CHAPTER – I

TERRORISM:
A CONCEPTUAL FRAMEWORK

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Terrorism has been defined as the systematic use of terror or unpredictable violence against government or individual to attain a political objective. It has been used by political organizations, nationalistic, revolutionary and the ethnic groups. Conscious use of terror tactics in international relations is called state-sponsored terrorism, which includes both state sponsorship and direct involvement. Terror and terrorist activities sponsored by one state against another for subversion, sabotage, destabilization and fragmentation in order to achieve its foreign policy or political goals. The state sponsored terrorism provides logistics, training weapons, camps and financial assistance to terrorist groups that amounts to almost a full protection to such outfits and individuals. For many years, terrorism was perceived as a contest between two sides. On the one hand, a group of people or an organization, and on the other, a sovereign state. However, during the course of the second half of the twentieth century, various countries began to use terrorist organizations to promote state interests in the international domain. In some cases, states have established "puppet" terrorist organizations, whose purpose is to act on behalf of the sponsoring state, to further the interests of the state, and to represent its positions in domestic or regional fronts. In other cases, states sponsor existing organizations, on the basis of mutually interests. The patron state provides its beneficiary terrorist organization with political support, financial assistance, and the sponsorship necessary to maintain and expand its struggle. The patron uses the beneficiary to perpetrate acts of terrorism as a means of spreading the former's ideology throughout the world, or in some cases, the patron ultimately expects the beneficiary to gain control of the state in which it resides or impart its ideology to broad sections of the general public.

Terrorists create a sense of fear among the public and pressurize the government to accept their demands. The terrorists often indulged in reckless killings and wounding of innocent citizens and willful destruction of private and public property. Terrorists operations with time have undergone changes. Hijacking of aircrafts are becoming rarer, while indiscriminate killings are on the rise. Suicide missions are also increasing. The availability of sophisticated materials, weapons and technologies enhances the vastly

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increased destructive potential of terrorism. Terrorism has also acquired international dimension. There are contacts between the terrorists groups of different countries for the purpose of financing, gun-running, guerilla training and providing shelter to the terrorists. Many governments are also indulge in the acts of terrorism directly or indirectly by dispatching mercenaries across the border, aiding, abetting or providing logistical support to the terrorists of other states. This cross-border or state sponsored terrorism is employed either to weaken another enemy state across the border, or to promote certain other political, strategic or diplomatic goals

Today, terrorism has crossed the national boundaries and has acquired international dimensions. Governments secretly support certain terrorist groups by providing weapons, training and money for terrorist attacks in other countries. The term “state-sponsored terrorism” is often used to describe the conduct of various governments in directly organizing or indirectly assisting perpetrators of terrorism in other states. Thus international terrorism is an act of terror-violence containing international jurisdictional element. International terrorism has been defined by the convention on prevention and punishment of terrorism (1937) as “criminal acts directed by one state or states against another state or states intended or calculated to create a state of terror in the minds of particular persons, or group of persons or the general public”.

Terrorism, which has been defined as the indiscriminate use of force to achieve political aims and is one of the major problems facing the world today, has emerged as a most significant aspect in regional conflict, and it has become a standard tactic in such conflicts. Terrorism poses problems not only for the security of nations but also threatens the very foundations of democratic society by disrupting various political and societal institutions of nations. With the advancement of numerous technological innovations like miniaturizations, portability and increased precision of weapons, the tools of the terrorist have become less expensive, more destructive and widely available through less secure non-governmental outlets. Therefore, most terrorist organisations all over the world have employed limited and sporadic terrorist tactics as part of their overall operational

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Covert - Indirect War i.e. Terrorism (Proxy War)
- Pakistan’s Proxy war in Kashmir & Punjab
- Uighur separatist movement in Xinjiang (China)
- LTTE movement in Srilanka
- Maoist movement in Nepal

Overt - Direct War i.e. State Terrorism
- U.S. declared war on Iraq and Afghanistan.
- Israel declared war on Palestine.

Source: Conceptual Framework Developed from the Concept of Prabha, Kshitij (2000), Terrorism: An Instrument of Foreign Policy, New Delhi: South Asian Publishing (figure 1.1)
mandate. The security and defence experts have mentioned four main reasons for the rise of terrorist activities.

- Terrorism is an inexpensive method of warfare which can achieve relatively effective results, giving it a low cost/high yield potential.
- By utilizing the psychology of fear, terrorism can artificially inflate the perceived strength and power projection of a group among a wide number of people.
- By involving acts, which are designed to attract maximum publicity, terrorism can project even the most far-flung group to the forefront of regional, national or even global attention.
- Terrorism groups involve comparatively little personal risk to the perpetrators and far less than the more conventional forms of organized violence.

Though the political aims are the prime reasons for terrorists, the socio-economic inequalities have played an important role in the rise of fundamentalist terror. The Mujahidden who got recruited were mostly young who were highly educated but could not find employment in the stagnant economies of Asia and Africa. Though, terrorism has been an age-old phenomenon, the final wave of terrorism that has affected the world in the last 20 years, is the one associated with religious fundamentalism in the Islamic world. The radical Muslim revolutionaries who overthrew the Shah of Iran in 1979 gave birth to a wave of religious based terrorism that aims to establish fundamentalist regimes in the Middle East. Fired by religious fervour, the terrorists are willing to martyr themselves for their beliefs, and suicide bombers have become a disturbing element at present in the world.

Geography is an integral element of strategic ability. The study of political geography or geopolitics highlights the importance of geography to international

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relations, whereas the study of military geography or geostrategy highlights the importance of geography to strategy and military operations at all levels. Geography is important to strategic stability; it can shape the strategic calculations of policy makers and strategic planners – apparently against their will – towards the brink of armed conflict. The geopolitics influence on strategic ability is seen in the way in which policy makers and strategic planners perceive the physical environment in which the state is located. It is the influence of geography on tactical and operational elements of the strategic calculus that underpins, albeit subliminally, strategic calculations about the feasibility of the use of military force because the geographical conditions will influence policy makers and strategic planners perceptions of strategic vulnerabilities or opportunities.

Geopolitics is the spatial study and practice of international relations. Its focus is the relationship between politics and the physical environment and how geography can provide an understanding of politics and inter-state relations. The geography-politics relationship can be understood on three levels. First, geography is an objective of policy, a prize in a conflict between states. All states have a clear sense of their national territory. Territory is regarded as fundamental to statehood. In this respect, physical geography exerts an important influence on developments in particular inter-state relations. The necessary geographic contiguity of states with conflicting vision of their borders, together with repeated instances of inter-state crises between them, creates a breeding ground for armed conflict between these states. When the British separated India and Pakistan, no attention was given to the ethnic and communal boundaries of the border region and entire communities were cleaved in two as a result of a completely arbitrary political line drawn by the Radcliff Commission. Second, geography provides the environment, the physical context of particular inter-state relationship. Third, geography provides the theatre of military action. Geography is the mother of strategy. The exercise of strategy is ultimately about policy makers seeking to maximize the interest of their respective states. These interests are almost invariably about geography in one form or another. Furthermore, virtually all claims to territory have some political or military-strategic

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significance. India and Pakistan disagree over the ownership of Kashmir because of its political significance—in Pakistan’s case, to the very idea of the necessity of a separate Muslim state for the subcontinent and in India’s case, to the idea of India as a cosmopolitan state able to incorporate different religions, cultures and languages.

South Asia, containing one-fifth of the human race, constitutes a region of special interest for the study of terrorism as a principal instrument of state-craft in the form of “low-intensity conflict”. The major countries like India and Pakistan are experiencing various forms of terrorism mainly due to the Jammu and Kashmir issue, China is also facing the ethnic problem in Xinjiang region, Sri Lanka and Bangladesh are facing the struggle of ethnic minorities, while Nepal is confronted with the Maoist insurgency.

State sponsored terrorism to achieve strategic ends where the use of conventional armed forces is not practical or effective. The high costs of modern warfare, and concern about non-convention an escalation, as well as the danger of defeat and the unwillingness to appear as the aggressor, have turned terrorism into an efficient, convenient, and generally discrete weapon for attaining state interests in the international realm. There is no denying the fact that Pakistan as a state has been harbouring and supporting Islamic terrorist outfits for a long time. Pakistan’s might say that there are no terrorist outfits operating from its soil. Pakistan’s Islamic terrorist elements have been propagating terror all over the world. It is about time for the whole world to understand Pakistan’s role in international terrorism and stand up against it. State sponsored terrorism is a form of war that cannot be countered by conventional war. For the past two decades, India has experimented with use of army to fight terrorism in Jammu and Kashmir with no success. State sponsored terrorism can be effectively curbed only if a disproportionately higher cost is imposed on the sponsoring state. The key is to act in one’s national interests as one would act in times of war. Bleeding the sponsoring state and taking it to the brink of disintegration are perfectly legitimate aims to be pursued by a country under attack. Strategically, it makes better sense to use internal tensions and fissures of the enemy to achieve one’s objectives. Sacrificing one’s young men must be avoided as far as possible.

