

# Combating Terrorism



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# **COMBATING TERRORISM**

**LOK SABHA SECRETARIAT  
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## PREFACE

Terrorism, today, has emerged as perhaps the most serious threat to civil society. The devastating terrorist attacks on the Indian Parliament in December 2001, on the Jammu and Kashmir Legislative Assembly in October 2001 and elsewhere—be it in New York, Bali or Moscow—showed to the world the global reach and lethal effect of terrorism. These attacks also prove that democratic societies are especially vulnerable to terrorism. Of late, there has been a growing international consensus on the need to effectively root out this evil. This background paper, based on published sources, focuses on the threat posed to the global community by terrorism in all its manifestations and efforts towards confronting this grave menace. The information contained in the background paper, however, may not be construed as the views of the Lok Sabha Secretariat or as the official position of the Government of India on matters referred to therein.

New Delhi,  
January 2003

G.C. MALHOTRA  
*Secretary-General*  
*Lok Sabha*

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# COMBATING TERRORISM

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## **Introduction**

Terrorism has emerged as perhaps the most dangerous global challenge today, endangering the security of countries and hindering the normal development of international relations. It poses a threat to international security, civilised existence and cherished democratic values. The growing level of financial resources and technical equipment of terrorist groups and the transnational character of their activities are really alarming. By using the threat of weapons, including chemical, biological or nuclear, as well as by other means like hijacking, kidnapping, destruction of property, disruption of services essential to the life of people or any other act not conforming to humanitarian norms, they essentially create terror in the public by unlawful methods. The purpose of such activity is to induce widespread terror and chaos in the State.

The terrorist attacks on the Legislative Assembly of the Indian State of Jammu and Kashmir on 1 October 2001, on the Indian Parliament on 13 December 2001, and elsewhere in New York in September 2001, or Moscow or Bali in 2002, underscore the gravity of the terrorist menace. These attacks also clearly show that the lethal reach and destructive power of the evil of terrorism have been enhanced by linkages to illicit trafficking in drugs and small arms and money laundering. These attacks are also a pointer to the fact that open democratic societies are particularly vulnerable to terrorism. Ironically, terrorism exploits the strengths of democracies such as freedom of movement, access to public places, lack of curbs, etc., turning them into weaknesses. While the threat of terrorist attacks continues, the international community's commitment and cooperation to counter terrorism and the ability to mobilize resources against it has grown stronger than ever before.

## **Cross-Border Terrorism**

As the world has realized, terrorism transcends national boundaries and distance is no guarantee against terrorist onslaughts. Terrorism in one country today may be a grave threat to another tomorrow as the terrorists have a very strong international network, operated by highly motivated, ready-to-die cadre. These terrorists do not believe in democracy, secularism and nationalism and this necessarily works against the tenets of civil society. They are highly indoctrinated and want to achieve power without responsibility to the people by creating terror and overawing Governments. They are answerable to none and violate international norms of human rights and humanitarian law with impunity. Many terrorist organizations are sponsored, supported and funded by

some Governments for their ulterior motives, which pose a grave threat to international peace and security. Cross border terrorism is thus a particular menace.

### **Growing Terrorism—A Threat to Democracy**

Over the centuries, democracy has grown in strength as the vital ethic of the world. The democratic form of governance establishes macro and micro economic policies, securing the social and economic integration of all; facilitates political participation by all; forges linguistic cohesion; and establishes secularism as a way of life. However, the growing menace of terrorism has proved to be a serious threat to democracy. The maintenance of international peace and security is an essential pre-requisite for the success of democracy. Terrorism, by its very nature, is anti-democratic; it seeks to achieve certain ends by violence and has no interest in building consensus or stimulating debate to resolve the perceived issues. In such a situation, the onus falls on the international community to unite to face the grave danger which terrorism poses to democracies and examine the measures necessary for democracies to further strengthen their own institutions and internal processes as also to cooperate with one another to root out the evil.

