through the Frame of Human Rights Protections

One participant emphasized the importance of security sector reform as states develop their own counterterrorism strategies. As individual member states are given aid to bolster their law enforcement efforts, measures should be taken to ensure accountability, transparency, and involvement from independent judiciaries.

In the face of terrorism The rights of individual citizens could be at risk, including:

- Right to life. Protection from the controversial use of overwhelming military strikes against suspects, shoot-to-kill policies, and expansion of death penalties is necessary to ensure that counterterrorism actions are seen as legitimate and do not lead to more radicalization.
- Right to nondiscrimination. Protection from growing animosity against ostracized groups, both globally (in regard to Muslims) and locally (for minority ethnic, religious, or cultural groups who may house some violent elements at the domestic level) is necessary to avoid indiscriminate policies.
- Right of free speech. Freedom of public expression against government actions (e.g., via the Internet and media) needs to be protected.
- Right to property. The United Nations and national governments should not freeze assets without due process.

- Right to a fair trial and protection from arbitrary detention without charge. Adjudicated courts should be used to vet suspects.
- Right to be free of torture and other ill treatment. Freedom from abuse or torture to obtain intelligence is necessary, not only to protect the human rights of suspects but also to increase the effectiveness of counterterrorism efforts. Forced confessions may not always lead to better enforcement, and proper police procedures actually improve the reliability of intelligence obtained.

Others countered that terrorists threaten these same rights, and the demands of protecting innocent civilians from terrorist attacks will inevitably mean that civil society will have to sacrifice some of these rights. One national representative noted that government officials live in an age of instant information where citizens demand increased protection from the negative externalities of globalization, and where even one high-impact explosion or attack is viewed as a failure to protect citizens. Governments must therefore logically follow procedures of preemptive detainment if tactical intelligence shows that a terrorist act is highly likely in the immediate future. Not surprisingly, given these pressures, the legal framework and mindset of many involved in intelligence, law enforcement, and lawmaking believe that the same citizens who want security should be willing to sacrifice some rights to preserve it.

Several participants said that one way to balance these competing demands is to strengthen national and international legal frameworks to make sure that “preemptive detentions” adhere to a reasonable and constrained amount of time; sequestering of potential suspects should not go on forever, as has often been the case with overloaded court systems. Also, it has been a practice of police and intelligence agencies in both the North and the South to detain people as long as it takes to garner evidence that validates their original suspicions; this sort of practice should be clearly constrained. In this regard, many participants argued against the US position that its citizens have rights that foreign visitors or immigrants do not. The majority thought that domestic constitutional guarantees on due process and the rule of law should apply to all people in a country,

whether they are nationals or not. Among developed countries, the United States was generally seen as standing apart on this issue in comparison to other developed/Northern countries such as those of the EU, which apply the same due process standards to all people detained on member states' territory.

Chapter 5: Impacts of United Nations Counter-terrorism Strategy On India

Terrorism status in India.

The districts with long haul terrorist exercises have been Jammu and Kashmir, east-focal and south-focal India (Naxalism) and the Seven Sister States. In August 2008, National Security Advisor M K Narayanan has said that there are upwards of 800 terrorist cells working in the country. As of 2013, 205 of the nation's 608 areas were influenced by terrorist activity. Terror assaults created 231 regular citizen passing in 2012 in India, contrasted with 11,098 fear brought about passing around the world, as per the State Department of the United States; or around 2% of worldwide dread fatalities while it represents 17.5% of worldwide population.

Media reports have asserted and involved terrorism in India to be supported by Pakistan, especially through its Inter-Services Intelligence (ISI). In 2012, the US blamed Pakistan for empowering and disregarding against India terrorist cells taking a shot at its dirt; in any case, Pakistan has denied its involvement.

The eighth provide details regarding terrorism in India distributed in 2008 characterized terrorism as what might as well be called war crime. A demonstration of fear in India incorporates any purposeful demonstration of roughness that causes passing, harm or property harm, prompts fear, and is focused against any gathering of individuals recognized by their political, philosophical, ideological, racial, ethnic, religious or whatever other nature. This portrayal is like one gave by the United Nations' in 2000.

The Indian government utilizes the accompanying working meaning of terrorism, same as one generally utilized by Western countries and the United Nations, proposed by Schmid and Jongman in 1988.

Terrorism is a nervousness motivating strategy for rehashed fierce activity, utilized by (semi-) stealthy individual, gathering or state performing artists, for quirky, criminal or

political reasons, whereby the direct focuses of brutality are not the primary targets. The quick human casualties of viciousness are by and large picked arbitrarily (focuses of chance) or specifically (illustrative or typical focuses) from a target populace, and serve as message generators. Risk and viciousness based correspondence forms between terrorist association, victimized people, and principle targets are utilized to control the primary target (audience(s)), transforming it into a focus of dread, a focus of requests, or a focus of consideration, contingent upon whether intimidation, compulsion, or publicity is fundamentally looked for.

—Alex Schmid and Albert Jongman

India subdivides terrorism in four noteworthy groups:

1. Ethno-patriot terrorism - This manifestation of dread concentrates either (an) on making a different State inside India or free of India or in a neighboring nation, or (b) on accentuating the perspectives/reaction of one ethnic gathering against another. Savage Tamil Nationalist gatherings from India to address the state of Tamils in Sri Lanka, and radical tribal gatherings in North East India are illustrations of ethno-patriot terrorist activities.
2. Religious terrorism - This manifestation of fear spotlights on religious objectives, an assumed obligation or in solidarity for a particular religious gathering, against one or more religious gatherings. Mumbai 26/11 dread assault in 2008 from an Islamic gathering in Pakistan is a sample of religious terrorism in India.

3. Left wing terrorism - This manifestation of fear spotlights on monetary philosophy, where all the current socio-political structures are seen to be monetarily exploitative in character and a progressive change through vicious means is essential. The belief system of Marx, Engel, Mao, Lenin and others are considered as the main substantial financial way. Maoist savagery in Jharkhand and Chhattisgarh are samples of left wing terrorism in India.

4. Narco terrorism - This manifestation of fear spotlights on making unlawful opiates movement zones. Drug viciousness in northwest India is a sample of narco-terrorism in India.