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THE STATE OF JAMMU AND KASHMIR

Instead the attempt should be to provoke and assist citizens of the enemy to harm and bring their own country to a state of collapse. Pakistan has been systematically sponsoring terrorism in India and especially in Jammu & Kashmir. It has been calling terrorists as freedom fighters and has been openly declaring its support to the militants in Jammu & Kashmir. State sponsored terrorism to achieve strategic ends where the use of conventional armed forces is not practical or effective. The high costs of modern warfare, and concern about non-convention an escalation, as well as the danger of defeat and the unwillingness to appear as the aggressor, have turned terrorism into an efficient, convenient, and generally discrete weapon for attaining state interests in the international realm.

The USA's Department of Defence Directive 2000.12 issued in 1996 fine-tuned the definition of terrorism in order to bring under its ambit acts directed against civilians as well as security forces. Its definition of terrorism is as follows: "Unlawful use or threatened use of force or violence against individuals or property, with the intention of coercing or intimidating governments or societies, often for political or ideological purposes."

It laid down the following other definitions:

- **International (or Transnational) Terrorism:** Terrorism in which planning and execution of the terrorist act transcends national boundaries. In defining international terrorism, the purpose of the act, the nationalities of the victims, or the resolution of the incident are considered. Those acts are usually planned to attract widespread publicity and are designed to focus attention on the existence, cause, or demands of the terrorists.

- **Non-State Supported Terrorism:** Terrorist groups that operate autonomously, receiving no significant support from any government.

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State-Directed Terrorism: Terrorist groups that operate as agents of a government, receiving substantial intelligence, logistical, and operational support from the sponsoring government.

State-Supported Terrorism: Terrorist groups that generally operate independently, but receive support from one or more governments.

The State Department's report on the Patterns of Global Terrorism during 2000 has further expanded the definition of terrorism to bring under its ambit even attacks on military installations. It said: "We also consider as acts of terrorism attacks on military installations or on armed military personnel when a state of military hostilities does not exist at the site." A declaration on principles of international law concerning friendly relations and co-operation among states in accordance with the charter of the UN approved by the UN General Assembly on October 24, 1970, has laid down that "every state has the duty to refrain from organising, instigating, assisting or participating in acts of civil strife or terrorist acts in another state or acquiescing in organised activities within its territory directed towards the commission of such acts." Mr. Schultz described state-sponsored terrorism as a new form of warfare and said that the success of diplomatic options in dealing with state-sponsors of terrorism would depend on the readiness of the victim-state to hit back, through conventional military and non-conventional clandestine means if the diplomatic options failed.\(^{10}\)

Nations, which become incapable of feeling a sense of indignation and anger when attacked and let their will and readiness to retaliate, when warranted by circumstances, be weakened by misplaced forbearance invite greater aggression. Perceived over-anxiety for peace with a state-sponsor of terrorism does not lead to peace. It leads to only more violence and more suffering for innocent people. Geopolitics is the analysis of geographic influence on power relationship in international politics, i.e. "The relation of international political power to the geographical setting" geopolitics is essentially the study of the political and strategic relevance of geography to the pursuits of international power as such, it is most closely related to strategic geography which is

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\(^{10}\) Pattern of Global Terrorism, 2001, U.S.A., Department of Defence.
concerned with the control of or access to spatial areas that have an impact on the security and prosperity of nations. Geo-strategy is more concerned with discovering patterns of state development and behaviour within a broader geographic context. Geopolitics is based on the assumption that geography defines limits and opportunities in international politics, it is dynamic and it reflects international realities and the global constellations of power arising from the interaction of geography on the one hand and technology and economic development on the other. Technology and the infusion of capital can modify the strategic importance of a particular geographic space and finally, geopolitics clarifies the range of strategic choices, providing a guide for achieving strategic efficiency.

**Terrorism in Geo-strategy**

The strategic importance of these regions Punjab, Kashmir and Xinjiang is needed to be viewed in terms of dimensions of space, time and national vantage points. Space includes natural resources or location with respect to the lines of movement. The annexation of entire Kashmir is part of Pakistan’s national security policy and grand strategy, the new rail line will connect Karachi and Central Asia must pass through Indian held Kashmir to be engineeringly and economically effective. Pakistan’s challenge of proxy war and its unstinted efforts to niggle at India’s internal cohesion through what has been termed as ‘death by a thousand cuts’.

A relatively recent component of the geo-strategic reality in the region is the manner in which the lethal cocktail of religious extremism, small arms proliferation is financed by narcotics trafficking and cross-border terrorism are plying havoc with pluralistic and liberal societies like India and China. There is clearly a transition from politically oriented terrorism to one that is more religiously or ideologically motivated. Pakistanis establishment and the extremist religious terrorist organization as it support as, employ Sunni Wahabi militant Islam as an ideological camouflage to mount destabilizing

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jihadi terrorist actions in the neighborhood. Pakistan is providing logistics and propaganda support to the extremists who are active in different parts of the region.

Terrorism is a global phenomenon, which is easy to recognize but difficult to define. Scholars all over the world describe it according to their socio-economic and political conditions. Those affected by social and economic problems conceptualize terrorism as conflict in society between the haves and the have nots, whereas those experiencing use of terror tactics to gain political mileage consider it as a political phenomenon. Apparently the word 'terrorism' is interpreted to suit different interests. There are innumerable definitions of terrorism and every definition though it appears correct in its own perspective, lacks some important aspects of terrorism. In other words these definitions do not represent all the components of terrorism. However, if these definitions are analysed in totality, an acceptable definition could be evolved. Multiple interpretations not merely complicate definition of terrorism, but also encourage its perpetrator to escape in the name of economic deprivation and freedom fighting. As a matter of fact, terrorism continues to pervade the political system because there is no acceptable definition; and hence no punitive action against the perpetrator is possible either by the government or by the international organisations.

India's geopolitical and nuclear rivalry with Pakistan, coupled with continued clashes over Kashmir, has indicated that nuclear weapons do not necessarily serve as a deterrent against conventional war: States can continue their wars of attrition and perhaps play cold war games of "brinksmanship." China fears a radicalization of the situation in which both India and Pakistan now threaten each other with nuclear weapons and continue to engage in border clashes over Kashmir. Further destabilization of the region could loosen China's grips over Xinjiang and Tibet. Hence, it is in China's interest to cooperate in the effort to find a political solution to these crises. The mutual fear of secessionist movements has thus begun to bring Russia, China, and India together despite their geo-historical disputes, Xinjiang Tibet, and Taiwan are of primary concern to China;

India is primarily concerned with Kashmir and Sri Lanka. Russia, China, and India have all feared the possibility that the U.S. policy might directly or indirectly provide support to regional secessionist movements. International terrorism, though new to the rest of the world, is unfortunately something India have had to face for the last several decades. Over the last decade, India have faced a particularly pernicious mutation of this phenomenon- that of state-supported, cross-border terrorism. A proxy war of low intensity conflict has been waged against the Indian state and society. The continued attacks on Jammu & Kashmir assembly in October 2001, Indian Parliament in December of the same year and the subsequent several attacks including the one on the army residential complex in May 2002 has left the country anguished. These attacks, and the continuing attempt by the terrorists and their masters across the border to disrupt the democratic elections underway in Jammu & Kashmir, illustrate the fear that democracy generates among the terrorists.

The regional security situation around India continues to be a cause of concern to us. Pakistan’s implacable hostility towards India, and its unwillingness rein in cross-border terrorism is fraught with danger. India continues to hope that Pakistan will see the damage that terrorism is doing to its own society, but India also remain prepared to deal with any further aggression. India have taken several initiatives to convince Pakistan about its hope for a common and peaceful future, only to be rewarded each time with new forms of aggression. India also believes that a non-hegemonic regional Asian order is essential for all countries in Asia to achieve their full potential. it considered attempts by any power to seek hegemony over the continent a serious challenge to its security.

Collective action requires cooperation among states. States with a strong sense of sovereignty become natural allies in the war against global terrorism because they perceive the threat, directly and intuitively. Strong sovereigns are able to form a strong coalition. Pluralism in nature may be a fact, but pluralism in society is the achievement of long centuries of culture and history. In a world where dependence and connectivity, between states and within states, is expanding, becomes necessary to defend and nurture

pluralism, just as it is necessary to defend and nurture freedom. To promote one at the cost of the other generates intolerance, violence, instability and anarchy. Reworking these fundamental equations needs dialogue and negotiation, laws and treaties, and, ultimately, security in compliance.\footnote{Kurz, Anat (ed.) (1987) “Contemporary Trends in World Terrorism” London Mansell Publications Ltd. A JCSS Book Tel Aviv University.}

