Chapter: 2

International Human Rights

According to the annual survey by Ali Piano, political and civil rights are severely curtailed in forty countries: Afghanistan, Algeria, Angola, Armenia, Azerbaijan, Belarus, Brunei, Myanmar, Cambodia, Cameroon, Chad, China, Democratic Republic of the Congo, Republic of the Congo, Cote d'Ivoire, Cuba, Equatorial Guinea, Eritrea, Fiji, Gabon, Guinea, Iran, Kazakhstan, Laos, Libya, Mauritania, Oman, Qatar, Russia, Rwanda, Saudi Arabia, Somalia, Sudan, Swaziland, Syria, Tajikistan, Tunisia, Turkmenistan, United Arab Emirates, Zimbabwe, North Korea, and Vietnam.\(^1\) It is reported that 50% of the world population lives in restricted political and civil liberty, out of which 34% live with almost no civil and political rights.

Dictator, Mao ruled ‘People’s Republic of China from 1949 to 1976 CE. China in the Mao era was a totalitarian state, filled with violent repression. However, the population and economy were developed during the Mao regime.\(^2\) During the Mao era, China had it worst political persecutions and gravest human rights violations. Mao paid less attention to the image of China in international arena. Only in post-Mao period,

China became aware of its image and status in international community. Consequently, ‘People’s Republic of China’ started to sign human right treaties of United Nations. Often it is criticized that China’s symbolic acceptance of human rights corpus was aimed to establish a clean image to get technological expertise and to attract foreign investment and to create international markets. After Mao’s era, China shifted from totalitarian state to authoritarian regime of single party. Consequently, there was significant development in the human rights record in the post Mao China. The sole political authority lies with Chinese communist party’s ‘politburo’ comprising of twenty-five members and the citizens do not have rights to change the government.

Except for political issues, the ruling communist party relaxed rights over people’s personal lives, allowing people to make choice of employment, travel, residence and an exposure to new ideas and culture. In 1985 CE, China voted for United Nations General Assembly resolution for indivisibility of socio-economic and political rights. In 1997 CE, China signed a ‘Covenant on Economic, Cultural, and Social Rights,’ and later ratified it, deleting the clause to form independent labor unions. In 1998 CE, China signed, ‘Covenant on Civil and Political Rights’ but

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without ratification, as the communist party felt that this may be a threat to its authority.

Along with political reformation, China experienced paradigm shift from state controlled economy to market economy. Since 1980 CE, the internal changes with domestic reforms made China to play a greater role in International Organizations, fine-tuning its positive image in the international arena. However, a sudden blow to this carefully built image occurred when communist party violently crushed the people who protested for democracy at Tiananmen Square, in 1989 CE. Communist party in China, which came to power through mass movements and protests, could not tolerate the Tiananmen Square protest, as it was a threat to its authority and power. This incident attracted condemnation from all over the world. It is reported that there are incidents of regular harassment, arbitrary detentions, and imprisonment and torture of journalists, writers, activists who criticize the government policies. The movements of politically sensitive persons are closely monitored and often their freedom to, travel, assemble, and practice religion is curtailed.

Political dissidents fighting for democracy and religious groups not registered with government are perceived to be severe threat to the authority and rule of communist party. Therefore, government engages in systematic persecution of political dissidents and uncertified religious

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groups by imprisoning them into labor camps without any judicial enquiry.\textsuperscript{6} The government affiliated, ‘Patriotic Religious Association’ monitors all the activities of religious groups with strict guidelines, all the religious groups need to register themselves with the association. Unregistered religious groups are vulnerable for arrests and detentions.

Thousands of distinguished professionals, writers, journalists, economists, peasants, and political activists signed the document, ‘Charter 08’ across the country.\textsuperscript{7} Charter 08, details the blueprint for political, legal and economic reforms and warns communist party government of violent conflict if it does not hand over power for democratic government. Charter’ 08, is considered as milestone document for seeking democracy after the Tiananmen protest in 1989. However, the ruling communist party has banned the ‘Charter 08’ and its contents from websites. In addition, it banned the local media from interviewing anyone who has signed the Charter’08. Many of the organizers of ‘Charter 08’ were detained and sent to labor camps.