Resolution 47

Resolution 47 (1948)

On the India-Pakistan question submitted jointly by the Representatives for Belgium, Canada, China, Colombia, the United Kingdom and United States of America and adopted by the Security Council at its 286th meeting held on 21 April, 1948.

(Document No. 5/726, dated the 21st April, 1948).

THE SECURITY COUNCIL

Having considered the complaint of the Government of India concerning the dispute over the State of Jammu and Kashmir, having heard the representative of India in support of that complaint and the reply and counter complaints of the representative of Pakistan.

Being strongly of opinion that the early restoration of peace and order in Jammu and Kashmir is essential and that India and Pakistan should do their utmost to bring about cessation of all fighting. Noting with satisfaction that both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite, Considering that the continuation of the dispute is likely to endanger international peace and security, Reaffirms its resolution 38 (1948) of 17 January 1948;

- Resolves that the membership of the Commission established by its resolution 39 (1948) January 1948, shall be increased to five and shall include, in addition to the membership mentioned in that Resolution, representatives of... and ..., and that if the membership of the Commission has not been completed within ten days from the date the adoption of this resolution the President of the Council may designate such other Member or Members of the United Nations as are required to complete the membership of five;

Instructs the Commission to proceed at once to the Indian subcontinent and there place its good offices and mediation at the disposal of the Governments of India and Pakistan with a view to facilitating the taking of the necessary measures, both with respect to the restoration of peace and order and to the holding of a plebiscite by the two (Governments, acting in co-operation with one another and with the Commission, and further instructs the Commission to keep the Council informed of the action taken under the resolution; and, to this end.

Recommends to the Governments of India and Pakistan the following measures as those which in the opinion of the Council and appropriate to bring about a cessation of the fighting and to create proper conditions for a free and impartial plebiscite to decide whether the State of Jammu and Kashmir is to accede to India or Pakistan.

A - RESTORATION OF PEACE AND ORDER

1. The Government of Pakistan should undertake to use its best endeavours:

(a) To secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistani nationals not normally resident therein who have entered the State for the purposes of fighting, and to prevent any intrusion into the State of such elements and any furnishing of material aid to those fighting in the State;

(b) To make known to all concerned that the measures indicated in this and the following paragraphs provide full freedom to all subjects of the State, regardless of creed, caste, or party, to express their views and to vote on the question of the accession of the State, and that therefore they should co-operate in the maintenance of peace and order.

2. The Government of India should:

(a) When it is established to the satisfaction of the Commission set up in accordance with the Council's Resolution 39 (1948) that the tribesmen are withdrawing and that arrangements for the cessation of the fighting have become effective, put into operation in consultation with the Commission a plan for withdrawing their own forces from Jammu and Kashmir and reducing them progressively to the minimum strength required for the support of the civil power in the maintenance of law and order;

(b) Make known that the withdrawal is taking place in stages and announce the completion of each stage; When the Indian forces shall have been reduced to the minimum strength mentioned in (a) above, arrange in consultation with the Commission for the stationing of the remaining forces to be carried out in accordance with the following principles:

(i) That the presence of troops should not afford any intimidation or appearance of intimidation to the inhabitants of the State;

(ii) That as small a number as possible should be retained in forward areas;

(iii) That any reserve of troops which may be included in the total strength should be located within their present base area.

3. The Government of India should agree that until such time as the plebiscite administration referred to below finds it necessary to exercise the powers of direction and supervision over the State forces and policy provided for in paragraph 8, they will be held in areas to be agreed upon with the Plebiscite Administrator.

4. After the plan referred to in paragraph 2 (a) above has been put into operation, personnel recruited locally in each district should so far as possible be utilised for the re-establishment and maintenance of law and order with due regard to protection of minorities, subject to such additional requirements as may be specified by the Plebiscite Administration referred to in paragraph 7.

5. If these local forces should be found to be inadequate, the Commission, subject to the agreement of both the Government of India and the Government of Pakistan, should arrange for the use of such forces of either Dominion as it deems effective for the purpose of pacification.

6. The Government of India should undertake to ensure that the Government of the State invite the major political groups to designate responsible representatives to share equitably and fully in the conduct of the administration at the ministerial level, while the plebiscite is being prepared and carried out.

7. The Government of India should undertake that there will be established in Jammu and Kashmir a Plebiscite Administration to hold a Plebiscite as soon as possible on the question of the accession of the State to India or Pakistan.

8. The Government of India should undertake that there will be delegated by the State to the Plebiscite Administration such powers as the latter considers necessary for holding a fair and impartial plebiscite including, for that purpose only, the direction and supervision of the State forces and police.

9. The Government of India should at the request of the Plebiscite Administration, make available from the Indian forces such assistance as the Plebiscite Administration may require for the performance of its functions.

10. (a) The Government of India should agree that a nominee of the Secretary-General of the United Nations will be appointed to be the Plebiscite Administrator. The Plebiscite Administrator, acting as an officer of the State of Jammu and Kashmir, should have authority to nominate the assistants and other subordinates and to draft regulations governing the Plebiscite. Such nominees should be formally appointed and such draft regulations should be formally promulgated by the State of Jammu and Kashmir.

The Government of India should undertake that the Government of Jammu and Kashmir will appoint fully qualified persons nominated by the Plebiscite Administrator to act as special magistrates within the State judicial system to hear cases which in the opinion of the Plebiscite Administrator have a serious bearing on the preparation and the conduct of a free and impartial plebiscite. The terms of service of the Administrator should form the subject of a separate negotiation between the Secretary-General of the United Nations and the Government of India. The Administrator should fix the terms of service for his assistants and subordinates.

The Administrator should have the right to communicate directly, with the Government of the State and with the Commission of the Security Council and, through the Commission, with the Security Council, with the Governments of India and Pakistan and with their representatives with the Commission. It would be his duty to bring to the notice of any or all of the foregoing (as he in his discretion may decide) any circumstances arising which may tend, in his opinion, to interfere with the freedom of the Plebiscite.

11. The Government of India should undertake to prevent to give full support to the Administrator and his staff in preventing any threat, coercion or intimidation, bribery or other undue influence on the voters in the plebiscite, and the Government of India should publicly announce and should cause the Government of the State to announce this undertaking as an international obligation binding on all public authorities and officials in Jammu and Kashmir.