India pointed out that terrorism and drug trafficking posed a direct challenge to democratic societies and political systems everywhere. In this connection, drew Pakistan’s attention to the incontrovertible and irrefutable fact that it had consistently used terrorism as an instrument of state policy against India. India pointed out that Pakistan’s sponsorship and instigation of terrorism directed against it included recruiting, training, financing, arming, infiltrating and controlling terrorists, foreign mercenaries and assorted underworld criminal elements, with a view to using them in every way possible for destabilizing the Indian state. Pakistan’s overt and covert involvement in terrorism directed against India. They are a bit confused because Pakistan will not like a peaceful solution to the Kashmir problem and India will not accept any organisation playing the Pakistani tune in the internal politics of the country. A number of them including the main leaders are arrested for fomenting trouble in Jammu & Kashmir.\footnote{Sawant, Sudhir (1999), “Growing Menace of Narco-Terrorism in Asia”, AAKROSH, vol.2, no.2: pp.20-60.} Though the APHC is not a banned organisation, its activities are under observation. Be it AISF or APHC, when these groups fail to gain recognition from the government and the people, they adopt a violent course of action to destabilize an established government more so in a democratic society. In the name of civil rights guaranteed to citizens in democracy, terrorists indulge in violence and create mass unrest and fear. Wilkinson rightly defines such acts of violence as political terrorism. The kind of violence terrorists inflict cannot have an impact without collective manuevering. They operate in a network structure and are inter-dependent on one another to execute the plan of subversion. The need for collaboration in operations is so high in terrorist organisations that at times they hire services of other groups from across their national boundary. For instance, Pakistan-sponsored terrorism in India involves different terrorist groups operating in Punjab, Jammu & Kashmir, and Assam in India as well as mercenaries from Afghanistan, Sudan.
and Saudi Arabia. 'Bigger the network, more the mileage' is the key to terrorist operations. Individual acts of terror without political purpose is not terrorism, but manifestation of crime or mental sickness. Such individuals could best be defined as psychopaths not as terrorists.\(^{19}\) The political perspective on terrorism would remain incomplete without a focus on international linkage. Interaction among terrorist groups is an essential feature of terrorism. Terrorist operations demand heavy expenditure on weapons and training facilities, which are unlikely to come from sources within the national boundary. The risk of being exposed to police and intelligence agencies is very high if the operation remains confined to domestic frontiers. The possibility of being caught by the law enforcement agencies keeps them crossing the border off and on. Therefore, most of the terrorist groups not merely have foreign source of funding, but maintain cross border training camps and sanctuaries. The history of terrorism is replete with illustrations of transnational terrorism. The Red Faction Army (RAF) of West Germany popularly known as Baader Meinhoff, and JKLF could pose as threats to civilised society because of their international linkage; The Kashmiri militants received military and financial assistance from Mujahideens from Pakistan and Afghanistan\(^{20}\).

Various incidents are enough to prove that political collaboration in the international network of terrorist groups is vital to the success of terrorism. Without such contacts and cooperation terrorism would remain a bare philosophy and would have no impact on society or the government. The apolitical definition of terrorism has no relevance to the global problem of terrorism. Terrorism is the study of conflict in politics within and beyond the national frontiers and it needs to be defined politically\(^{21}\).

**State Sponsorship of Terrorism**

The threat of state sponsorship of terrorism is finally being recognized and steps are being taken to combat the menace. It is increasingly being accepted that terrorism can

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only be effectively tackled through a global and comprehensive approach and not in a
piece meal manner.

It was the same terrorist breeding ground, the same production factories and the
same intelligence professionals who trained and financed Mohd. Atta and his co-terrorists
as also those who have been pushing “Jehadi” terrorist in to India. New linkages in the
web of terror in Pakistan are being revealed to US investigators each day. According to
many pundits, one man’s hero can be another terrorist. In reality the act of terrorism is
one, which is designed to strike terror in to innocent non-combants and cannot be
condoned by any yardstick.

The European union provisionally agreed in December 2001 that “terrorists
offences” constitute those “intentional” acts that may “seriously damage a country or an
international organisation” when committed with the aim of “seriously intimidating a
population ... unduly compelling a government or an international organisation to
perform or abstain from performing any act, or seriously destabilizing or destroying the
fundamental, political, constitutional, economic or social structures of a country or an
international organisation.”

Section 2331 of title 18 of the U.S. code defines international terrorism as
occurring primarily outside the U.S. and involving “violent acts or acts dangerous to
human life that are a violence of the criminal laws of the U.S. or of any state or that
would be a criminal violation if committed with the jurisdiction of the United States or of
any state” and that appear to be intended “to intimidate or coerce a civilian population, to
influence the policy of a government by intimidation or coercion, or to affect the conduct
of a government by assassination or kidnapping.”

The U.K. terrorism act of 2000 defines as “the use or threat of action inter alia
involving serious violence against a person, serious damage to property, serious risk to
health or safety of the public, etc. for the purpose of advancing a political, religious or
ideological cause or to influence the government or to intimidate the public or a section

\[22 \text{ Ibid.} \]
\[23 \text{ Ibid.} \]
of the public.” The draft comprehensive convention on international terrorism submitted by India to the UN states that terrorism is an action taken “unlawfully and intentionally” with the intent to cause “death or serious bodily injury to any person, or serious damage to a state or government facility, a public reputation system, communication system or infrastructure facility with the intent to cause extensive destruction of such a place, facility or system, or where such destruction results or is likely to result in major economic loss” when the purpose of such an act is “to intimidate a population or to compel a government or an international organisation to do or abstain from doing any act.” Under the Indian prevention of terrorism act, a terrorist act is defined as an act committed by a person or persons with the intention of threatening the unity, integrity, security or sovereignty of the nation.

The ISI spends nearly Rs.100 crores every year to run its proxy war in Jammu & Kashmir. Each militant is paid between Rs.2000 to Rs.3000 per month depending upon his experience and status in the terrorist outfit. In case a militant dies in action, his or her family gets compensation ranging from Rs 20,000 to Rs.30,000. ISI agents active in Kashmir receive between Rs.50,000 to Rs.100,000 a month as emoluments. They are accorded five star facilities during their visits to Rawalpindi. Some Islamic organisations are also funding the militants in Jammu & Kashmir. About 30 militant training camps are running in Pakistan and Pakistan Occupied Kashmir [POK]. These camps are controlled from headquarters in Muzaffarabad and Kotli in Pakistan24.

The ISI is assisted in its activities by the Harkat-ul-Ansar HUA] –a group declared to be terrorist by the US State Department in 1997. The HUA has close links with Osama bin Laden, the dissident Saudi millionaire blamed for the bombing of two US embassies in Africa in 1998. The HUA’s two militias – Harkat-ul-Mujahideen and the more extreme Harkat-ul-Jehad – provide shelter, food and clothing for the trainees at helter, food and clothing for the trainees at these camps, while the ISI provides weapons, ammunition and transport, along with specialist instructors for training. The ISI has been training Afghan Mujahideen, Kashmiris and Punjabis from Pakistan at these

24 “Pakistan-The chief promoter of Islamic militancy and... (www.idsa.india.org/an/html)
camps. The fanatic trait of the trainees is evident from the fact that they are now seeking to change the basic ideology in Kashmir from azadi to Jehad.\footnote{Peer, G. (1992), *Terrorism in Kashmir: Understanding the Kashmiri Insurgency*, Jammu Tawi: Kay Book House.}

Hired soldiers from several countries: Iran, Yemen, Chechnya, Kazakastan, Sudan, Bahrain, Turkey, Saudi Arabia and Afghanistan, have also been employed by Pakistan in Jammu & Kashmir. They are paid much more than those recruited from Jammu & Kashmir, POK or Pakistan. Pakistan army personnel disguised as militants or civilians, apart from aiding infiltration, are also operating in Jammu & Kashmir for collecting intelligence about Indian army and Indian Air Force movements, identifying targets for attack in case of war, and directing artillery fire on Indian locations from vantage points.

Elsewhere in India, the ISI offers monetary rewards, sex, and other attractions to cultivate agents. One of their tactics is to form cells near military cantonments. Using its old contacts in Bangladesh, reportedly with some co-operation from the Bangladesh Intelligence services, the ISI eighth the size of India’s, on a military less than half the size of its rivals. With money left over for investment in infrastructure, Pakistan is unable to do much to promote its economic growth. Nor it can afford to improve the deep inadequacies in its education system. Such inadequacies encourage the country’s poor to turn towards radical madrassas, since these do not demand fees and provide free food and clothing. The military rivalry with India, in short, has become a key factor pushing Pakistan towards long-term disintegration, and radical Islamist are waiting to pick up the pieces.\footnote{Peer, G. (1992), *Terrorism in Kashmir: Understanding the Kashmiri Insurgency*, Jammu Tawi: Kay Book House.}

UN security council resolution 1373 shows us the way by laying down broad parameters for international cooperation in fighting terrorism. This includes organisations, exchange of the operational intelligence and information, entering in to bilateral and multilateral arrangements to prevent terrorists from acquiring refugee status in other countries and taking strict action to break the nexus between terrorism and organized crime. The basis of 1373 was that no nation state must support terrorism in any
way - active or passive. Every state must realize anywhere even if far removed and not an immediate direct threat can over time become a scourge, which can destroy civil society.

In order to effectively combat terrorism, the following specific measures could be considered:

- Root out the financial resources and support to terrorist outfits to squeeze them. Greater transparency and monitoring of banking transactions would be necessary to achieve this.

- Ensure international cooperation to track down sources of terrorist finance including hawala transactions and laundering of drug money.

- Compile and regularly update data on terrorism and terrorist organisations and share this in real time with concerned countries.

- Plan and carry out joint intelligence based operations to neutralize terrorist outfits and undertake as necessary, operations to retaliate against terrorists' acts committed in any part of the world.

- Institutionalize cooperation against the threat of weapons of mass destruction terrorism and encourage international cooperation in tactics and methodologies to deal with the threat.

- Conduct a media campaign against terrorism that create awareness among people in general and the young in particular about how damaging to themselves and self defeating it could be to provide any kind of support to terrorists to terrorist organisations.

- Develop multi-purpose international cooperation to facilitate action-administrative, police, economical and judicial-against terrorism and terrorists.

Ibid.
Enact analogous legislation against terrorism in all member countries of the international coalition to facilitate and arrest, extradition, trial and punishment of terrorists cutting across international boundaries and barriers.