Labor camps in the name of re-education are prominent centers of human rights abuses in China, it is estimated that there are three million inmates in these labor camps. Political dissidents and unofficial religious believers are often imprisoned in labor camps, for years without any


\textsuperscript{7} Ian Jeffries, Political development in contemporary China guide, p.407.
judicial enquiry. In addition, these labor camps are marred by malnutrition, and lack of medical care. The law allows police to arrest people without any warrant and keep them for 37 days.⁸ Many are kept in labor camps for more than three years without any trial. In 2005 CE, there were 300 labor camps for re-education and half-a-million people were arrested without any legal procedure. In addition, many of the detainees in labor camps are executed. The number of persons executed is an official secret.

Amnesty International, a human rights organization, reports that, 1770 persons were executed in the year 2005 CE.⁹ Offences, which are not criminal in nature, also attract death penalty. Amnesty international reports that the lack of access to lawyers, political interference in the court and evidence established through torture, enable the government to implicate a person for capital punishment. In addition, the government does not disclose the number of executions carried out. The closed trial, of many political and religious dissidents often leads to capital punishment with immediate executions without a chance for appeal. Torture and rape are used to fabricate evidences to produce in the courts. In addition, no entity apart from the authorized officials is able to access

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the information about the trials and executions. The information of these things is a closely guarded official secret.

Government wields strong restriction on information dissipation and media. It targets and restricts all the publications, which contain politically sensitive issues. No newspaper, periodical, audio, and video can be produced or distributed without the approval of government-affiliated agency. All the websites detrimental to the authority of government are blocked. Academic discourses, reports, findings at universities, colleges, and research institutions are closely monitored and censored. For instance, a Chinese academician who promoted multi-party system was sentenced to a ten-year imprisonment on the charges of subversion.

From the above mentioned deliberations of human rights record in China, it can be inferred that, China under communist party attempts to improve its image, at the same time, it is threatened by any political activity that destabilizes its regime and sovereignty. Similarly, in line with China, Cuban government also struggles to protect its regime and ideological foundation, and takes appropriate measures that lead to violations of rights of the citizens.

Cuba is the largest West Indies Island with estimated population of more than 11 millions. It gained freedom from Spain in 1899 CE, and became member of United Nations in 1945 CE. In 1959 CE, Fidel Castro
with his followers led guerilla warfare and overthrew the dictator, Fulgencio Batista. Castro then established a socialist Cuba, with a communist ideology.\textsuperscript{10} Cuba is a totalitarian state, with Communist Party recognized as sole legal political party. Communist party is considered as “the superior leading force of the society and state.” After Fidel Castro, his brother Raul Castro came to power in 2008 CE, and has been the chief of state and army ever since. The communist party controls all the state and government organs including the army.\textsuperscript{11}

Former, Soviet Union supported Cuba with consistent aid, nonetheless overnight disintegration of Soviet Union created severe economic crisis in Cuba. The tightening of United States embargo further increased the economic crisis in Cuba. The constitution of Cuba guarantees, right to education, work, health care and housing, the above-mentioned severe economic crisis handicap the government to materialize these rights. Consequently, discontentment with government and its ideology is growing because of increasing unemployment, deterioration of health care system and other social support systems. However, Cuban constitution guarantees liberties like; freedom of speech, press, assembly, association, and demonstration, but all these rights are pre-conditioned with the clause that, these rights cannot be exercised contrary to the cause

of socialist state. This precondition used by government to repress any kind of activities contrary to the socialist state.\textsuperscript{12}

Cuba has not yet ratified prominent international instruments like ‘Covenant on Civil and Political Rights’ and ‘Covenant on Economic, Social and Cultural Rights’. However, Cuba has signed and ratified human rights treaties concerned with racial discrimination, refugees, torture and inhuman treatment and child rights. Cuban government fine-tunes its clean image with regard to human rights, as it wants to alleviate its economic crisis by attracting foreign investment. Therefore, in the year, 1994 CE, upon the Cuban government invitation, United Nations high commissioner for human rights visited Cuba to meet all the government officials and human rights activists.