12. The Government of India should themselves and through the Government of the State declare and make known that all subjects of the State of Jammu and Kashmir, regardless of creed, caste or party, will be safe and free in expressing their views and in voting on the question of the accession of the State and that there will be freedom of the Press, speech and assembly and freedom of travel in the State, including freedom of lawful entry and exit.

13. The Government of India should use and should ensure that the Government of the State also use their best endeavor to effect the withdrawal from the State of all Indian nationals other than those who are normally resident therein or who on or since 15th August 1947 have entered it for a lawful purpose.

14. The Government of India should ensure that the Government of the State releases all political prisoners and take all possible steps so that:

(a) all citizens of the State who have left it on account of disturbances are invited and are free to return to their homes and to exercise their rights as such citizens;

(b) there is no victimisation; minorities in all parts of the State are accorded adequate protection.

15. The Commission of the Security Council should at the end of the plebiscite certify to the Council whether the plebiscite has or has not been really free and impartial.

C - GENERAL PROVISIONS

16. The Governments of India and Pakistan should each be invited to nominate a representative to be attached to the Commission for such assistance as it may require in the performance of its task.

17. The Commission should establish in Jammu and Kashmir such observers as it may require of any of the proceedings in pursuance of the measures indicated in the foregoing paragraphs.

18. The Security Council Commission should carry out the tasks assigned to it herein.

The Security Council voted on this Resolution on 21-4-1948 with the following result:

In favour: Argentina, Belgium, Canada, China, France, Syria, U.K. and U.S.A.

Against: None

Abstaining: Belgium, Colombia, Ukrainian S.S.R. and U.S.S.R.

United Nations Security Council Resolution 47, received on April 21, 1947, in the wake of listening to contentions from both India and Pakistan the Council expanded the measure of the Commission created by United Nations Security Council Resolution 49 to five individuals, educated the Commission to go to the subcontinent and help the legislatures of India and Pakistan restore peace and request to the locale and get ready for a plebiscite to choose the destiny of Kashmir. The determination was gone by United Nations Security Council under section VI of UN Charter. Resolutions went under Chapter VI of UN contract are considered non tying and have no compulsory enforceability instead of the resolutions went under Chapter VII.

In March 2001, the then Secretary-General of the United Nations, Kofi Annan amid his visit to India and Pakistan, remarked that Kashmir resolutions are just consultative proposals and contrasting and those on East Timor and Iraq was similar to looking at fruits and oranges, since those resolutions were gone under part VII, which make it enforceable by UNSC. In 2003, then Pakistan President Pervez Musharraf reported that Pakistan was willing to back off from interest for UN resolutions for Kashmir. Moreover, in November 2010, United Nations prohibited Jammu and Kashmir from its yearly rundown of uncertain worldwide debate under the perception of the United Nations Security Council.

The determination prescribed that with a specific end goal to guarantee the absence of prejudice of the plebiscite Pakistan withdraw all tribesmen and nationals who entered the area with the end goal of battling and that India leave just the base number of troops expected to keep common request. The Commission was additionally to send the same number of onlookers into the area as it considered important to guarantee the procurements of the determination were sanctioned. Pakistan disregarded the UN command, did not withdraw its troops and guaranteed the withdrawal of Indian strengths was an essential according to this resolution. Indian case is that Subsequently Pakistan declined to actualize the plebiscite until India consents to it and kept clutching the part of Kashmir under its control.

Chapter 6: International Criminal Court and Terrorism

International Criminal Court and terrorism.

The International Criminal Court (ICC) is an intergovernmental organization and international tribunal that sits in The Hague in the Netherlands. The ICC has the jurisdiction to

prosecute individuals for the international crimes of genocide, crimes against humanity, and war crimes. The ICC is intended to complement existing national judicial systems and it may therefore only exercise its jurisdiction when certain conditions are met, such as when national courts are unwilling or unable to prosecute criminals or when the United Nations Security Council or individual states refer investigations to the Court. The ICC began functioning on 1 July 2002, the date that the Rome Statute entered into force. The Rome Statute is a multilateral treaty which serves as the ICC's foundational and governing document. States which become party to the Rome Statute, for example by ratifying it, become member states of the ICC. Currently, there are 123 states which are party to the Rome Statute and therefore members of the ICC.

The ICC has four principal organs: the Presidency, the Judicial Divisions, the Office of the Prosecutor, and the Registry. The President is the most senior judge chosen by his or her peers in the Judicial Division, which hears cases before the Court. The Office of the Prosecutor is headed by the Prosecutor who investigates crimes and initiates proceedings before the Judicial Division. The Registry is headed by the Registrar and is charged with managing all the administrative functions of the ICC, including the headquarters, detention union, and public defense office.

The Office of the Prosecutor has opened nine official investigations and is also conducting an additional nine preliminary examinations. Thus far, 36 individuals have been indicted in the ICC, including Ugandan rebel leader Joseph Kony, Sudanese president Omar al-Bashir, Kenyan president Uhuru Kenyatta, Libyan leader Muammar Gaddafi, and Ivorian president Laurent Gbagbo. Since all of the official investigations have been in Africa, the Office of the Prosecutor has been accused of selective enforcement and Western imperialism towards African countries.

INTERNATIONAL TRIALS

Saddham Husein Trial

The Trial of Saddam Hussein was the trial of the removed President of Iraq Saddam Hussein by the Iraqi Interim Government for criminal acts against humankind amid his time in office. The Coalition Provisional Authority voted to make the Iraqi Special Tribunal (IST), comprising of five Iraqi judges, on 9 December 2003, to attempt Saddam Hussein and his assistants for charges of war criminal acts, wrongdoings against humankind, and genocide.

The trial was seen by numerous as a kangaroo court or show trial. Amnesty International expressed that the trial was "unfair," and Human Rights Watch noticing that Saddam's execution "takes after an imperfect trial and imprints a huge step far from the tenet of law in Iraq."