### **Combating Terrorism**

Terrorism is a global phenomenon involving a wide variety of perpetrators, ideologies and objectives. There is no single type of goal that the terrorists pursue, no single type of conflict and no single centre of gravity that, if neutralised, would eliminate the problem. Hence, co-operation on bilateral, regional and international levels and the synchronization of efforts at all domestic levels to that of the international level is essential in tracking and tackling terrorism.

Terrorism as a form of organised violence has affected almost all continents. In the aftermath of the September 11 attack in the United States of America, there is a greater recognition and willingness on the part of the international community to combat terrorism. This is evident in the debate in the UN General Assembly (October 2001) where an unprecedented number of leaders condemned all forms of terrorism and pledged the commitment of their countries to take all necessary measures, both domestically and at international level, to root out terrorism. Concrete steps have also been taken since then. The most notable among these is the adoption of the UN Security Council Resolution 1373 on 28 September 2001, making it obligatory for all States to take comprehensive measures to combat terrorism, particularly financing of terrorism. (For the text of the Resolution, *see* Annexure I). All States have also been urged to become signatories to the 12 Sectoral Conventions on Terrorism, *viz.* (i) Convention on Offences and Certain Acts Committed on Board Aircraft (1963); (ii) Convention for the Suppression of Unlawful Seizure of Aircraft (1970); (iii) Convention for the

Suppression of Unlawful Acts Against the Safety of Civil Aviation (1971); (iv) Convention on the Prevention and Punishment of Crimes Against Internally Protected People (1973) (outlaws attacks on senior Government officials and diplomats); (v) International Convention Against the Taking of Hostages (1979); (vi) Convention on the Physical Protection of Nuclear Material (1980); (vii) Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (1988); (viii) Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (1988); (ix) Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf (1988); (x) Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991); (xi) International Convention for the Suppression of Terrorist Bombing (1997); and (xii) International Convention for the Suppression of the Financing of Terrorism (1999).

The U.N. Security Council adopted another Resolution 1377 on 12 November 2001 on the global effort to combat terrorism and expressed its determination to proceed with the implementation of its earlier Resolution 1373 in full cooperation with the whole membership of the United Nations and urged all States to take urgent steps to fully implement that Resolution and to assist each other in doing so (For the text of the Resolution, *see* Annexure II). The Resolution underlines the obligation on States to deny financial and all other forms of support and safe haven to terrorists and those supporting terrorism. The Resolution calls on all States to intensify their efforts to eliminate the scourge of international terrorism; it also urges the Counter-Terrorism Committee of the Security Council established under UN Security Council Resolution 1373 to explore ways in which States can be assisted in implementing all the requirements of Resolution 1373.

The UN General Assembly Resolution 49/60 adopted in 1994 on 'Measures to Eliminate International Terrorism' underlines the growing international consensus on preventing and combating terrorism. The Declaration annexed to the said Resolution clearly lays down that acts of terrorism are criminal acts, whatever the underlying considerations, and urges member States to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts. It enjoins a positive obligation on member States to ensure that not only Government organs do not sponsor terrorism, but their territory is not used by terrorist groups and individuals.

### **NAM Consensus against Terrorism**

The Twelfth Non-Aligned Movement (NAM) Summit at Durban in 1998 re-affirmed that all member States have an obligation to refrain from organising, assisting or participating in terrorist acts in the territories of other States. The Summit unequivocally condemned any political,



diplomatic, moral or material support to terrorism. The Durban Summit also called for the early adoption and implementation of a comprehensive convention against international terrorism. NAM has unequivocally affirmed that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons, for whatever purposes, are unjustifiable.