It is observed that, major human rights violations by Cuban government are connected with political issues, especially to maintain socialist and totalitarian state. Consequently, Cuban government curbs the rights like freedom of expression, information, assembly and association. Short-term detentions of political dissidents by police are frequent. It is reported that, in the year 2010 CE, there were 1200 detentions for political reasons.\textsuperscript{13} Scores of political prisoners remain in Cuba, whose numbers cannot be known accurately as Cuban government does not

\textsuperscript{12} Ibid., p.129.
allow any local or international human rights group to visit the prisoners or access any information about them.

Often, it is reported that, during detentions, especially arbitrary detentions police fail to provide necessary legal documents to detainees as required by the law, and there are no reports that government conducting any investigations to check these violations. The government denies access to international humanitarian organizations to meet any political prisoners. In addition, the government does all the trial proceedings of these prisoners and can easily manipulate or fabricate evidences to convict the political prisoners. Prisons are over populated, poorly maintained, and are unhygienic without proper nutrition and basic medical care.

Cubans are restricted from foreign visits, however if anyone is granted permission they are not allowed to take their family members along with them, as they can be used as hostages, to control the Cubans on foreign visit. Cuban government recognizes no human rights groups or activists. Cuban government with socialist ideology intends to guarantee the basic needs of the citizens, without providing the political rights. Nonetheless, as observed earlier, the declining economic situation, created a popular discontent in the citizens, leading to protests and consequent retaliation by the Cuban government. Cuban regime, resort to

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14 Ibid., p.236.
arbitrary arrests, and detention of political dissidents, and exercise full control over media.

In the lines of Cuba, North Korea is controlled by single party, which does not tolerate any political opposition or criticism of its ideology. The following section delves on human rights situation in North Korea. ‘Korean Workers Party,’ the ruling party of North Korea involves in arbitrary arrests, and illegal detentions of political dissidents. The party blocks any emerging political opposition and the freedom of media and civil society is also curbed. The government routinely practices public execution of the non-violent crimes.\(^\text{15}\)

Often the political dissidents are condemned to forced labor camps known as gwalliso. As per the policy of collective punishment, along with the political dissidents, their family members are also condemned to labor camps, which have no proper nutrition and medical care. In addition, fleeing the country without proper state permission is considered as a serious crime. The repatriated refugees face long-term prison terms with harsh living and working conditions. Constitutionally, North Korea is known as ‘Democratic People’s Republic of Korea’. Nevertheless, neither there are any civil rights nor political rights to the people of North Korea. The constitutional commitment to human rights is confined only in books without any implementations.

\(^{15}\) Ibid., p.343.
Judiciary is completely controlled by government. All the judges, lawyers, and clerks need to work under the purview of the government and its plans. Therefore, judiciary is neither independent nor transparent. Many executions and condemnation to long terms labor camps happen without any proper legal procedures and through secret trials.\textsuperscript{16} Along with judiciary, publication and media is also controlled by the state, thus controlling and censoring all the information. Citizens are not allowed to access any media or publication, which is not authorized by government. Control of media is one of the key tools used by repressive regimes.

Similarly, the ruling communist party of Vietnam severely suppresses political dissidence, freedom of expression and association. Government exerts full control over media and internet. Harassment, detentions, and arrests are commonly used to silence the critics of the government. Dissemination of critical information about the government through media, press, or internet is a serious crime attracting severe punishment. All religious groups had to be registered with the government and had to operate under the supervision of the government. Any unregistered religious groups and activities attract severe punishment. In addition, Vietnamese government bans all independent trade unions and labor unions. Any person promoting independent union is harassed, detained or arrested. All human rights organizations and

\textsuperscript{16} \textit{Ibid.}, p. 346.
opposition political parties are deemed illegal and attract serious penalty. Political and religious prisoners are tortured frequently in the prison and their whereabouts are kept secret even to their family members and lawyers.