Saddam was caught on 13 December 2003. He stayed in care by United States powers at Camp Cropper in Baghdad, alongside eleven senior Ba'athist authorities. Specific consideration was paid amid the trial to exercises in brutal crusades against the Kurds in the north amid the Iran–Iraq War, against the Shiites in the south in 1991 and 1999 to put down rebellions, and in Dujail after a fizzled death endeavor on 8 July 1982, amid the Iran–Iraq War. Saddam stated with all due respect that he had been unlawfully toppled, was still the president of Iraq.

The principal trial started before the Iraqi Special Tribunal on 19 October 2005. At this trial Saddam and seven different litigants were striven for wrongdoings against humankind with respect to occasions that occurred after a fizzled death endeavor in Dujail in 1982 by individuals from the Islamic Dawa Party (see likewise human rights ill-uses in Iraq). A second and separate trial started on 21 August 2006,[9] attempting Saddam and six co-litigants for genocide amid the Anfal military crusade against the Kurds of northern Iraq. Saddam might likewise have been attempted in absentia for

occasions dating to the Iran–Iraq War and the intrusion of Kuwait, including atrocities, law violations against mankind, and genocide.

On 5 November 2006, Saddam was sentenced to death by hanging. On 26 December, Saddam's appeal was rejected and capital punishment maintained. No further offers were taken and Saddam was requested executed inside 30 days of that date. The date and spot of the execution were mystery until the sentence was conveyed out.[10] Saddam Hussein was executed by hanging on 30 December 2006.[11] With his demise, all different charges were dropped.

Bahr Abu Garda Trial

Bahr Abu Garda was indicted on 7 May 2009 on three counts of war crimes with regard to the situation in Darfur, Sudan. Abu Garda was alleged to have been a commander of a splinter group of the Justice and Equality Movement (JEM), a rebel group fighting in the Darfur conflict against the Sudanese government. He was accused of leading JEM forces under his command (in conjunction with other rebel forces) in a raid on the Haskanita base of the African Union Mission in Sudan (AMIS) on 29 September 2007, in which 12 AMIS peacekeepers were killed and eight were seriously injured; the base was also extensively damaged. Abu Garda was accused of being criminally responsible for murder, pillaging, and "intentionally directing attacks against personnel, installations, materials, units and vehicles involved in a peacekeeping mission". Abu Garda was summoned to appear before the Court on 18 May 2009 and the confirmation of charges hearing was held from 19 October 2009 to 30 October 2009. On 8 February 2010 Pre-Trial Chamber I ruled that the charges against him would not be confirmed. On 23 April 2010 Pre-Trial Chamber I rejected the Prosecutor's application to appeal its decision, thus ending the proceedings in the case.

Mohammed Hussein Ali Trial

Mohammed Ali was prosecuted on 8 March 2011 on five counts of criminal acts as a detriment to humankind as to the circumstance in the Republic of Kenya. Ali, who at the time was the Commissioner of the Kenya Police, was asserted to have contrived with Francis Muthaura, a guide of Kenyan President Mwai Kibaki, to request the police constrains that he charged not to intercede in halting viciousness executed by Mungiki powers faithful to President Kibaki amid post-race roughness from 27 December 2007 to 29 February 2008. Ali was claimed to be criminally in charge of killings, expulsions, assaults and different manifestations of sexual brutality, abuses, and other unfeeling acts executed by Mungiki against regular citizens who were seen to be faithful to the Orange Democratic Movement (the political party of President Kibaki's opponent) in the towns of Kibera, Kisumu, Naivasha, and Nakuru. Ali was summoned to show up in the eyes of the Court on 8 April 2011 and the affirmation of charges hearing was held from 21 September 2011 to 5 October 2011, in conjunction with the arguments against Muthaura and Uhuru Kenyatta. On 23 January 2012, Pre-Trial Chamber II chose not to affirm the charges against Ali, in this way finishing the procedures against him.

Abdallah Banda Trial

Abdallah Banda was arraigned on 27 August 2009 on three tallies of war law violations with respect to the circumstance in Darfur, Sudan. Banda is asserted to have been an officer of a chip gathering of the Justice and Equality Movement (JEM), a revolutionary gathering battling in the Darfur clash against the Sudanese government. He is blamed for driving JEM constrains under his order (in conjunction with other revolutionary strengths) in a strike on the Haskanita base of the African Union Mission in Sudan (AMIS) on 29 September 2007, in which 12 AMIS peacekeepers were murdered and eight were genuinely harmed; the base was additionally widely damaged. Banda is blamed for requesting murders, plundering, and "deliberately coordinating assaults against work force, establishments, materials, units and vehicles included in a peacekeeping mission". Banda was summoned to show up in the witness of the Court on

17 June 2010 and the affirmation of charges hearing was hung on 8 December 2010, in conjunction with the argument against Saleh Jerbo. On 7 March 2011 Pre-Trial Chamber I affirmed all the charges against him. On 11 September 2014, Trial Chamber IV supplanted the summons to show up with a capture warrant and suspended the case until Banda shows up in court.

Walter Barasa Trial

Walter Barasa was prosecuted on 2 August 2013 on three counts of offenses as a detriment to the organization of equity (hatred of court) as to the circumstance in the Republic of Kenya. The warrant of capture against Barasa was unlocked on 2 October 2013. Barasa was "a previous middle person for the Prosecutor in the setting of the examination on the circumstance in Kenya" and is blamed for two tallies of corruptly affecting a witness and one check of endeavoring to corruptly impact a witnesses. The Prosecutor claims that from 20 May to 25 July 2013 in Kampala, Uganda, Barasa influenced or endeavored to convince three secured witnesses to withdraw their participation to the arraignment. In particular, he offered one witness somewhere around 1,000,000 and 1,500,000 Kenyan shillings, a second witness 1,400,000 shillings, and a third witness an impelling to meet with a mediator "with the end goal of offering her a bribe". Barasa is presently in Kenya, where the legislature started removals procedures against him. In January 2014, the High Court of Kenya decided that he can be removed, yet he is right now engaging the ruling.