### **Initiatives by the Commonwealth**

International peace and security has always been high on the agenda of the Commonwealth. Various summit meetings of the Commonwealth have emphasised as to how Commonwealth Governments and Parliaments can act collectively and with determination for the maintenance of international peace and security. The Commonwealth Heads of Government meeting at Brisbane in October 2001 condemned in the strongest terms all forms and manifestations of terrorism by issuing the Commonwealth Statement on Terrorism on 25 October 2001 which, *inter alia*, affirmed its resolve as a diverse community of nations to individually and collectively take concerted and resolute action against terrorism (For the text of the Statement, *see* Annexure III). Welcoming the UN Security Council Resolution 1373, the Commonwealth expressed its commitment to fully implementing this Resolution and pledged to assist each other in so doing, adding that the Community's actions will reflect the fundamental values upon which the Commonwealth is based, including democracy, human rights, the Rule of Law, freedom of belief, freedom of political opinion, justice and equality. The Statement stressed that any member country that aids, supports, instigates, finances or harbours terrorists, or permits such activities within its jurisdiction, violates the fundamental values of the Commonwealth and should have no place in it. The Statement undertook, as part of the contribution to the endeavours of the international community against terrorism, to redouble efforts to prevent the use and abuse of financial services sectors by fully co-operating with the international community in the tracing, freezing and confiscation of the assets of terrorists, their agents, sponsors and supporters. The Statement called upon all nations of the world to stand resolute in rooting out hatred, intolerance and extremism, adding that this is a struggle against terrorism, not against any community or faith.

The 48th Commonwealth Parliamentary Conference held in Namibia in September 2002 unanimously expressed total condemnation of acts of terrorism as violations of the right of all peoples to live free from fear in a secure society. In expressing sympathy for the victims of terrorism, the Conference urged all Governments to unite to act against international terrorist organisations and networks.

### **Initiatives by the IPU**

The Inter-Parliamentary Union (IPU), in its Resolution passed at the 95th Inter-Parliamentary Conference held in Istanbul in April 1996, urged the international community in the immediate term to strengthen its

determination to fight terrorism by consolidating and furthering democracy and by working towards the elaboration of an international convention capable of protecting the world against terrorism and providing for sanctions against any State which proves to be an accomplice or exporter of terrorism, which gives safe haven to and supports terrorists or enables them clandestinely to carry out their acts of terrorism on the territory of another State, and also providing for the extradition of terrorists who escape from their country of origin or for their prosecution in the country of their apprehension. It called upon all States which had not yet done so to become parties to the international conventions on terrorism, to harmonize their domestic legislation with the provisions of such conventions and to take all appropriate measures at the national level for the prompt elimination of terrorism once and for all. Further, it stated that States should strengthen democracy, promote human rights and favour dialogue and negotiation in the settlement of both internal and international disputes as a means of preventing terrorism.

At the 105th and 106th Inter-Parliamentary Conferences held in Havana in April 2001 and Ouagadougou in September 2001, respectively, the IPU passed Resolutions condemning terrorism in the strongest terms and reaffirming the determination of all Parliaments to help strengthen international cooperation in this field in order to promote, both nationally and internationally, the adoption and application of effective measures to combat international terrorism and to repress it by prosecuting and punishing its perpetrators.

At its 107th Conference in Marrakech, Morocco in March 2002, the IPU, by acclamation, adopted a Resolution condemning terrorism as a threat to democracy, human rights and civil society (For the text of the Resolution, *see* Annexure IV). The item was inscribed on the Conference's agenda on a proposal by India subsequent to the 13 December 2001 attack on the Indian Parliament, and later by many others. The Conference that brought together parliamentarians from 122 countries unequivocally referred to State-sponsored and State-supported terrorism and reaffirmed that "every State has the duty to refrain from organising, instigating, assisting or participating in terrorist acts in another State, or acquiescing in terrorist activities organized on its territory". It also stated that terrorist acts could not be justified under any circumstances. The Resolution also referred to the explicit link between terrorism and the undermining of democracy and Rule of Law. The Resolution called on all Parliaments to ensure strict follow-up to the UN Security Council Resolution 1373 and to support a speedy conclusion of the draft comprehensive convention on the elimination of terrorism, under negotiation at New York.

## **Indian Scenario**

India has been a victim of terrorism for too long. Of late, there has been an unprecedented surge in terrorist activities and intensification

of cross-border terrorism. The attacks on the Jammu and Kashmir Assembly on 1 October 2001 and on the Parliament House on 13 December 2001 by terrorist groups are grim pointers to the threat of terrorism to the Indian nation. The terrorist attack on the Jammu and Kashmir Legislative Assembly was condemned by both Houses of Parliament when they met on 19 November 2001 as an inhuman and dastardly act of hate and terror.