Likewise, in Rwanda, amidst economic growth, human rights violations continued. ‘Rwandan Patriotic Front’ (RPF), the ruling party of Rwanda, continues to repress political dissidents and government critics, curtailing freedom of expression and association. Political dissidents, human rights activists, journalists face continuous harassment, intimidation, arrests and detentions with threat to life. Human Rights Watch, an international human rights organization reports that:

“in the year 2010 CE, President Paul Kagame was re-elected by banning all the opposition parties from participating in the elections.”

During these elections opposition party members were continuously threatened, harassed and detained for political activities. Any media critical of government is banned and persons responsible are detained and imprisoned. Human rights activists are constantly harassed and intimidated.

‘Rwandan Patriotic Front’ members involved in genocide are protected by the government, despite constant outcry to prosecute them. As per, ‘United Nations High Commissioner for Refugees,’ ‘Rwandan

\[17\] Ibid., p.154.
Patriotic Front’ killed nearly 50,000 people in the year 1994 CE, but only thirty six soldiers were tried in the court. In addition, few officers charged for genocide were acquitted and some had reduced sentences, thus making human rights violation unaccountable.

Similarly, human rights situation in Somalia has reached disastrous level, as the country is ridden with continuous internal warfare, infested and controlled by militants and hit by severe famine. Islamic militant groups like, Al-Shabaab and Hizbul Islam constantly confront Transitional Federal Government (TFG). South-central Somalia is controlled by Islamic groups, imposing strict Sharia, an Islamic law controlling the personal lives of the people. Humanitarian workers do not have access to places where human rights violations happen, as these workers constantly face threats to life by militant groups. Somalia is considered as one of the dangerous places for the journalists and other humanitarian workers. For an instance, since 2007 CE, twenty-two journalists were killed.\(^{18}\)

Both the government and the militant groups use people as human shields creating huge loss of life and property. In much contested regions of Sool, Sanag, and Cayn, the clan based clash and conflict displaced thousands of civilians to makeshift camps with hardly any access to humanitarian aids. In the year 2011 CE, United Nations declared

\(^{18}\) Ibid., pp.168-169.
Southern Somalia as a region inflicted with famine. Nearly three million who lived in southern Somalia have to starve or die because of famine. Terrorist group, Al-Shabab, an ally of Al Qaeda, controls the Southern Somalia. The conflict in Somalia has intensified the consequences of famine, as Al-Shabab expelled all the foreign aids as they were categorized as Christian crusaders and spies of the Western countries. In addition, Al-Shabab does not allow anyone to flee the region, and imprisons those who caught fleeing. Consequently, tens of thousands of people died and half-a-million children are under severe starvation.

From the above-mentioned countries in discussion, Myanmar stands apart, as it is controlled by military dictatorship. The widespread human rights violations in Myanmar by military controlled government include forced labor, arbitrary executions, sexual violence, and confiscation of land and property of civilians. The armed ethnic groups are also responsible for human rights violations like recruitment of child soldiers, arbitrary executions of prisoners of war, and implanting landmines in civilian areas. The ruling ‘State Peace and Development Committee’ (SPDC) continues to hold 2100 political prisoners; it curtails all the basic civil and political rights of the citizen.\(^\text{19}\) Multiparty election, in the year 2010 CE, was controlled and guided by military; it was neither fair nor free from coercion. This election is described as pseudo-election.

to elect officials of military to form pseudo-parliament, through pseudo-democratic means. The laws for elections were designed to enable military sponsored party to have an edge over other parties for sure victory.