Finally, the international coalition against terrorism should ensure that any state not co-operating or that is continuing to aid and abet terrorists anywhere should be appropriately penalized.

The scourge of terrorism today is a reality that all civilized nations—particularly democratic societies—would have to contend with. Democracies by virtue of the freedom that they accord to their citizens are generally more vulnerable to the scourge. They do not distinguish between innocent civilians and combatants. India has had to introduce new legislation to deal with the terrorist threat while using this effectively to deal with terrorists, the Indian state need to ensure that the powers it now wields should be used judiciously and above all should not be misused for individual or partisan gain. With a judicious mix of political incentives, action by security forces and diplomatic pressure on our errant neighbour, the Indian nation-state will face the looming threat of international terror and emerge victorious.\footnote{Sengupta, Dipankar and S. K. Singh (2004), \textit{Terrorism in South Asia}. New Delhi: Author Press.}

The difference between war and terrorism is subtle. War is a fight between two states, while fringe anarchist fanatic groups often resort to terrorism. However, this distinction has disappeared in recent years. Many states have been supporting, aiding, assisting and sponsoring terrorist activities. Another difference is the glorification of war and a universal condemnation of terrorism. Somehow it has come to be accepted that war is ethical and good, while terrorism is a crime against humanity. There can be no doubt that western media has played its part in creating this moral distinction. In spite of all the noises against terrorism, western nations have never hesitated to use terrorism as and when it suited them. In the past few decades, CIA, KGB and such agencies have been accused of assassinations, coups and armed rebellions. Obviously the ethical and human
rights bogey is only for external consumption when the western powers are at the receiving end of terrorism.

In contrast with the self-interest-centered viewpoint of western powers, India has been adopting a strictly moralist view towards terrorism. Indian leaders have been crying hoarse against Pakistan sponsored terrorism and have been hoping that the rest of the world will come to India's aid. Indian argument is based on the evil nature of Pakistan's acts. India has been pleading with the world powers to act and solve the problem in her backyard. At times this has gone to ridiculous extents.

The arguments of ethics, morality, human rights and international order are used to appeal to international community. Rhetoric and hard words seem to be the weapons that Indian leaders appear to be employing against terrorism. If it is not hard words, the only other option that Indian leaders can think of is sending the army to fight it out. State-sponsored terrorism is a form of war that cannot be countered by conventional war. For the past two decades, India has experimented with use of army to fight terrorism in Jammu and Kashmir with no success. It is indeed strange that instead of learning from past experiences, there is a clamour for increased use of army. Is it not time that India learns to fight this war and gives up knee-jerk reactions to individual terrorist acts?

State sponsored terrorism can be effectively curbed only if a disproportionately higher cost is imposed on the sponsoring state. The key is to act in one's national interests as one would act in times of war. Bleeding the sponsoring state and taking it to the brink of disintegration are perfectly legitimate aims to be pursued by a country under attack. Strategically, it makes better sense to use internal tensions and fissures of the enemy to achieve one's objectives. Sacrificing one's young men must be avoided as far as possible. Instead the attempt should be to provoke and assist citizens of the enemy to harm and bring their own country to a state of collapse.

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29 ibid.
Pakistan has been systematically sponsoring terrorism in India and especially in Jammu & Kashmir. It has been calling terrorists as freedom fighters and has been openly declaring its support to the militants in Jammu & Kashmir. In return, India has adopted a defensive position. An aggressive strategy would have involved a similar sponsorship of groups in Pakistan. There is historical evidence in support of the allegation that integration of Sindh and Baluchistan into Pakistan was done in a most shady manner. There is a feeling in Sindh and Baluchistan that Punjab is treating them as colonies. In both provinces, there are groups who are willing to shed blood for independence from Pakistan. India should actively support such groups and act as a catalyst for freedom movement in these provinces. India must also champion the cause of Shias, Ahmedias, Mohajirs, Hindus and Christians in Pakistan. As and when feasible, such minority groups should be provided moral, political, and financial and other support.

**Terrorism: A History of the World and its Definition**

Terrorism has become one of the most important causes evoking serious and real threats to the security of countries, their inhabitants, property, democratic system and the natural development of human society and civilization. Terror and terrorism began to emerge after Napoleon’s defeat at Waterloo and the renewal of royalist regime in France under new circumstances and arrangement of Europe, based on agreements of the Congress of Vienna in 1814-1815. The original and the new forms of terrorism were applied especially in revolutions in the 19th and early 20th centuries, in colonial and civil wars of that time, during and after World War I, in a situation created by the Versailles Peace Treaty and some other international pacts. World War II the biggest war conflict in the history of mankind is seen as a fight between democratic forces and the evil of extremist right, racism and extremism. Peace after the end of World War II was not really peace. Although fascism was defeated during the war, conditions for the construction of the bipolar world was created and the fight for liberation of the colonies started. Terrorism did not cease to exist. Stalin’s method of state sponsored organized terrorism continued and expanded in to other countries.\(^{32}\)

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Terrorism has accompanied the development of mankind through its whole history, finding its expression in various forms depending on the particular conditions in each historical era. The goals, the methods, the forms, and the instruments used have all been changing. As a rule, terrorism does not act in isolation but it is connected with other forms of violence, especially armed violence-wars, uprisings, rebellions, revolutions, etc.

The first recorded use of "terrorism" and "terrorist" was in 1795, relating to the reign of terror instituted by the French government. The use of "terrorist" to signify anti-government activities was recorded in 1866 referring to Ireland, and in 1883 referring to Russia. Throughout history, humans have terrorized their neighbours to generate fear and compel changes in behavior. At the dawn of China’s imperial age, Tai Kung, the first Chinese general and progenitor of strategic thought, described the "spreading of civil offensives" to sow dissension, demoralize the populace and incapacitate the government. In the modern period, all regular armies have recruited "irregulars" to do their dirty work: Cossacks, Hunters, Hussars, all were used to draw a civilized veil over the actions of their sponsors as they raped and pillaged in towns and across country sides. For most of the post World war II period, people who believed that they were being downtrodden by either one or all of the nations of the world have expressed the frustration and attempted to air their causes on the world scene by committing acts of terrorism\textsuperscript{33}. These political statements have included everything from kidnapping individual people to suicide-bombing children’s day-care centres to attacking commercial aircraft. However not everyone in the world agrees that these actions are terrorist actions and some nations even support the actions of the people who perpetrate these crimes. This quandary can be seen in the reaction of the world to the attacks on the U.S. on the 11\textsuperscript{th} of September 2001. Much of the world has expressed outrage at the acts of senseless violence committed on that day, while others have been openly declaring the support for those who committed the attack.

Terrorism is a term that has been with the world for over two hundred years, and with the attacks that happened in September 2001, it seems that it will continue to be with us for a while to come. It is a term that we need to be careful not to use in the wrong

place. It is also a term with which the world is still struggling to define with clarity. Although, this struggle may have ended with the attack on the U.S. in September 2001, as the only superpower in the world begins to try to define their newly discovered enemy so that they can discover who exactly are their enemies and prevent them from ever again repeating the damage that they caused. As the U.S. is the only real superpower in the world, the definition the world has for so long refused to make may soon be decided for them. It probably will not be a definition everyone will agree with 34.

There also exist problems with using the word terrorism in the modern day. Firstly, the term terrorism has a pejorative connotation, which results in the person or group being labeled as a terrorist or terrorists being politically and socially degrading. Labeling someone a terrorist without thought can cause him or her to lash out even harder at the establishment that they are currently reacting to. Also, a routine crime that is labeled a terrorist action will assume a much greater social importance than would ordinarily be the case. In some case this gives the perpetrator extra status and also can give a group of criminals an excuse for further crime. A political movement can be hampered when its followers are labelled terrorists. A few extremists should not invalidate the cause of many. This can be seen in the plight of the Basque people who have had trouble getting their message, of their need for a homeland, seriously considered because of the actions of a few fanatics 35.

Governments can increase their power in the face of opposition by labelling their opponent’s terrorists. In many nations, the average citizens will accept a greater abuse of power by the government violent group but “legitimate groups that fund terrorist operations.” Also in 1995 the Omnibus Counter terrorism Act passed by the U.S. Congress in 1995 supports the above conclusions and in 1985 the Congress also authorized law enforcement officers “to arrest foreign nationals on soil outside U.S. jurisdiction when terrorist laws are broken.” The major problem with the legislation the U.S. is passing is that “some groups can be labeled as terrorists while other groups

engaged in the same activities may be described as legitimate revolutionaries.” This can be seen in some of the Latin American countries with which the United States is friendly and who have committed some of the worst atrocities in the world in the name of counter terrorism. Ironically, some of the revolutionaries were saying that the ideals that they were fighting for could be found in the U.S. Bill of Rights.