The terrorist attack on the Indian Parliament has been condemned by one and all as an outrageous and dastardly act. The terrorist attack was condemned by both the Houses of Parliament as a cowardly act of terrorists. The Lok Sabha unanimously adopted the following resolution on 14 December 2001:

This House condemns the cowardly terrorist attack on the Parliament House on 13th December 2001. The cult of violence and hatred promoted by senseless elements having no faith in democratic institutions has claimed seven innocent lives. Such attacks reinforce our determination to fight the evil of terrorism. Let us rededicate ourselves to protect the sovereignty and integrity of the country at all costs. This House sends its condolences to the bereaved families.

In the aftermath of the September 11 terrorist attack in the US and other horrific terrorist incidents, including the attack on the Indian Parliament on December 13, there is a growing urgency in international efforts and requirements of States to evolve and take effective measures to combat terrorism decisively. There are also growing concerns about possible violation of human rights in the process of effectively combating terrorism, particularly through pre-emptive actions such as monitoring, freezing of accounts, etc. In India, itself a vibrant democracy, there was an intense debate both within and outside Parliament on this challenge in the context of the Prevention of Terrorism Act, 2002. After an intense public debate, a fine balance has been struck by us between protection of human rights and effective legal measures to combat terrorism.

### **India's stand on the fight against International Terrorism**

As a victim of terrorism for over two decades, India has consistently drawn the international community's attention to the need to prioritise the fight against terrorism. The terrorist acts in recent months have brought a heightened awareness and urgency in the fight against terrorism. In its interactions with other countries, India has emphasized that terrorism is a global menace which cannot be compartmentalized and that the fight against it has to go beyond the immediate and has to be comprehensive, global and sustained. India has cooperated with like-minded countries to evolve international standards to combat the evil of terrorism. It has also highlighted the problems posed by the easy availability of small arms and the nexus between narcotics trafficking and terrorism.

Since the September 11 attacks on the US, there has been an enhanced focus by the international community on evolving measures to curb the financing that is available to terrorists, both through legal and illegal means. Countries have been urged to ratify the UN Convention on Suppression of Terrorist Financing. States are also required to take a number of steps on freezing the accounts and assets of terrorist groups, etc. under the UN Security Council Resolution 1373.

India welcomes all international efforts, including efforts under the UN, to counter terrorism. In this framework, India has welcomed the UN Security Council Resolution 1373. India had initiated a Comprehensive Convention on International Terrorism at the United Nations to strengthen the legal framework in countering terrorism, which has been under discussion since October 2000.

The battle against terrorism, to be successful, must be accorded high priority on the international agenda. The campaign must be long-term and sustained and must avoid compartmentalizing the fight against terrorism to specific countries or regions. Such an exercise would also need to be comprehensive and tackle not just the perpetrators of terrorist acts but also those who sponsor and provide safe haven for terrorists. Since democracies are particularly vulnerable to terrorist attacks, democracies must cooperate amongst themselves so as to combat terrorism effectively. In all these endeavours, parliamentarians, as opinion-makers and opinion-leaders, can play a meaningful and pivotal role in evolving an appropriate response to the challenge posed by terrorism in all its manifestations.

## UN SECURITY COUNCIL RESOLUTION 1373 (2001)

**September 28, 2001**

The *Security Council*,

*Reaffirming* its resolutions 1269 (1999) of 19 October 1999 and 1368 (2001) of 12 September 2001.