Myanmar restricts the work of international humanitarian volunteers by delaying visas, and strictly monitoring and intervening international humanitarian projects. It alleged that, Myanmar accrues billions of dollars by sale of natural gas, but hardly little money is spent on eradicating poverty and for other humanitarian projects. It is reported that, around 2000 political prisoners suffer in prisons in harsh conditions. Ethnic communities hostile to government live in jungle to escape labor camps and prison, the women, and girls of these communities are vulnerable to sexual violence and rape. The children of above-mentioned communities are used as porters to soldiers.\footnote{Jody Williams, Tin Tin Nyo, “Myanmar’s sham display of democracy,” in \textit{Deccan Herald}, 6\textsuperscript{th} April 2011, p.10.} Tomás Ojea Quintana, the United Nations, special reporter for human rights in Myanmar, expressing concern over human rights situation in Myanmar mentioned that,

“…pattern of gross and systematic violation of human rights has been in place for many years.”\footnote{Human Rights Watch, \textit{World Report:2011, Events of 2010}, p.292.}

Therefore, it can be inferred that, there is large-scale human rights violations of certain sections of the society. The armed conflict in Eastern
Myanmar created half-a-million internally displaced refugees. Thailand hosts more than 100,000 Myanmar refugees in its camps. More than 200,000 refugees live in make shift camps in Border areas. In Myanmar, one of the major factors for human rights violations is discrimination based on ethnicity, and unlimited power wielded by military junta to run the government.

Concerning Syria, ‘Human Rights Watch’, an international human rights organization reports that, in the year, 2010 CE, Syrian ruling Baath party and president of Syria, Bashar al-Assad indulged in widespread human rights violations like arresting political dissidents and human rights activists without arrest warrants and detaining them for long period without any judicial procedure. The present regime is marred by corruption, poverty and denial of any political rights to the citizens. The ‘Supreme State Security Court’ (SSSC), which is completely under state, frequently sentences political dissidents’ especially Kurdish ethnic activists to long terms prison without following any legal procedure. Often government pursues torture and inhuman treatment of detainees and prisoners. In this regard, ‘United Nations Committee against Torture’ concludes that it is:

“…deeply concerned about numerous, ongoing, and consistent allegations concerning the
routine use of torture by law enforcement and investigative officials.”22

Syrian government exercises full control over all the publications and internet websites. Any publications or internet material that is critical of the government immediately attracts detentions and long-term imprisonment. In the year 2010 CE, writers and bloggers on internet were detained and imprisoned for being critical of the government. The writers and activists are banned from leaving the country. Government does not legalize any human rights groups. The protest against the present regime in Syria intensified in the year, 2011 CE. Correspondingly, the regime intensified its violent crack down on the protestors. It is reported that, more than 45,000 people were killed since March, 2011 CE.23 Syrian regime, just like any other authoritarian and totalitarian regimes mentioned above curtails all the political and civil rights. These regimes generally come under the notion of ‘Developing Nations’, and it is observed that many of the developing nations and under-developed nations do not have democratic regimes, and have rampant state sponsored human rights violation, especially political and civil human rights.

Human Rights violations in the above-mentioned developing nations are perpetuated by regimes, which do not want to share power or shift to democracy. However, developed nations with democracy also involve in human rights violations in the garb of security of their nations, as demonstrated in United States of America. The issue of Guantanamo prison of United States of America is a much debated human rights issue. In the above-mentioned prison arbitrary detention, arrests and torture are commonly practiced. In this regard, The New York times report that:

“Innocent men were picked up on the basis of scant or nonexistent evidence and subjected to lengthy detention and often to abuse and torture. Some people were released who later acted against the United States. Inmates who committed suicide were regarded only as a public relations problem. There are seriously dangerous prisoners at Guantánamo who cannot be released but may never get a real trial because the evidence is so tainted.”