At the United Nations and other international bodies there are many problems in creating a definition of terrorism due to the differing goals of the different political blocs that exist within these organisations. Today terrorism must be viewed within the context of the modern nation-state. Indeed, it was the rise of a bureaucratic state, which could not be destroyed by the death of one leader that forced terrorists to widen their scope of targets in order to create a public atmosphere of anxiety and undermine confidence in government. This reality is at the heart of the ever more violent terrorism of the last 100 years, from anarchists’ assassinations to hijackings and suicide bombings. Arriving at Islam, the concept of Jihad, or “struggle,” which in recent decades has been at the theological core of justifying Muslim acts of terrorism, traditionally meant the spiritual and moral struggle of an individual Muslim against his or her evil inclinations. The lesser jihad that is, war against other human beings, is in classical Muslim sources a “defensive” war with limits that cannot be “transgressed,” even when fighting those who “try to force you to adopt another religion or to leave your home.” Ultimately, the theological roots of terrorism or war in general would seem to be moot, for religion has long been used to justify politics and warfare. Nonetheless, this has not stopped the terrorists, who attacked the World Trade Center and Pentagon from considering themselves to be good Muslims, nor the Jews who uproot Palestinian homes or Serbs who kill Muslims in Bosnia from considering themselves to be good Jews or Christians.

Although terrorism has its roots in distant history and is a phenomenon occurring in the whole history of mankind, deeper and systematic studies on terrorism began just recently, when its consequences became dangerous not only to large groups of people but also to the security of countries. At first, research of terrorism had spontaneous character; studies were conducted by individuals or countries threatened by terrorism. Today,

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terrorism is studied in an organized manner by different academic institutions, especially research institutes, universities and research centres of prevailing police and military schools, and in other organisations sponsored by various foundations or by the government.

In the first stage of development, terrorism was applied pervasively within the borders of individual countries, and it threatened mostly individuals or a particular group of people. It had the character of criminal activity or organized crime. To eliminate it, certain measures were taken, first in the form of national and later international legal principles and conventions. After the colonial wars, the national character of terrorism expanded to the international scene. Terrorist's attacks made during the last 50 years showed that terrorists follow their political objectives also beyond the borders of their own countries. Terrorism became a borderline between the traditional military threats, for which the countries had been preparing themselves in the 20th century, and the new threats that they have to face in the 21st century.

In future, terrorism might endanger the existence of humankind as a whole, since its fanatical forms do not know any limits and would not stop before anything. If we are to understand the underlying principles of terror and terrorism, we have to get acquainted with it, just the same as with any other social phenomena, in its historical development and context. The international community is already considerably awakened to the dangerous and inhuman phenomenon of terrorism. What is needed to curb and eliminate the evil is to unite and fight terrorism in all its forms and manifestations. States sponsoring terrorism must be isolated by the international community and forced to abandon the weapon of terrorism. Nations must not distinguish between friends and foes when it comes to identifying terror-sponsoring states. Such states must face the united might of humanity to save itself from the scourge.

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Terrorism as Means to an End

The second essential aspect in the definition of terrorism is to analyse it as a means to an end rather than an end by itself. History offers evidence that terrorists invariably aim to achieve certain socio-economic or political goals. Terror tactics have always been used, as means to an end. Means theory is so relevant in the politics of violence that even an individual perpetrator addresses his grievances through terror tactics. Martha Crenshaw substantiates this idea by defining terrorism as a means to a political end. Furthermore; it is the type of means employed that defines a group as terrorist or otherwise. A clear distinction between violence by a political party and a terrorist group is necessary while defining terrorism. The differences between the two could be easily explored; for instance, violence by an established political party is normally haphazard and has low intensity. It happens only in the wake of protest rallies and demonstrations. These are more in the form of anomie than planned violence like that of terrorism. Violence by political parties does not create mass unrest for a long period of time. It can create chaos, confusion and halt the government machinery for a day or two but cannot pose a serious threat to society. Terrorism, on the other hand, adopts a well-planned tactic to indulge in violence, arson and subversion. Every phase of violence is chalked out by terrorists according to socio-economic and political conditions of the target area. An environment of unrest and fear is created through conspiracy and propaganda before terrorists resort to violence. Such issues are totally missing from violence by political parties. As a corollary to this and as explained in the model, it is also important to note that, violence, being a precondition to terrorism, needs proper planning for execution of subversive plans, which largely depends on training imparted to the terrorists. Without training in the use of weapons, tactical application of violence is not possible. This aspect is also significant in defining terrorism. Terrorists are trained in weaponry, communication systems and post-violence follow up actions in training camps abroad. It is an important aspect of terrorism, because the era we live in is not that of daggers and knives, but of machine guns, bazookas, missiles, transistor bombs, letter bombs, cyanide and RDX. These are highly sophisticated weapons and ammunition,
which requires proper training to operate. Lack of skill, might prove fatal and self-destructive\(^3^9\).

These descriptions apparently lead to the conclusion that terrorism is not just a kind of violence expressed on the spur of the moment, but an organised instrument to achieve political objectives. Therefore, on the basis of all the definitions given by scholars all over the world and the real issues involved in terrorism, terrorism could be defined here as an act or threat of an act of tactical violence by a group of trained individuals, having international linkage, to achieve political objective. This group could be sponsored by non-state or state agencies. This definition precisely covers all the aspects of terrorism. According to David Ridley, Terrorism is a transient term. It hasn’t always meant the same thing, and it doesn’t mean the same thing to different people\(^4^0\). In 1987, an Islamic Group, AL-TAWHID proposed to answer precisely this question. They managed to expand the word terrorism to all of its constituent parts. They said that terrorism includes:

- Terrorism which threatens security, honour, property and the like.
- Cultural terrorism, which tears human identity apart, and leads to the abyss of perdition and aimlessness.
- Information terrorism, which deprives man of his freedom to breathe in an unpolluted atmosphere.
- Economic terrorism.
- Scientific terrorism.
- Diplomatic terrorism.
- Military terrorism.

In 1992, the United Nations attempted to synthesize these categories, and defined terrorism as: “An anxiety-inspiring method of repeated violent action, employed by (semi-) clandestine individual, group or state actors, for idiosyncratic, criminal or political reasons, whereby - in contrast to assassination - the direct targets of violence are not the main targets.” Its framers no doubt realised that in defining a concept as broad as

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terrorism, an equally broad definition is required. However, the definition is inadequate, for specifying that terrorism must involve "violence". As seen, there are categories of terrorism independent from violence, such as information or diplomatic terrorism. Further, it excludes religion as a reason for terrorism.\(^{21}\)

Terrorism as simultaneously a crime, a war, a threat, a disaster, an emergency, a kind of politics. Kashmiris militants (sponsored and supported by Pakistan) made a strong bid to classify themselves as "freedom fighters" by challenging the international definitions of terrorism. They are demanding that the West should re-define terrorism to distinguish between "freedom fighters" and "blind terrorist acts based on fanaticism." Their new mission is to convince the world that it must reconfigure the definition of terrorism to legitimate his kind of violence as the morally superior methodology that would cleanse the world of all-evil. In their definition that amounts to "state terrorism", or "blind fanatics".\(^{42}\)

The Commonwealth Government of Australia has proposed new anti-terrorism legislation. The definition of terrorism it prescribes is: "A specified action or threat of action that is made with the intention of advancing a political, religious or ideological cause lawful advocacy, protest and dissent, and industrial action are expressly excluded from the ambit of the definition." Section 100.1, The definition itself seems adequate, but its application is not under the proposed section 102.2, the Attorney-General is given authority to “proscribe” an organisation as a terrorist organisation for the purposes of the Act, provided that he/she is satisfied on reasonable grounds that the organisation is likely to endanger or has endangered the security or integrity of the Commonwealth or another country. This power has been widely criticized for giving the Attorney General an arbitrary power to declare organisations terrorists.\(^{43}\)

The problem is rendered more difficult by the definitions we choose to employ. Recently, the United Nations tried to craft a working definition of terrorism. One version went as follows: “Criminal acts intended or calculated to provoke a state of terror in the

\(^{21}\) U.N., Office of Public Information, U.N. Year Book, 2001
general public, a group of persons, or particular persons for political reasons are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature may be used to justify them.” The U.S. had reason to be uncomfortable with this wording since it would clearly outlaw many types of covert actions taken by Washington in the past. The U.S. Department of State accepts the definition in Title 22, U.S. Code of Justice, Section 2656f (d) as follows: “the term ‘terrorism’ means premeditated, politically motivated violence perpetrated against non-combatant targets by sub-national groups or clandestine agents, usually intended to influence an audience.” According to the State Department terrorism exists also when military personnel, or installations, are attacked “when a state of military hostilities does not exist at the site.” For a long time,” says Timothy Garton Ash in the prestigious New York Review of Books (November 29, 2001) “the UN has avoided any definition of terrorism. Recently, it has tiptoed toward one. A November 2000 report by the UN’s Sixth Committee came close to a general definition when it declared: "Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political reasons are in any circumstances unjustifiable, whatever the consideration of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be used to justify them.”

The UN definition that is currently being discussed in the context of a Comprehensive Convention seeks to cover "all acts which causes death or serious bodily injury or serious damage to public or private property including a place of public use, a state or government facility, a public transportation system or an infrastructure facility or the environment or damage to property resulting or likely to result in a major economic loss, when the purpose of the conduct is to intimidate a population or to compel a government or an international organization to do or abstain from doing any act."