*Reaffirming also* its unequivocal condemnation of the terrorist attacks which took place in New York, Washington, D.C., and Pennsylvania on 11 September 2001, and expressing its determination to prevent all such acts,

*Reaffirming further* that such acts, like any act of international terrorism, constitute a threat to international peace and security,

*Reaffirming* the inherent right of individual or collective self-defence as recognized by the Charter of the United Nations as reiterated in resolution 1368 (2001),

*Reaffirming* the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts,

*Deeply concerned* by the increase, in various regions of the world, of acts of terrorism motivated by intolerance or extremism,

*Calling* on States to work together urgently to prevent and suppress terrorist acts, including through increased cooperation and full implementation of the relevant international conventions relating to terrorism,

*Recognizing* the need for States to complement international cooperation by taking additional measures to prevent and suppress, in their territories through all lawful means, the financing and preparation of any acts of terrorism,

*Reaffirming* the principle established by the General Assembly in its declaration of October 1970 [resolution 2625 (XXV)] and reiterated by the Security Council in its resolution 1189 (1998) of 13 August 1998, namely that every State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Decides* that all States shall:

- (a) Prevent and suppress the financing of terrorist acts;
- (b) Criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;
- (c) Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;
- (d) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons.

2. *Decides also* that all States shall:

- (a) Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;
- (b) Take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information;
- (c) Deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens;
- (d) Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;
- (e) Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist

acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;

- (f) Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings;
- (g) Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;

3. *Calls upon* all States to:

- (a) Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups;
- (b) Exchange Information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;
- (c) Cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;
- (d) Become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999;
- (e) Increase cooperation and fully implement the relevant international conventions and protocols relating to terrorism and Security Council resolutions 1269 (1999) and 1368 (2001);
- (f) Take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum seeker has not planned, facilitated or participated in the commission of terrorist acts;

- (g) Ensure in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

4. *Notes* with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials, and in this regard emphasizes the need to enhance coordination of efforts on national, sub-regional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security;

5. *Declares* that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

6. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to monitor implementation of this resolution, with the assistance of appropriate expertise, and calls upon all States to report to the Committee, no later than 90 days from the date of adoption of this resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement this resolution;

7. *Directs* the Committee to delineate its tasks, submit a work programme within 30 days of the adoption of this resolution, and to consider the support it requires, in consultation with the Secretary-General;

8. *Expresses* its determination to take all necessary steps in order to ensure the full implementation of this resolution, in accordance with its responsibilities under the Charter;

9. *Decides* to remain seized of this matter.



**UNITED NATIONS SECURITY COUNCIL  
RESOLUTION 1377 (2001)**

The Security Council,

Decides to adopt the attached declaration on the global effort to combat terrorism.

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*The Security Council,*

*Meeting at the Ministerial level,*

*Recalling* its resolutions 1269 (1999) of 19 October 1999, 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

*Declares* that acts of international terrorism constitute one of the most serious threats to international peace and security in the twenty-first century,

*Further declares* that acts of international terrorism constitute a challenge to all States and to all of humanity,

*Reaffirms* its unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed,

*Stresses* that acts of international terrorism are contrary to the purposes and principles of the Charter of the United Nations, and that the financing, planning and preparation of as well as any other form of support for acts of international terrorism are similarly contrary to the purposes and principles of the Charter of the United Nations,

*Underlines* that acts of terrorism endanger innocent lives and dignity and security of human beings everywhere, threaten the social and economic development of all States and undermine global stability and prosperity,

*Affirms* that a sustained, comprehensive approach involving the active participation and collaboration of all Member States of the United Nations, and in accordance with the Charter of the United Nations and international law, is essential to combat the scourge of international terrorism,

*Stresses* that continuing international efforts to broaden the understanding among civilizations and to address regional conflicts and the full range of global issues, including development issues, will contribute to international cooperation and collaboration, which themselves are necessary to sustain the broadest possible fight against international terrorism,

*Welcomes* the commitment expressed by States to fight the scourge of international terrorism, including during the General Assembly plenary debate from 1 to 5 October 2001, *calls on* all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, and encourages Member States to take forward work in this area,

*Calls on* all States to take urgent steps to implement fully resolution 1373 (2001), and to assist each other in doing so, and *underlines* the obligation on States to deny financial and all other forms of support and safe haven to terrorists and those supporting terrorism,

*Expresses* its determination to proceed with the implementation of that resolution in full cooperation with the whole membership of the United Nations, and *welcomes* the progress made so far by the Counter-Terrorism Committee established by paragraph 6 of resolution 1373 (2001) to monitor implementations of that resolution,