The above-mentioned report clearly depicts the violation of human rights of the illegally detained prisoners. On the other hand, developed democratic nations grant enough of political and civil rights to their citizens. Nonetheless, citizens are marred by economic inequality, unemployment. This has been demonstrated in recent protest called ‘Occupy Wall Street’ all over the United States and few European

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countries. The protesters criticized the economic system, which perpetuates inequality. ‘Occupy Wall Street’ is a movement against income inequality, corporate greed, corrupt and exploiting financial institutions. The movement started in September of 2011 CE, and grew day by day in United States and European countries. The protestors of the movement accuse that, 99% of the wealth is controlled by 1% of the population, and this wealth of the 1% is produced by the work of the 99% of the population. The protestors of the movement across the world accuse that, governments are bailing out the banks and financial institutions at the cost of ordinary citizens. Instead of the addressing the issues of unemployment and poverty among general population, the governments are bailing out banks by taxpayer’s money.

The above-mentioned paragraphs depict the frustration of protesters who have been deprived of their economic rights in developed democratic nations. In addition, western countries violate the human rights violation by racial discrimination, which has been discussed in the next section.

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Race and Human Rights

Theories on race existed for the past two centuries, but the term racism was coined only in the year 1930 CE. The term race and racism started to have negative connotation after Nazi holocaust in twentieth century CE. In traditional western history, the term ‘Race’ has been defined as:

“the belief that race is the primary determinant of human capacities, that a certain race is inherently superior or inferior to others, and/or that individuals should be treated differently according to their racial designation.”

The preceding definition implies that, the belief in the concept of race is used to legitimize socio-political and economic inequalities as natural. Race is based on biological traits like color or other physical features. In this context, Craig Prentiss defines race as:

“social grouping or form of people-hood that is marked by traits that are perceived to be biologically inherited.”

The concept of race and racism is modern, culturally constructed. Ivan Hannaford traces the etiology of the term race and concludes it to be modern. Hannford mentions that, only after French and American revolutions the terms race and racism developed as ideology of

27 Ibid., pp.7-8.
29 Ivan Hannaford, Race: the history of an idea in the West, p.xv.
discrimination. Race, where human kind was categorized into different groups based on external features like color, facial features and on nationality. And it is believed that each race inherited certain capabilities and certain behavioral traits. Consequently, some races are considered as superior to other races.

Modern scientific discoveries in genetics point out that ‘Deoxyribonucleic acid’ (DNA) analysis does not support any racial classification of humankind. Craig R Prentiss, argues that each person is genetically unique, there is no ‘white’ or black gene, any genetic variation between so called same race may be bigger than the genetic variation between the different races. Geneticist Steve Jones mentions that:

“...modern genetics does in fact show that there are no separate groups within humanity although there are noticeable differences among the peoples of the world.”

In this context, ‘United Nations Declaration on the Elimination of All Forms of Racial Discrimination’ states that, doctrine of superiority based on racial differentiation is scientifically false. Thus socially constructed racial categories emerge from complex socio-political

30 Ibid., p.6.
32 Ivan Hannaford, Race: the history of an idea in the West, p.7.
34 Kenan Malik, The Meaning of Race: race, history and culture in Western society, p.4.
dynamics, take deep roots in the psyche of the society over a period, accounting racial categories as rational. In this context, Kenan Malik, rightly concludes that:

“Race Exists only as a statistical correlation, not as an objective fact.” 35

As race is socially constructed, racial relationships, privileges, denial of privileges are learned through socialization, and vary in different context in given period. This is conclusively endorsed by changing criteria for racial grouping in United States. United States census since late 18th century CE, demonstrates that, the criteria for racial classification changes every decade. This change of criteria for classification is due to cultural changes and every change served the political purposes.

Perpetuation of racism and exploitation go hand in hand, in this context, Kenan Malik points out that race is ideological tool to rationalize the socio-economic and political inequalities, which existed in feudal society, and later passed on to capitalistic societies. Racism accounted these inequalities within western societies, or between western and non-western societies, as natural. The concept, ‘white supremacy’, mentions that, European whites are superior to other races, leading to the colonization of other nations. The slavery of Africans in America was

35 Ibid.
based on racist belief that the blacks are inferior to whites in their capabilities and human dignity. Racism manifested in discrimination of colonized people, legalizing the discriminations in different forms at different levels.