Terrorism is hard to define. In its broadest sense terrorism can be thought of as the use or threatened use of force against civilians designed to bring about political or social change. Given the U.S. government's pledge to wage a war against terrorism, it is important to look at its definitions. According to both the Department of Defence (DOD) and the FBI, terrorism is "the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population or any segment thereof, in furtherance of political or social objectives." The DOD definition adds that a goal of terrorism can be "inculcating fear," while the State Department is more elaborate, specifying that terrorism may include the use of biological, chemical or nuclear devices as well as the act of "assassination." This is the grand conundrum of defining terrorism; it is very difficult to separate it from acts of war, just or unjust. We all have heard the saying, "One man's terrorist is another man's freedom fighter." Osama bin Laden and his comrades were hailed as freedom fighters in the 1980s by the American government at a time when politicians like Dick Cheney considered Nelson Mandela a terrorist. Further, the UN definition of terrorism states that "all war crimes will be considered acts of terrorism," in which case most every government in the world (especially the major military powers, Pakistan, Israel, the major Muslim states, most Latin American governments) has committed terrorism, though few have ever faced justice or even opprobrium for doing so.

**Common Acts of Terrorism**

Since 1968, when the United States government began keeping such statistics, more than 7,000 terrorist bombings have occurred worldwide. The State Department currently lists 30 "designated foreign terrorist organizations" and another 14 as "other terrorist organizations." According to the State Department; the number of terrorist acts has hovered between 300 and 500 per year during the 1980-1999 period. Surprisingly, about two thirds of all acts of terrorism are against business, numbering five-fold more than attacks on diplomatic, military and government personnel or property, or civilians. Moreover, while the Middle East dominates media coverage of terrorism, in fact Latin

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America, followed by Western Europe, suffered the most attacks in 1999, with bombings the most popular method of attack, followed by firebombing, kidnapping, arson, and hijacking. The State Department numbers are misleading, because an incident is classified as international terrorism only if it involves the citizens or territory of more than one country; thus terrorism within countries not harming foreign nationals is not counted.

**Renowned Acts of Terrorism**

In the post-war period, acts of terrorism have included the Munich Olympic massacre in 1972, plane hijackings and airport shootings throughout the 1970s and 1980s, the 1993 World Trade Center attack, the bombing of the Federal Building in Oklahoma City and the murderous acts of the Ted Kazinsky, the "Unibomber," the latter three of which signaled the arrival of large-scale terrorism as permanent fact of life on American soil. Finally, the Tokyo sarin subway attack by Aum Shinrikyo in 1995 has augured a new era in terrorism, now crowned by the September 11 attacks. These attacks reveal that the new dynamics of terror combine devoted militants, often well educated, using relatively primitive means to commit acts of extreme and indiscriminate violence.47

Terrorism by the IRA, the PLO and other Palestinian groups, Sikhs, Tamils, Basques, Philippino Muslims—none of these has succeeded in altering the policies of the affected states. Neither has state-sponsored terror by Rogue states led to the defeat of an enemy. However, if the goal of terrorist acts by these groups is to prevent peace and reconciliation, terrorism has worked. The variables determining the success or failure of acts of terror are thus indeterminate and complex.48 Terror can help the stronger party in a conflict win more quickly and with less loss of life on its side. In such a situation it becomes all the more important for citizens and leaders in the West and its allies in the Muslim world—in fact, all people everywhere—to understand the role their policies, and indeed the whole world system as presently and unequally structured, plays in the fostering and sustaining this new generation of terrorists. Yet the scope and horror of the

violence inflicted by the new terrorism makes such introspection all but impossible. In this sense, Osama bin Laden and his comrades around the world might achieve their goals through their very destruction. All we have to do is look at both sides of the Israeli-Palestinian divide to understand that violence, including terrorism by a state or occupied population, rarely stops further violence as long as the grievances motivating them are not addressed\textsuperscript{49}.

From a broader perspective, the ever-growing world trade in arms, which fuels violence at all levels, has multiplied opportunities for anyone with a grievance to spread terror anywhere. Yet our entire military-industrial system is based on the large-scale trade in arms, which helps to fund our own defence budget. Finally, since much of the rest of the world, especially citizens of the Global South, harbour deep resentments against the United States for its "cultural invasion" as much as for its economic and foreign policies, using unilateral acts of large-scale violence in the war against terrorism will only feed that hatred. A credible counter proxy war strategy against Pakistan has to have an overt and a covert component. The overt component relates to extending political, moral and diplomatic support to the alienated sections of Pakistan-Occupied Kashmir (POK) and the Northern Areas (NA) in their agitations/struggle against the Government of Pakistan. Islamabad goes to the world promptly with exaggerated accounts of every incident taking place in Jammu & Kashmir in order to keep the issue constantly in the media and before international public opinion. At the same time, it has imposed a virtual iron curtain on developments in POK and the NA in order to keep world media and public opinion in the dark about the real situation there\textsuperscript{50}. After 1988, a number of new organisations came up in the POK and the NA demanding greater democracy, autonomy and even independence, but the ISI has ruthlessly suppressed them keeping their leaders under detention without trial. Those, who escaped arrest, are living in exile abroad.

India claims that the entire Jammu & Kashmir as it existed before August 15, 1947, is an integral part of India and, yet, our political leadership, bureaucracy and public opinion have taken no interest in the plight of the peoples there and in bringing to

\textsuperscript{49} Grower Verinder (ed.) (2002), \textit{Encyclopedia of International Terrorism, Documents and Studies on Terrorism and World Countries}.


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the attention of the world what has been happening behind the iron curtain erected by Islamabad. One has the impression that New Delhi is as ignorant about the state of affairs on the other side of the Line of Control (LOC) as the rest of the world. It has taken little notice of the emerging new leadership in the POK and the NA and has avoided interactions with the political exiles from these areas living abroad. No attempt has been made to better organize them in their struggle against Islamabad. India has every moral right to do so if we consider the POK and the NA as rightfully belonging to us.\footnote{Shah, Giriraj (ed.) (2002). Encyclopedia of International Terrorism, New Delhi: Anmol Publications.}

This tragic neglect has to be put an end to as part of the overt component of the proposed counter proxy war policy. What should be the contours of the covert component cannot be discussed in a study like this, but certain points can be flagged. It has to be based on recognition of certain ground realities such as the following:

- Ideas such as the right of hot pursuit, raids on training camps across the LOC etc will not work. Hot pursuit can work against terrorists/insurgents indulging in hit and run raids from rear bases across the border. There cannot be any hot pursuit of terrorists operating from shelters inside our territory and against suicide bombers. The question of raids on training camps across the LOC does not arise because the camps are located on either side of the Pakistan-Afghanistan border and not in the POK or the NA.

- Covert actions against the Pakistani interests in the POK and the NA would be difficult because of the strong presence of a Punjabi-Pathan component in the local population. Even before 1947, the present POK had a strong Punjabi presence and this has increased since then due to the systematic resettling of Punjabi and Pathan ex-servicemen. The NA had very little Punjabi-Pathan component before 1947 except in the areas in the proximity of the North-West Frontier Province (NWFP). Today, Punjabis and Pathans are economically dominant, though not yet numerically.
Pakistan has the advantages of terrain and local support in this region and, therefore, will be able to frustrate any covert actions without serious difficulties.

The epicenter of the covert component of any counter proxy war policy has to be largely outside the POK and the NA, in areas where we will have the advantages of ground conditions and local support. India has to carefully choose the terrain, which will hurt Pakistan and hurt it badly. Till now, it had been restricting itself to the conventional counter-terrorism strategy based on the principle of passive defence in our own territory in response to Pakistan's proxy war. This strategy has not brought this war to an end and is unlikely to do so. We have to adopt a counter proxy war strategy based on the principle of active defence through a mix of overt and covert actions. UN declarations and international laws and practice justify the adoption of an active defence strategy by a state against another state which seeks to use terrorism as a weapon to achieve its strategic objective.52

State-sponsors of terrorism generally tend to project the terrorist groups backed by them as "freedom-fighters", just as Gen. Musharraf has been doing since he captured power on October 12, 1999. How to differentiate between terrorists and freedom fighters is one of the questions considered by President Reagan's Special Task Force on Terrorism headed by Mr. George Bush, his Vice-President and the father of the present President. It said that while freedom fighters confined their attacks only to security forces, which were in a position to defend themselves. Terrorists were those who killed innocent civilians. It defined a state-sponsor of terrorism as a state "supplying money, weapons, training, identification documents, travel documents, or safe haven for terrorists".53

Pakistan’s Geopolitical Objectives in Kashmir, Punjab and Xinjiang

Pakistan geopolitical strategy is a model for foreign policy that seeks to pursue its 'national' interests by controlling certain regions whose significance is determined by their geographical, economic and political characteristics. Factors that typically

determine the importance of a region are the presence of resources, proximity to trade routes or emerging markets, or the magnitude of power that nearby states may yield. The pursuit of these interests usually involves the manipulation of foreign powers and the constant forging and dissolving of alliances and arousing nationalist and religious feelings. Continuation of "small wars" ("low intensity" conflicts) is fraught with many unpleasant consequences. The most important one is the growth of drug industry and its coalescence with political terrorism turning it into geopolitical drug terrorism. It is known for already a long time that usually the zones of drug production and transportation coincide with the zones of local wars\textsuperscript{54}. This is not a accidental coincidence: wars ruin the population and destroy normal economic structure; drug production and trade sometimes turn into the only mean of survival for the people reduced to indigence. Super profit from drug traffic turns in the hands of big drug dealers into the capital financing contraband arms traffic. Arms traffic favours war escalation and so the situation develops further in a vicious circle. It is very difficult to break this vicious circle as contraband drug and arms traffic guarantees super profit. No legal business will ever yield such return, super profit drug mafia and international terrorism problems as such are rather secondary. Global interests and conflicts of the states - the substance of concrete geopolitics - are primary.