Omar al-Bashir Trial

Omar al-Bashir was arraigned on 4 March 2009 on five counts of unlawful acts as a detriment to mankind and two numbers of war law violations as to the circumstance in

Darfur, Sudan. On 12 July 2010 he was moreover accused of three tallies of genocide. During the Darfur clash (particularly from April 2003 to 14 July 2008), al-Bashir, from his position as President of Sudan, is blamed for executing an administration arrangement that utilized the state device (the military, police, security, and Janjaweed strengths) to assault Fur, Masalit, and Zaghawa populaces that were seen to be thoughtful to revolt bunches. Al-Bashir is blamed for requesting the assault, murder, killing, coercive exchange, and torment of regular folks, and in addition the plundering of various towns and camps. Additionally, he is blamed for meaning to incompletely demolish the Fur, Masalit, and Zaghawa ethnic gatherings by killings, "bringing about genuine real or mental mischief", and "deliberately causing states of life figured to achieve physical devastation" of the ethnic groups. The Court has issued two capture warrants for al-Bashir and he is presently a criminal transparently living in Sudan, where he serves as President. In that capacity Sudanese state approach has been not to chip in with the Court. Since the warrants have been issued, al-Bashir has gone to a few different nations and has not been captured. Among the districts he flew out to incorporate Chad, Kenya, Djibouti, and Malawi which are states gatherings to the Rome Statute, and were thusly committed to have captured him. On 26 March 2013, Pre-Trial Chamber II made a finding that Chad had neglected to collaborate with the Court and accordingly alluded the resistance to the Security Council. On 5 September 2013, then again, Pre-Trial Chamber II found that a comparative visit to Nigeria did not constitute rebelliousness, however it asked for Nigeria "to promptly capture Omar Al Bashir and surrender him to the Court ought to a comparable circumstance emerge in the future".

Jean-Pierre Bemba Trial

Jean-Pierre Bemba was prosecuted on 23 May 2008 on two counts of wrongdoings as a detriment to mankind and four numbers of war law violations as to the circumstance in the Central African Republic (CAR). On 10 June 2008, the capture warrant was changed and the charges changed to three counts of unlawful acts as a detriment to humankind and five tallies of war crimes. Bemba is affirmed to have driven the Movement for the Liberation of the Congo (MLC), a Congolese dissident gathering, into the CAR after Central African President Ange-Félix Patassé looked for Bemba's aid in smothering an insubordination drove by François Bozizé. Bemba was blamed for being criminally in charge of demonstrations of assault, torment, "insults upon individual pride", murder, and plunder that happened in the towns and urban areas of Bangui, Bossangoa, Bossembélé, Damara, and Mongoumba from 25 October 2002 to 15 March 2003. Bemba was captured in Belgium on 24 May 2008, exchanged to the Court's authority on 3 July 2008, and first brought under the watchful eye of the Court the following day. The affirmation of charges hearing was held from 12 to 15 January 2009, and on 15 June 2009 Pre-Trial Chamber II incompletely affirmed the charges against Bemba, observing that he would stand trial for two counts of unlawful acts as a detriment to mankind and three tallies of war wrongdoings. In particular, Pre-Trial Chamber II declined to affirm the charges of torment or "shocks upon individual dignity". The trial against Bemba started on 22 November 2010 and is on going.

Charles Blé Goudé Trial

Charles Blé Goudé was indicted on 21 December 2011 with four counts of crimes against humanity with regard to the situation in the Republic of Côte d'Ivoire. As the leader of the Congrès Panafricain des Jeunes et des Patriotes, the youth organization that supported Ivorian President Laurent Gbagbo, Blé Goudé is alleged to have been "an indirect co-perpetrator" in Gbagbo's organized plan of systematic attacks against civilians in and around Abidjan, including in the vicinity of the Golf Hotel, during post-election violence that began on 28 November 2010. Fighters under the command of Gbagbo are alleged to have murdered, raped, persecuted, and inhumanly treated civilians who were perceived to

be supporters of Alassane Ouattara, Gbagbo's opponent in the 2010 presidential election. Blé Goudé was arrested on 17 January 2013 in Ghana, and extradited to Côte d'Ivoire the next day. On 22 March 2014, the Ivorian government transferred Blé Goudé to the Court's custody. He arrived at the Court's detention center in The Hague on 23 March. The confirmation of charges hearing was held from 29 September to 2 October 2014, and on 11 December 2014, the Pre-Trial Chamber confirmed all the charges against Blé Goudé, thereby committing him to trial. On 11 March 2015, the Trial Chamber joined the cases against Blé Goudé and Laurent Gbagbo.

Muammar Gaddafi Trial

Muammar Gaddafi was indicted on 27 June 2011 on two counts of crimes against humanity with regard to the situation in Libya. As the Leader of the Revolution (the de facto head of state) and Commander of the Armed Forces of Libya he allegedly planned, in conjunction with his inner circle of advisers, a policy of violent oppression of popular uprisings in the early weeks of the Libyan civil war. He allegedly formulated a plan in response to the 2011 Tunisian and Egyptian revolutions whereby Libyan state security forces under his authority were ordered to use all means necessarily to quell public protests against his government. From 15 February 2011 until at least 28 February 2011, forces from government-organized militias, the national police, the Libyan Armed Forces, the Revolutionary Guard Corps, and other security services, acting under Gaddafi's orders, allegedly murdered hundreds of civilians and committed "inhuman acts that severely deprived the civilian population of its fundamental rights" in the cities of Ajdabiya, Bayda, Benghazi, Derna, Misrata, Tobruk, and Tripoli. Gaddafi was killed in the Libyan city of Sirte on 20 October 2011 and the Court terminated proceedings against him on 22 November 2011.

Saif al-Islam Gaddafi Trial

Saif al-Islam Gaddafi was indicted on 27 June 2011 on two counts of crimes against humanity with regard to the situation in Libya. Although not an official member of the Libyan government, Saif al-Islam Gaddafi is alleged to have been the de facto prime minister and the "unspoken successor and the most influential person" to Muammar Gaddafi, the de facto head of state. Saif al-Islam Gaddafi, in conjunction with Muammar Gaddafi and his inner circle of advisers, allegedly planned a policy of violent oppression in response to the 2011 Tunisian and Egyptian revolutions that was implemented in the early weeks of the Libyan civil war. From 15 February 2011 until at least 28 February 2011, forces from government-organized militias, the national police, the Libyan Armed Forces, the Revolutionary Guard Corps, and other security services allegedly followed the policy and used all means necessarily to quell public protests against Muammar Gaddafi's government. They allegedly murdered hundreds of civilians and committed "inhuman acts that severely deprived the civilian population of its fundamental rights" in the cities of Ajdabiya, Bayda, Benghazi, Derna, Misrata, Tobruk, and Tripoli. Saif al-Islam Gaddafi was detained by members of a revolutionary militia on 19 November 2011 near the Libyan town of Ubari and taken to the city of Zintan. In 2012, Libyan authorities stated their intention to try Gaddafi in Libya. However, on 10 December 2014 the Pre-Trial Chamber found Libya in non-compliance with several of its orders, including an order to transfer Gaddafi to its custody, and accordingly it referred Libya to the Security Council.