*Recognizes* that many States will require assistance in implementing all the requirements of resolution 1373 (2001), and *invites* States to inform the Counter-Terrorism Committee of areas in which they require such support,

*In that context,* invites the Counter-Terrorism Committee to explore ways in which States can be assisted, and in particular to explore with international, regional and subregional organizations:

- the promotion of best-practice in the areas covered by resolution 1373 (2001), including the preparation of model laws as appropriate,
- the availability of existing technical, financial, regulatory, legislative or other assistance programmes which might facilitate the implementation of resolution 1373 (2001),
- the promotion of possible synergies between the assistance programmes,

*Calls on* all States to intensify their efforts to eliminate the scourge of international terrorism.

**COMMONWEALTH STATEMENT ON TERRORISM**  
**(Text issued on 25 October 2001 by the Commonwealth**  
**Heads of Government meeting in Brisbane, Australia)**

1. We, the leaders of the Commonwealth, have consistently condemned in the strongest terms all forms and manifestations of terrorism and in particular the heinous acts of terrorism that took place in the United States on 11 September 2001. The Commonwealth affirms its resolve as a diverse community of nations to, individually and collectively, take concerted and resolute action against terrorism.

2. We will not be divided by race, nationality, religion or geography. We reject any attempt to link terrorism with any faith. Our diversity is our strength and binds us together. The perpetrators of these atrocious acts and those who harboured or assisted them, have attacked the values and freedoms enshrined in the open, democratic, plural and multicultural societies that the Commonwealth represents. Terrorism threatens the peace, development, security and stability of the entire world, and all nations, races and religions and is aimed at the destruction of human rights, fundamental freedoms and democracy.

3. Recalling that many members of the Commonwealth have suffered casualties in the terrorist attacks in the United States and that Commonwealth member countries have themselves suffered from terrorism over many years, the importance of our renewed commitment to combating terrorism worldwide has never been greater.

4. We welcome UN Security Council Resolution 1373 of 28 September 2001, which provides an important framework for international action against terrorism. We are committed to fully implementing this resolution. We pledge to assist each other in so doing. Our actions will reflect the fundamental values upon which the Commonwealth is based including democracy, human rights, the rule of law, freedom of belief, freedom of political opinion, justice and equality.

5. We condemn any nation which harbours, supports or provides assistance to terrorist activity. Any member country that aids, supports, instigates, finances or harbours terrorists, or permits such activities within its jurisdiction, violates the fundamental values of our association and should have no place in it.

6. As Heads of Government of the largest association of democracies in the world, we call for firm deterrent measures by the

international community. We will work towards the universal implementation of the numerous international conventions already in place to address terrorism. The Commonwealth urges all countries that have not already done so to take steps to sign, ratify, and most importantly, implement these instruments. The importance of bringing to a successful conclusion the ongoing negotiations on a Comprehensive Convention against Terrorism cannot be overstated.

7. The Commonwealth adds its distinctive voice to calls for greater international co-operation and the strengthening of national, regional and international legal frameworks to combat terrorism in a comprehensive manner. We underscore the important role which can be played by the association due to our similar legal systems and in particular through Commonwealth schemes for mutual assistance to counter crime. We undertake, as part of our contribution to the endeavours of the international community against terrorism, to redouble our efforts to prevent the use and abuse of our financial services sectors by fully co-operating with the international community in the tracing, freezing and confiscation of the assets of terrorists, their agents, sponsors and supporters.

8. We are deeply conscious that terrorist attacks hurt economic growth worldwide and the impact will be most acutely felt by poor and vulnerable states. We support the efforts of the international and regional financial institutions to develop strategies and programmes to mitigate the economic loss experienced by such countries.

9. There is no justification for terrorism. The Commonwealth is determined to fight this scourge and fully commits itself to a strengthened international campaign against it. The impact of terrorism has encouraged the Commonwealth to redouble its commitment to the cause of peace and stability and the elimination of poverty, injustice and discrimination. The Commonwealth calls on all nations of the world to stand resolute in rooting out hatred, intolerance and extremism. This is a struggle against terrorism, not against any community or faith.