**Terrorism –A New Face of War**

Terrorism is about as low erosion of the might of the country, the threatening of its core ideals and above all a psychological war that is aimed at wearing away even the most battle hardened troops in a war where the enemy is often invisible and where the victims are always their own people. In India and in many parts of the world where terrorism has emerged in familiar tones and guises. The present bout of violence that has been rising since the late 1980's is nothing short of a new kind of a war and this war can only be fought by completely new thinking on counter-terrorism, state policy, and armed forces structures and training and foreign policy. The option of "proxy war" thus became the favoured option for those countries that already tried and failed at achieving their objectives through conventional war. Thus proxy war was launched as an extension of

war by other means. Though clearly a part of state activity, it did mean that the state had to adopt a certain stand off position, without seeming to be too involved in what was essentially an illegal\textsuperscript{55}.

Terrorists can contribute to instability by lending a hand to other terrorist groups intent on destroying peace processes. Conversely, instability draws more weapons into the region, increasing the chances that terrorists will get their hands on them. In addition, governments otherwise occupied with wars are less likely to root out terrorists operating within their borders. In addition, Pakistan’s political and economic difficulties and the resultant damage to Pakistan’s institutions have provided fertile grounds for terrorism. Pakistan’s government sponsored educational system has been unable to meet the needs of Pakistan’s people. As a result, many poor Pakistanis are drawn to free education provided by madrasas, or religious schools. Many of these schools perform a needed service in imparting such education. Some schools however, inculcate extremism and a violent anti-Americanism in their students\textsuperscript{56}. One of the most important ways to combat terrorism is to disrupt the financing of terrorist groups and activities. Pakistan has tolerated terrorist loving and moving freely within its territory. Numerous Kashmiri separatists groups and sectarian groups involved in terrorism use Pakistan’s a base. Pakistan has also frequently acknowledged what it calls “moral and diplomatic support” for militants in Kashmir who employ violence and terrorism. Participants agreed that to combat terrorism individual nations and the international community must block financial, logistical, and moral support for organizations and people engaged in international terrorism. Sartaj Aziz, a former foreign and finance minister, explained recently “for every ten militants who are trained here to fight in Kashmir, one goes and the rest stay in Pakistan to cause trouble. After all, as long as the contest over Kashmir continues, it will remain a draw for radical Mujahideen from throughout the Muslim world and will encourage groups within Pakistan to give them support and shelter. Islamists terrorists also know that the best way to encourage revolution in Pakistan is to

\textsuperscript{55} Ibid.
\textsuperscript{56} Ibid.
Pakistan’s Geostrategy in Kashmir, Punjab and Xinjiang:

Pakistan had a much clearer view of the importance of these provinces for its national interest than India. The two South Asian neighbours are now locked in competition over trade agreements. Their influence in these provinces in three main areas of competition.

- Gas and oil deposits promise these South Asian states access to vast energy resources for their economies, particularly for the last expanding Indian industries.

- They offers a geo-strategic advantage point for these competing states in relation to Russia and China by gaining prominence in Central Asia, each state seeks to broaden its international reach at the expense of the other.

- India and Pakistan wish to use their influence in Xinjiang province especially to advance their interests in relation to the Kashmir valley.

Pakistan was the first South Asian country to recognize the independent Central Asian states and establish diplomatic ties. Central Asian reserves vary but some of the conservative estimates put the oil reserves at 7% and gas at 8% of global reserves. Turkmenistan has the world’s largest deposit of natural gas, with proven reserves of 101 trillions cubic meet. In 2001, it produced 1.64 trillion cubic feet of natural gas and consumed a mere 0.26 trillion cubic feet.

Islamabad in particular took the lead in establishing ties with Central Asia, particularly an access to Xinjiang region of China and has favored the construction of a

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pipeline across Afghanistan to Pakistan the benefits of such pipeline for Pakistan are
three fold:

🔹 There are obvious advantages for Pakistani industries in direct shipment of
affordable fuel.

🔹 The pipeline across Pakistan will offer that state significant international clout as
it would become in essence the most direct access, primarily for Asian industries,
to Central Asian energy reserves.

🔹 It would consolidate relations between Pakistan, Central Asia & China and give
Islamabad a considerable degree of political influence in that region.

Pakistan’s push north to Afghanistan and support for the Taliban was in part
directed at establishing landlines of communication and trade with Central Asia and
bringing Islamabad closer to the Xinjiang, Kashmir & Central Asian capitals. This policy
was pursued by all parties in Pakistan because by achieving what has been termed
hegemony over the southern approaches to Central Asia60. Islamabad could seriously
enhance its international standing. The 11 September terrorist attack and the subsequent
war in Afghanistan have changed the geo-political landscape. Another generator of
conflict is the cultivation of opium and the traffic in heroin from the countries of golden
crescent –Iran, Pakistan, Afghanistan. If the conflict continues in Afghanistan, the
competing Mujahidden groups will be desperate for money to buy arms and those in
opium growing areas will increase their production and export of heroin61.

Pakistan is trying to achieve its foreign policy objectives and fulfill its national
aspirations by encouraging and supporting terrorist movements in India. The dissatisfied
and alienated elements in Punjab and Kashmir found Pakistan ready to give them all
possible assistance. Since Pakistan has sown ideological difference and major border
conflicts including the issue of Kashmir with India, it is bent upon particularly after the

60 Akbarzadeh, S. (2003). “India and Pakistan’s geostrategic rivalry in Central Asia.” con temporar y South
Asia vol-12, no.2: pp.219-228
Ltd.
emergence of Bangladesh not only to disturb destabilize but to disintegrate India at all costs. Since the 1970’s Islamabad have been training Sikh and other Indian separatist movements as apart of Zulfiquar Ali Bhutto’s strategy of forward strategic depth. Pakistan has been providing financial aid, training and latest and most sophisticated weapons to terrorists to increase their subversive activities and escalate militancy in different parts of India. The Inter Service Intelligence had developed ‘K-2’ a long termed programme aimed at unifying and better co-coordinating the Kashmiri and Sikhs subversion efforts by “bringing under one umbrella Sikh and Kashmiri extremists and Muslim fundamentalists who would then intensify acts of violence in Punjab, Jammu and Kashmir Terai region of U.P. indeed the escalation of terrorism since the early 1990’s was a outgrowth of the ISI’s implementation of the K-2 programme. The ISI had launched a special force to assist the Pakistan-trained Kashmiri subversives and militants in stoking the fires of terrorism and insurgency in Kashmir. The report pointed put that altogether some 20,000 young Kashmiris had been trained and armed by Pakistan on its soil in recent years. The report further stated that by 1992, the ISI was operating in 13 permanent, 18 temporary and 8 joint training camps for Kashmiris in Pakistan occupied Kashmir alone. The main training camps are in Gohat, Lunkana, Sangli, Sargodha, Cuttock, Murree, Sialkot, and Lahore and they are supplied with the latest anti-aircraft weapons, including rockets and missiles to Kashmiri militants.

Religious fundamentalism was propagated by Pakistan with a view that the Islamist ideology in Kashmir could facilitate the emergence of a close link between the Kashmiri insurgents, their supporters and Islamabad. It was with the widespread adoption of Islamist ideologies that Kashmiri Muslims too could seek ideological sustenance from a transnational Islam. The Muslim fundamentalist in Pakistan waged a jihad against India and provides material and moral support to the terrorists. Thus for Pakistan, Kashmir cause constituted a combination of national prestige, regional interest and commitment to the global Islamist cause. There is a profound difference between support for Sikh terrorism in Punjab, which is a matter of harassing New Delhi and Islamist terrorism in

Kashmir, where there is a whole hearted commitment to jihad. It can be pointed out that the support to secessionist terrorism has become an integral part of Pakistan diplomacy. Pakistan had used the entire Afghanistan-support infrastructure to support Kashmiri militants. The growing involvement of the ISI has been reflected in the quantity and quality of weapons caches captured by the Indian security forces. Indian views the situation into proxy war with Pakistan. Pakistan had used terrorism against India for forcing a solution of Kashmir issue on the latter. With the availability of the latest and sophisticated weaponry, terrorists are posing the real danger and challenge not only to lives and property of the people but even to national unity and integrity. It seems to be a matter of time that they could lay their hands on nuclear and other weapons of higher levels of destruction and terror, but there can possibly be no effective defensive measures against the nuclear threat held by terrorists. However, giving support to terrorism in a foreign land is a delicate and sensitive issue for any power. A country chooses to extend this support has to be prepared to suffer the inevitable strain on bilateral relations and to absorb the resulting adverse reaction of the victim country. Moreover it cannot be free from the spill over of terrorism within its borders.