Laurent Gbagbo Trial

Laurent Gbagbo was indicted on 23 November 2011 on four counts of crimes against humanity with regard to the situation in the Republic of Côte d'Ivoire. As the President of Côte d'Ivoire, Gbagbo is alleged to have organized, along with members of his inner circle, systematic attacks against civilians during post-election violence that began on 28 November 2010. National security forces, the National Armed Forces, militias, and mercenaries under the command of Gbagbo are alleged to have murdered, raped, persecuted, and inhumanly treated civilians who were perceived to be supporters of

Alassane Ouattara, Gbagbo opponent in the 2010 presidential election. According to the arrest warrant for Gbagbo, the crimes occurred in and around Abidjan, including in the vicinity of the Golf Hotel, and in the western part of the country from 16 December 2010 to 12 April 2011. Gbagbo was detained by forces loyal to Ouattara in the presidential residence on 11 April 2011. On 29 November 2011, Gbagbo was transferred to the Court. On 5 December 2011 he made his first appearance before the Court and the confirmation of charges hearing took place from 19 to 28 February 2013 before the pre-trial chamber and on 12 June 2014 it confirmed all the charges against him. On 11 March 2015, the Trial Chamber joined the cases against Charles Blé Goudé and Laurent Gbagbo.

Simone Gbagbo Trial

Simone Gbagbo was indicted on 29 February 2012 on four counts of crimes against humanity with regard to the situation in the Republic of Côte d'Ivoire. As the wife of Ivorian President Laurent Gbagbo, Ms. Gbagbo is alleged to have co-organized, as a member of her husband's inner circle of advisers, a policy targeting against civilians during post-election violence that began on 28 November 2010. National security forces, the National Armed Forces, militias, and mercenaries acting pursuant to the policy are alleged to have murdered, raped, persecuted, and inhumanly treated civilians who were perceived to be supporters of Alassane Ouattara, Laurent Gbagbo opponent in the 2010 presidential election. According to the arrest warrant, the crimes occurred in and around Abidjan, including in the vicinity of the Golf Hotel, and in the western part of the country from 16 December 2010 to 12 April 2011. Gbagbo was detained by Ivorian forces loyal to Ouattara in the presidential residence on 11 April 2011. On 22 November 2012 the warrant of arrest was unsealed. On 11 December 2014, the Pre-Trial Chamber dismissed Côte d'Ivoire's challenge to the admissibility of the case, finding that the domestic investigation was deficient and that Côte d'Ivoire's obligation to transfer Gbagbo to the Court remained in force. However, the domestic prosecution of Simone Gbagbo continued and on 10 March 2015 a court sentenced her to 20 years' imprisonment for "undermining state security, disturbing public order and organizing armed gangs" during the post-election violence.

Ahmed Haroun Trial

Ahmed Haroun was indicted on 27 April 2007 on 20 counts of crimes against humanity and 22 counts of war crimes with regard to the situation in Darfur, Sudan. He is alleged to have coordinated the operations of Sudanese military, police, security, and Janjaweed forces in the Darfur region while he was Minister of State for the Interior from April 2003 to September 2005 during the Darfur conflict. These forces were allegedly aided and encouraged by Haroun to attack Fur civilian populations, specifically those in the towns of Arawala, Bindisi, Kodoom, Mukjar, and the surrounding areas. Civilian populations were subject to persecution, murder, forcible transfer, rape, imprisonment, torture, sexual abuse, and other inhumane acts. Additionally, property was allegedly destroyed and the towns were pillaged. Since his indictment, Haroun has continued to play an active role in the Sudanese government, which has refused to cooperate with the Court. He served as Sudan's Minister of State for Humanitarian Affairs until May 2009 when he was appointed Governor of South Kordofan.

Abdel Rahim Hussein Trial

Abdel Rahim Hussein was indicted on 1 March 2012 on 13 counts of crimes against humanity and six counts of war crimes with regard to the situation in Darfur, Sudan. As the Minister of the Interior and Special Representative of the President to Darfur, Hussein is alleged to have contributed to the organization and command of government and allied Janjaweed forces in 2003 during the Darfur conflict. Between August 2003 and March 2004 these forces attacked Fur, Masalit, and Zaghawa civilians who were perceived to be loyal to rebel groups such as the Sudan Liberation Movement/Army and the Justice and Equality Movement. Government and Janjaweed forces are alleged to have attacked civilians and pillaged in and around the towns of Arawala, Bindisi, Kodoom, and Mukjar. During the attacks they are accused of persecuting the civilian populations by committing acts of murder, rape, sexual violence, imprisonment, torture, forcible transfer, and other

inhumane acts. Hussein continues to play an active role in the Sudanese government (which has refused to cooperate with the Court) and he is currently serving as Minister of Defense.

Saleh Jerbo Trial

Saleh Jerbo was indicted on 27 August 2009 on three counts of war crimes with regard to the situation in Darfur, Sudan. Jerbo is alleged to have been a commander of a splinter group of the Sudan Liberation Movement/Army (SLM/A), a rebel group fighting in the Darfur conflict against the Sudanese government. He is accused of leading SLM/A forces under his command (in conjunction with other rebel forces) in a raid on the Haskanita base of the African Union Mission in Sudan (AMIS) on 29 September 2007, in which 12 AMIS peacekeepers were killed and eight were seriously injured; the base was also extensively damaged. Jerbo is accused of ordering murders, pillaging, and "intentionally directing attacks against personnel, installations, materials, units and vehicles involved in a peacekeeping mission". Jerbo was summoned to appear before the Court on 17 June 2010 and the confirmation of charges hearing was held on 8 December 2010, in conjunction with the case against Abdallah Banda. On 7 March 2011 Pre-Trial Chamber I confirmed all the charges against him.[On 22 April 2013 Radio Dabanga reported that Jerbo had been killed on 19 April in a battle between the Justice and Equality Movement and a splinter group in which Jerbo was a commander. On 4 October 2013, the Court terminated the proceedings against Jerbo "without prejudice to resume such proceedings should information become available that he is alive".