## INTER-PARLIAMENTARY UNION

TERRORISM—A THREAT TO DEMOCRACY, HUMAN RIGHTS AND CIVIL SOCIETY: THE CONTRIBUTION OF PARLIAMENTS TO COMBATING INTERNATIONAL TERRORISM AND ADDRESSING ITS CAUSES IN ORDER TO MAINTAIN INTERNATIONAL PEACE AND SECURITY

*Resolution adopted by consensus\* by the 107th Conference (Marrakech, 22 March 2002)*

The 107th Inter-Parliamentary Conference,

*Recalling* that the Inter-Parliamentary Union, at its 95th Conference (April 1996), condemned international terrorism as a danger to the social and political stability of States, a threat to the global development of democratic structures, and an assault on the safety and individual freedoms of citizens, and called on all States to adopt appropriate measures to tackle terrorism and its social, political and economic causes,

*Also recalling* that to struggle for national liberation and independence from foreign occupation is a legitimate right laid down in international resolutions and that such an objective does not of itself constitute a terrorist act, but stressing that no struggle can justify indiscriminate attacks, particularly involving innocent civilians, or any form of organised State terrorism,

*Reaffirming* its resolution entitled "Contribution of the world's Parliaments to the struggle against terrorism", adopted at the 105th Inter-Parliamentary Conference (April 2001), which condemned terrorist acts as unjustifiable in any circumstances, whatever the political, philosophical, ideological, racial, ethnic, religious or other considerations that may be invoked to justify them, and urged all Parliaments to adopt measures to combat international terrorism in conformity with resolution 55/158 of the United Nations General Assembly,

*Convinced* that any acts of violence perpetrated by an individual, an organisation or a State against one or more countries, their institutions or people with the intention of intimidating them and gravely impairing,

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\* The delegation of Israel expressed a reservation to the reference in preambular paragraph 4 to the word 'State'. It also expressed a reservation to the reference, in operative paragraph 8, to "putting an end to occupation".

undermining or destroying fundamental freedoms, democracy, respect for human rights, civil rights and the rule of law in that or those countries, as well as any support given by States to such acts, must be condemned as terrorist acts,

*Also convinced* that international terrorism blatantly violates the values and principles enshrined in international humanitarian law and various United Nations conventions, in particular the Universal Declaration of Human Rights (resolution 217A (III) adopted by the United Nations General Assembly on 10 December 1948), which states that everyone has the right to life, liberty and security of persons, and consistently reaffirmed by the Inter-Parliamentary Union,

*Recalling* United Nations Security Council resolution 1368 (2001) of 12 September 2001, which calls on all States to prevent and suppress terrorist attacks by means of increased cooperation and full implementation of the relevant international anti-terrorism conventions,

*Endorsing* United Nations Security Council resolution 1373 (2001) of 28 September 2001, which calls on all States to adopt anti-terrorism measures in the fields of finance, criminal law and information technology, and to refrain from providing active or passive support to terrorists or terrorist groups,

*Recalling* the International Convention for the Suppression of the Financing of Terrorism, adopted by the United Nations General Assembly on 9 December 1999, which requires all Contracting States to extradite persons implicated in the funding of terrorist activities and adopt measures to investigate suspicious financial transactions,

*Noting with concern* that the growing links between terrorism and organised crime, including illicit trafficking in drugs, arms and human beings, and money laundering constitute major obstacles to the fulfilment of the aspirations of civilisations to development, well-being, peace and security,

*Reaffirming* the need to combat the threat posed by international terrorism to world peace and international security by all means and in conformity with the United Nations Charter, the Universal Declaration of Human Rights, and the United Nations human rights covenants,

*Recognising and welcoming* the growing international cooperation in combatting international terrorism,

*Considering* that condemnation of terrorism is inseparable from assistance to its victims,

*Convinced* that the world's Parliaments and parliamentarians can make a major contribution, through international as well as national cooperation, to combating global terrorism and eliminating its root causes,