The basic motivation of Pakistan's foreign policy has therefore been to secure a position of strength vis-à-vis India. There is no gain saying the fact that the policies, strategies and tactics of Pakistan in search of her identity and security have a significant bearing on India's secular policy. The ideological threat, quite often charged with religious and emotional overtones, occupies and important place in India's threat perceptions. The leaders in Pakistan felt from time to time that the very survival of Pakistan would be at stake if Kashmir where Muslims constitute majority of the population, did not form a part of it. To realize this objective Pakistan has been waging a proxy war against India through trained militants. Kashmir has been perceived as a threat to Pakistani's Islamisation programme. For Pakistan, if Kashmir remains to be integral part of India, it would be the defeat of two-nation theory on which the very foundation of a theocratic state of Pakistan is laid. General Zia, therefore, authored an elaborate plan

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64 Ibid.
that aimed at capturing Kashmir by organizing sabotage, instigating unrest and rebellion in the name of Islam. The successive regimes in Pakistan have not only resorting to similar tactics but also been raising much hue and cry over Kashmir at every available opportunity. Pakistan has posed an ideological threat to India's secular edifice. For India which rejected the two-nation theory from the beginning acceptance of Pakistani position would mean not only putting the clock back in terms of Kashmir accession to India but also endangering its secular polity. Unfortunately, even after 50 years of not so friendly co-existence, successive regimes in Pakistan have failed to realize that for India Kashmir is not merely a piece of territory over she has sovereignty, but it is the symbol of democracy and secularism which epitomizes the dream of a new nation which the founding fathers of the Indian republic had envisioned in the early years of the century. Pakistan since its inception has been deliberately making use of Islamic factor to embarrass India. Pakistan does so usually at the time of communal disturbances in India. Besides Pakistan quite often tries to entangle the West Asian nations in order to solicit their support on Kashmir. By doing so Pakistan not only declaring itself as the guardian of the Indian Muslims but also trying to woo the Muslim world.

Pakistan may resort to any means, the answering support of the Indian Muslims in general to Kashmir's integration with India and acceptance of India's secular position has led Pakistan to a situation where it has not been able to derive any meaningful support of its policies within India. The threat can be managed at two levels: (1) internal/domestic (2) external support internally, India has to revamp the institutions, improve intelligence gathering net work, effective patrolling of the border, generating maximum employment opportunities and encourage the Muslims of the valley to join the mainstream. Externally, Indian diplomacy should concentrate on exposing Pakistani designs mobilizing world opinion favouring India and improving relations with not so friendly countries especially China. The United Nations should also take note oft the way in which terrorism has been

spreading in the world, and the way in which India has been troubled by Pakistan for the last 50 years\(^\text{68}\).

Sponsoring international terrorism and separatists subversion and insurgency is not new to Pakistan since the 1970's, Islamabad has been training depth and other separatist movements as part of Zulfikar Ali Bhutto strategy of “forward strategic depth” and also a part of his effort to gain revenge for India's support of an independent Bangladesh. Islamabad was intrigued by more than just the destabilizing effect of the struggle for Khalistan. From a strategic point of view “Pakistan has not given up its claims to Kashmir and may be tempted to encourage the creation of a Sikh state of Khalistan in the Indian Punjab in order to make the Indian defence of Kashmir difficult. Indeed Islamabad was determined to exploit the growing tension in Kashmir to destabilize India and therefore began to provide better training and military assistance for Sikh militants\(^\text{69}\).

Further, by 1985, the ISI (Pakistan intelligence) was completing a vast training infrastructure for the Afghanistan resistance movements that could just as well be used for the training and support of other regional groups. Therefore it was not long before “Afghanistan terrorists trained by CIA instructors had been smuggled in to India with the purpose of organizing acts of terrorism against members of the Indian government and foreign diplomatic representatives”.

The initial impact of the Islamist message in Indian Kashmir, Islamabad began to broaden its horizons and set it sights on bigger goals. Thus in 1986, with growing experience in training, organizing and running the Afghanistan Mujahideen and with military supplies available, Pakistan began expanding its operation to sponsor and promote separatism and terrorism, primarily in Kashmir as a strategic long term programme. Among the most crucial activities of the ISI were the following\(^\text{70}\).


Religious fundamentalism was propagated in small but lethal doses to promote separatism and communal outlook.

Training and indoctrination of selected leaders from the Kashmir valley was arranged to create militant orders.

A large number of youth from the Kashmir valley and Poonch sector were given extensive training in the use of automatic weapons, sabotage and attacks on security forces. Automatic weapons were now issued to these people.

Special teams were trained to organize agitations and hartals, and to engineer incidents to damage the democratic and secular image of India.

The Shanghai five came as a natural reaction to the serious threat that the Central Asian region and Xinjiang region would become an area of permanent instability following an upsurge of international terrorism, religious extremism and national separatism. The Shanghai five’s top priority has until recently been regional security or the need to pool efforts to counter national separatism, political and religious extremism, international terrorism, illicit drug trafficking, arms running, illegal migration, etc. it was the threat of Islamic extremism in Central Asia, fueled by the Taliban regime and Pakistan, that appears to have triggered effective rapprochement and co-ordination between the five states. China, too, is concerned about the possible influence of Islamic fundamentalism in the Xinjiang-Uighur autonomous area directly adjoining central Asia. The XUAA, with most of its population professing Islam, has always, ever since it joined the people of China, been politically restive, these processive being fed by separatist sentiments and they are logistically advantageous for Islamic extremists. Uighurs rebels outside the country are beyond their reach. No small numbers of them can be found in Afghanistan, Pakistan and some of them are captured by the Russian troops in Chechnya.

For India, Kashmir is not a piece of land; it is a test-case of Sarva Dharma Samabhav-secularism. India has always stood the test of a secular nation. Jammu and Kashmir is a living example of this and this itself Kashmiriyat. According to Pakistani journalist Rashid Ahmed, “the only way to deescalate tensions on both sides of the
frontier is that Pakistan should to cease support the infiltration of armed guerrillas and dismantle the training camps of militants in Pakistan controlled Kashmir and send those young men back home. According to him, Pakistan is very dangerous for everybody as it borders with Central Asia, South Asia, and Middle East. It’s the geopolitical heart of the region and is the major “supplier” of extremist Islamic ideology and militants to these countries.\(^{71}\)

There is a strong domestic political dimension to China’s friendly overtures as well. This relates to the unrest in the Xinjiang province. Beijing is not pleased with fundamentalist’s factions aiming to export religious ideologies to neighbouring countries. This provides a common ground for India and China. Both these countries pursue a repressive policy towards their religious minorities; be it Tibet, Xinjiang or Kashmir. Beijing’s does not like India’s pinpricking in Tibet, but it is equally unhappy with the domestic political developments in the regions bordering Pakistan where a constant flow of incitement counters China’s deliberate and unnatural drive for national homogeneity.\(^{72}\)

An American scholar argues that Pakistan has two reasons to support the terrorism in India. First, the Pakistani military is determined to pay back India for allegedly fomenting separatism in what was East Pakistan and in 1971 became Bangladesh. Second, India dwarfs Pakistan in population, economic strength, and military might. Afghanistan is key to Pakistan’s geopolitical access to Central Asia. A Pakistan main interest in Central Asia is motivated by its need to generate trade and capital for reforming economy. The future of Pakistan’s geostrategic access to Central Asia and its security depends on it. It will achieve a tremendous strategic depth through its close relationship with Afghanistan and Central Asian republics. Pakistan sponsored terrorism posed a threat not only to India’s security but also to that of the entire region.\(^{73}\)

Preventing and Combating Terrorism: India's Contribution:

India has played a major part in strengthening international consensus against terrorism in UN, Non-Aligned Movement (NAM) and South Asian Association for Regional Cooperation (SAARC). India is party to major international conventions against terrorism and has also incorporated them in domestic legislation.

International Conventions:

- Convention on Offences and certain other acts committed on Board Aircraft, signed at Tokyo on 14th September 1963. This Convention has been given effect to in India by the Tokyo Convention Act, 1975 (20 of 1975).

- Convention for the Suppression of Unlawful Seizure of Aircraft, signed at the Hague on 16th September 1973. This Convention is implemented through the Anti-Hijacking Act, 1982 (Act No. 65 of 1982).


\(^7\) Grover, Virender and Ranjana Arora (ed.): *Fifty years of Indo-Pak Relations*. New Delhi: Deep and Deep Publication, UNO.
• International Convention against the taking of hostages, adopted in New York on 7th December 1979. This is given effect in India under section 364 A of the Indian Penal Code, 1960.

• UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988. This is implemented in India by the Narcotic Drug and Psychotropic Substances (amendment) Act, 1989 which amended the Narcotic Drugs and Psychotropic Substances Act, 1985.

• International Conventions against the taking of hostages, adopted in New York on 7th December 1979. This is already covered, and implemented under Article 364 A of Indian Penal Code.

• International Convention for the Suppression of Terrorist Bombings. The Convention was adopted by the UN General Assembly in 1997. India has signed the International Convention for the Suppression of Terrorist Bombings on September 17, 1999. Union Cabinet has already agreed to ratify the Convention on August 5, 1999.\(^{75}\)

Regional Conventions:

• **SAARC Convention on the Suppression of Terrorism, 1987**

  This is implemented in India by SAARC Convention (Suppression of Terrorism) Act, 1993 (36 of 1993).

• **SAARC Convention on Narcotic Drugs and Psychotropic Substances, 1990**

  Since the provisions are basically based on the UN 1988 Convention, the provisions of the SAARC Convention on the Suppression of Terrorism is implementable under the Narcotic Drugs and Psychotropic Substances Act, 1985 as amended in 1989.

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Non-Aligned Movement:

India has also played a role in evolving NAM consensus against 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. XII th NAM Summit at Durban in 1998 has also 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 NAM Summit also called for early adoption and implementation of a comprehensive convention against international terrorism.

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