Germain Katanga Trial

Germain Katanga was indicted on 2 July 2007 on three counts of crimes against humanity and six counts of war crimes with regard to the situation in the Democratic Republic of the Congo (DRC). On 26 June 2008, the charges were revised to four counts of crimes against humanity and nine counts of war crimes. He was alleged to have been the leader of the Front for Patriotic Resistance in Ituri (FRPI), an armed group composed mostly of members of the Ngiti ethnicity that was active during the Ituri conflict. On and around 24 February 2003, he is alleged to have ordered his forces to attack the village of Bogoro in a military operation coordinated with the Nationalist and Integrationist Front (FNI), an allied armed group composed mostly of members of the Lendu ethnicity. The target of the attack was alleged to have been both the village's predominantly Hema civilian population and the base of the Hema armed group, the Union of Congolese Patriots (UPC), located in the center of the village. Katanga is alleged to be responsible for the resulting crimes committed by FRPI and FNI fighters, including the intentional attack on the civilian population of Bogoro, the destruction and pillaging of Bogoro, the killing of at least 200 civilians, the use of child soldiers during the attack, rape, outrages upon personal dignity, "inhumane acts of intentionally inflicting serious injuries upon civilian residents", and "cruel treatment of civilian residents of, or persons present at Bogoro village by detaining them, menacing them with weapons, and imprisoning them in a room filled with corpses".

Katanga was arrested by Congolese authorities on 1 March 2005 in connection with an attack that killed nine United Nations peacekeepers. After the Court issued a warrant for his arrest, Katanga was transferred to the Court on 17 October 2007. His trial began on 24 November 2009. The Trial Chamber delivered the judgment in the case on 7 March 2014, finding Katanga guilty of four counts of war crimes and one count of crime against humanity. On 23 May 2014, Katanga was sentenced to 12 years' imprisonment. Although both the prosecution and the defense appealed the judgment and the sentence, both parties

discontinued their appeals on 25 June 2014, thus ending the proceedings. Katanga is now serving his sentence of 12 years' imprisonment. He is currently at the Court's Detention Centre in The Hague pending transfer to a state where he will serve the remainder of his sentence.

Uhuru Kenyatta Trial

Uhuru Kenyatta is the current President of the Republic of Kenya. He was indicted on 8 March 2011 on five counts of crimes against humanity with regard to the situation in the Republic of Kenya. Kenyatta, as a supporter of Kenyan President Mwai Kibaki, is alleged to have planned, financed, and coordinated the violence perpetrated against the perceived supporters of the Orange Democratic Movement, the political party of the President's rival, during post-election violence from 27 December 2007 to 29 February 2008. Kenyatta is alleged to have "had control over the Mungiki organization" and directed it to conduct murders, deportations, rapes and other forms of sexual violence, persecutions, and other inhumane acts against civilians in the towns of Kibera, Kisumu, Naivasha, and Nakuru. Kenyatta was summoned to appear before the Court on 8 April 2011 and the confirmation of charges hearing was held from 21 September 2011 to 5 October 2011, in conjunction with the cases against Mohammed Ali and Francis Muthaura. All the charges against Kenyatta were confirmed by Pre-Trial Chamber II on 23 January 2012. However, before the trial began, the Prosecutor announced on 3 December 2014 that she was withdrawing all of the charges. Accordingly, the Trial Chamber terminated the proceedings against Mr. Kenyatta on 13 March 2015.

Joseph Kony Trial

Joseph Kony was indicted on 8 July 2005 on 12 counts of crimes against humanity and 21 counts of war crimes with regard to the situation in Uganda. He is alleged to be the chairperson and commander-in-chief of the Lord's Resistance Army (LRA), an armed group which has been waging a guerrilla campaign since 1987 against the Ugandan

government. According to the arrest warrant issued for him, since 1 July 2002 "the LRA has engaged in a cycle of violence and established a pattern of 'brutalization of civilians' by acts including murder, abduction, sexual enslavement, mutilation, as well as mass burnings of houses and looting of camp settlements" and furthermore "that abducted civilians, including children, are said to have been forcibly 'recruited' as fighters, porters and sex slaves to serve the LRA and to contribute to attacks against the Ugandan army and civilian communities". Kony is currently at large and his whereabouts are unknown, although he is suspected to be in either the Central African Republic or a neighboring country.

Henry Kosgey Trial

Henry Kosgey was indicted on 8 March 2011 on four counts of crimes against humanity with regard to the situation in the Republic of Kenya. He is alleged to have been the deputy leader and treasurer of an ad hoc organization created by members of the Kalenjin ethnic group to perpetrate violence on behalf of the Orange Democratic Movement (ODM) during post-election violence in December 2007 and January 2008. On 1 August 2011, the charges were reduced to three counts. At the time Kosgey was also Chairman of the ODM, which was the political party of presidential candidate Raila Odinga. Kosgey, as a top leader in the ad hoc Kalenjin organization, directed Kalenjin youths to target civilians of the Kikuyu, Kamba, and Kisii ethnic groups, which were perceived to be supporters of the Party of National Unity, the political party of Odinga's opponent during the election. Kosgey is alleged to be criminally responsible for the murder, deportation, torture, and persecution of civilians in the towns of Kapsabet, Nandi Hills, Turbo, and the greater Eldoret area. Kosgey first appeared before the Court, voluntarily, on 7 April 2011 and through the confirmation of charges hearing, which was held in conjunction with the cases against William Ruto and Joshua Sang. On 23 January 2012, Pre-Trial Chamber II decided not to confirm the charges against Kosgey therefore ending his proceedings before the Court.