*Conscious* that terrorist acts are intended not least, to shatter the structures and cohesion of civil society, which must respond to this assault on its values without forfeiting its openness, its humanity, or its attachment to human rights standards and individual rights and freedoms,

*Recognising* that a lack of democracy and respect of human rights and the refusal to resolve regional conflicts by peaceful means also play a major part in the emergence of terrorism,

1. *Calls on* all national Parliaments which have not already done so to approve or to facilitate approval of the United Nations conventions on terrorism, and in particular the International Convention for the Suppression of the Financing of Terrorism, which was adopted by the United Nations General Assembly on 9 December 1999; to introduce the necessary implementing measures speedily; and to press for the conclusion and adoption of the draft Convention for the suppression of acts of nuclear terrorism and the draft comprehensive Convention on the elimination of terrorism, which are currently before the UN General Assembly;
2. *Also calls on* all States and international organisations to consider providing technical and financial assistance to States that need it, in order to strengthen their capacity to adopt effective measures against terrorism and transnational organised crime, including illicit trafficking in drugs, arms and human beings, and money laundering;
3. *Urgently reiterates* its call to all the world's Parliaments—referring in this context to the resolution entitled "Security observance of the principles of international law in the interests of world peace and security" adopted by the 105th Inter-Parliamentary Conference (April 2001)—to ensure a consensus on the scope of the application of the conventions on terrorism;
4. *Urgently reiterates also* its call to all the world's Parliaments to ensure ratification of the Rome Statute establishing the International Criminal Court and to recognise that international terrorists must be prosecuted and brought before a national or international court, for example, the International Criminal Court;
5. *Reaffirms* the principle, established by the United Nations General Assembly in its resolution of 24 October 1970 (2625) (XXV) and upheld by the Security Council in its resolution 1189 (1998), that every State has the duty to refrain from organising, instigating, abetting or participating in terrorist acts in another State, or acquiescing in organized activities within its territory directed towards the commission of such acts;

6. *Calls on* parliamentarians the world over, in conformity with United Nations Security Council resolution 1377 (2001) of 12 November 2001 on the global effort to combat terrorism, to play their part in fostering intercultural understanding, in settling regional conflicts, and in international cooperation on global and development policy issues, in order to tackle the root causes of terrorism on a broad and lasting basis;
7. *Expresses* the need for a more intensive inter-parliamentary exchange of information and experience in regard to the implementation of effective legislative measures, and stresses the supportive role played by the Inter-Parliamentary Union in the coordination of legislative initiatives to combat terrorism;
8. *Emphasises* the role of the parliamentarians and civil society leaders worldwide in strengthening democracy, promoting human rights, supporting the peaceful settlement of regional conflicts and putting an end to occupation as the most effective means of combating terrorism;
9. *Calls on* Parliaments to adopt legislative measures that allow for compensation of victims of terrorist acts, as an expression of national solidarity;
10. *Appeals* to the world's Parliaments to increase their efforts to remove social injustice, alienation and extremism which are a breeding ground for terrorism, through development measures, attaching particular importance to civil society initiatives;
11. *Stresses* the importance of dialogue among civilisations to prevention of terrorism, *emphasises* the role of civil society in this dialogue and invites parliamentarians, both men and women, to initiate measures to promote dialogue among and within civilisations and to encourage programmes for peace, focusing in particular on educational reform which fosters pluralism, tolerance and mutual understanding;
12. *Reiterates* that terrorism cannot be attributed to any religion, nationality or civilisation and that to attribute it to any religion, nationality or civilisation or to justify it in the name of any religion, nationality or civilisation constitutes a threat to humanity as a whole;
13. *Stresses* the need for regular parliamentary debates on international terrorism in order to keep this issue on the political agenda and to ensure strict follow-up of UN Security Council resolution 1373, in particular in respect of the report that each State is required to submit to the United Nations;
14. *Stresses further* the need for conflict prevention, and urges all parties concerned to stop ongoing conflicts, with due respect for the security of all persons involved in the conflicts.