Ali Kushayb Trial

Ali Kushayb was indicted on 27 April 2007 on 22 counts of crimes against humanity and 28 counts of war crimes with regard to the situation in Darfur, Sudan. He is alleged to be "one of the most senior leaders in the tribal hierarchy in the Wadi Salih Locality" who commanded thousands of Janjaweed forces in the Darfur region from August 2003 to March 2004 during the Darfur conflict. Furthermore, it is alleged that he was the mediator between the Sudanese government and the Janjaweed and that he implemented the government's policy in the region of Darfur and that in so doing ordered attacks on civilian populations. Kushayb is alleged to have personally participated in the attack of the towns of Arawala, Bindisi, Kodoom, and Mukjar. These attacks allegedly resulted in the persecution, murder, forcible transfer, rape, imprisonment, torture, sexual violence, and inhumane treatment of civilians, as well as the destruction of property and pillaging of villages. The Sudanese government has refused to cooperate with the Court and to execute the warrant of arrest for Kushayb. However, in October 2008 it was reported that Kushayb was arrested by Sudanese officials in connection to war crimes allegedly committed in Darfur. Despite the arrest, no evidence of any further proceedings has emerged. It is also not clear if Kushayb is in detention and his whereabouts are not publicly known.

Thomas Lubanga Dyilo Trial

Thomas Lubanga Dyilo was indicted on 10 February 2006 on three counts of war crimes with regard to the situation in the Democratic Republic of the Congo (DRC). He was alleged to have been the founding leader of the Union of Congolese Patriots (UCP), a rebel movement in the northeast part of the DRC, as well as the founding commander-in-chief of the UCP's armed wing, the Patriotic Force for the Liberation of the Congo (FPLC). From July 2002 to December 2003, the UCP and the FPLC allegedly fought in the Ituri conflict under the command of Lubanga Dyilo. Lubanga Dyilo is accused of conscripting and enlisting children to the FPLC and of using them "to participate actively in hostilities". Lubanga Dyilo was arrested on 19 March 2005 by Congolese authorities

after allegedly ordering an attack on UN peacekeepers; following the indictment in 2006 and the subsequent arrest warrant, Congolese authorities transferred Lubanga Dyilo to the Court's custody on 16 March 2006. On 9 to 28 November 2006, the confirmation of charges hearing was held and all the charges were confirmed on 29 January 2007. His trial began on 26 January 2009 and ended with his conviction of all three counts on 14 March 2012. On 10 July 2012 he was sentenced to 14 years' imprisonment. On 1 December 2014, the Appeals Chamber upheld both the conviction and the sentence.

Thesis

It is the essence of any research that it must be conducted with a neutral eye. A non biased, non prejudiced thesis is sine-qua-non of any original work, such as this. In the light of the above it is considered expedient by the researcher to come up with certain opinions and recommendations comprehending basic principles of Natural Justice to depict a new outlook in the realms of counter-terrorism.

As is apparent ab initio that the entire Skelton of United Nations counter-terrorism strategy that exists today has been erected by western superpowers, specially the United States. Besides this, further shaping of all the counter-terrorism strategies in post world war period can be unanimously attributed to the United States. Therefore it does not astonish much if the beam balance of justice seem tilted towards the creator at various instances.

It is indispensable to do so in order to prevent violation of Natural Justice- (Audi ultram partem(hear both the parties) and Nemo iudex in causa sua(No body can be a judge in his own cause)) against what the English often call 'Might is right'. For example regardless of the fact that the Arabian legal outlook has repeatedly been condemned by the allies as a draconian legal spectrum that preaches 'eye for an eye'; the sagas from history reveal that whenever it has come to the vested interests, no country has ever cared much about heralding 'rule of law'. The most striking example substantiating the contention lies under the hidden pages of the First and Second Gulf War (August 1991-february 1991), (2007) respectively.

None can forget Operation 'Desert Storm' conducted by the Nato Forces against Iraq capturing most of the oil wells around the region. Critics may argue that the motive behind the operation was to save Kuwait from the fangs of dictatorship of Saddam Husain, nevertheless the testimonies of the eye witnesses and war survivors reveal different versions. As a matter of fact their versions can not be denied seeing the American dominance on FOREX(foreign exchange) thereafter. So if today the radical groups like the ISIS are using radical methods to recover their captured assets it is nothing more than a reaction against aggressive measures adopted by the Allies in past. And if the same tales of

vengeance continue the world may again be standing on the verge of another World War between the Allies and Islamic countries .

Recommendations to Islamic States

Terrorism so oftenly is related to Islam in common terminology. Which is not only wrong abut actually opposite of what the great religion preaches.

Islam patronises

Ashraful Maqnooq

It means ‘Human Being’, the most salient and the most incredible creation of the omnipotent. The God commanded the angels to salute his highness(Sajdaa) as he created humanity, the mankind. Hence Islam preaches respect to human life in its essence.

Jihad –ul-akbar

This is perhaps world’s most misinterpreted religious jargon. The western world percieve jihad as a war against the whole world, while young illetrate youth like Abdul Kasab are made to perceive it as a religious war by terrorist think tanks for their vested intrests.

Jihad is not a war against any pirticular cast, creed or nation. It is rather certainly a ‘the war’ against the evils cropping in one’s own desires. It is a war against evil prevailing in one own’s vicious mind.

Kabir Das had beautifuly enveloped the context in followin words.

‘Bura jo dekhana mai chala, bura mila na koi

Jo man khoja aapna, to mujhse bura na koi’

Anal Haq

Anal Haq is another beautiful Islamic jargon that literally declares 'I AM THE GOD' or what Hindu says 'Aham bramhashmi .' This advocates one own worship as lord recides in everyone. Hence not only it disdanes human killings but also lays down an unparallel code of conduct.

Hence there must be an assentio mentium keeping in mind different legal outlooks of different nations, so that there remains no scope of biasness. The same must apply on constitution of Arbitral Tribunals, Law Enforcement agencies, International Criminal Court and the United Nations.

It is often said that the sword of justice has no scabbard. So today when this sword of justice lies in the hands of young legal minds it is indispensable to use it judiciously. The entire legal generation needs to learn lessons from the blood stained pages of history and stand up together hand in hand to foster and implement such a transparent and exquisite International Jurisprudence, that no matter developed or underdeveloped, rich or poor, each and every nation marches towards ultimate prosperity, with peace preserved and justice secured...

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