The inhuman treatment of Vietnamese by French, Indians by British, and Apartheid in South Africa, are all part of the recent history of racism. In contemporary times, race and immigration are the issues, which gather much storm in political forums in Western Europe. Political parties play on the people’s fear of invasion of refugees and immigrants using racist ideologies. Racial violence and hatred manifest itself in derogatory acts like bombing of mosques in Britain, desecration of Jewish cemeteries in France, attacks on refugee camps in Germany, and harassment of African street traders in Italy. As a whole, Kenan Malik correctly observes that:

“...no part of Europe- and no section of the immigrants or black community – has escaped the ferment.”

Racist thoughts, feelings and actions manifest subtlety and explicitly. The racial discrimination manifests on individual basis where individual belonging to particular “race” discriminate persons or groups belonging to other “race” on different levels and in different areas of life. Institutional discrimination reflects in discriminative policies and norms,

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benefiting some “races” of the society at the cost of other “races.”

Institutional discrimination has wider and in-depth impact on “races”, as institutions play a major role in structuring human relations and interactions by framing rules, policies, conventions and criteria for incentives in socio-economic and political arenas. Some of the influential institutions of the contemporary society are: schools, labor market institutions, institutions of higher education, the political system and judicial system.

Therefore, the discriminative policies of institutions play a key role in continuing established power relations with social inequalities. Therefore, power and domination play a key role in reproducing racism. Racism is not just about individual feelings or conscious customs but efforts of the dominant group to subdue others social groups.

Institutional racial intolerance also reflects in society through unemployment, segregation and endemic poverty.

Structural discrimination is wider than institutional discrimination, because it includes the organizations of the society and the institutions and way they work and related to each other. Generally, structural discrimination is informal, influencing the institutions and organization of society and social interactions. Structural discrimination is based on the

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established ideologies and customs. Structural discrimination manifests in inequalities in delegating the responsibilities, access and control over various resources, leadership with freedom to make decisions. Consequently, as Mastoid Kamali, rightly mentions that:

“structural and institutional discrimination provides the ground for the reproduction of an established ethnicity. Accordingly, the power structure of society and its privileged groups, and its ethnic order is produced through the normal functions of socio-economic institutions.”

In addition to racism based on biological differences, new forms of racism based on cultural differences like, religious adherence, language, and ethnicity have become key criteria for discrimination. Therefore, article one of ‘United Nations Declaration on the Elimination of All Forms of Racial Discrimination,’ defines racial distinction as follows:

“any distinction, exclusion, restriction or preference based on race, color, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise on an equal footing of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”

Ethnicity is based on cultural inheritance. Ethnic communities, which lack political or economic power, are vulnerable for different kinds

40 Quoted in, Anne-Marie Mooney Cotter, Race Matter: An International Legal Analysis of Race Discrimination, p.57.
of oppression by dominant communities. The major criteria for the
discrimination are ethnicity and cultural difference associated with the
ethnic group. In this context, Ethnicity refers to:

“social groups that came from different
national backgrounds but shared cultural
similarities.”\(^{41}\)

The subdued ethnic groups are denied quality education, well paid
jobs, political privileges, opportunity for higher education, decent
housing and other services availed by the dominant communities. For
instance, in Czech Republic, government policy discriminates a quality
education to children belonging to ‘Roma’ a subdued ethnic community.
These children are supposed to attend ‘Special Schools’ designed for
mentally retarded children, instead of normal schools. The criteria for this
ethnic segregation is that these children are incapable of attending normal
schools run by the government.\(^{42}\)

Consequently, majority of the Roma children attend special schools
and are denied the right of normal schooling. This results in
incompetency to compete in job market as adults, ultimately resulting in
economic suppression of Roma children. Similarly, Caribbean families
face the denial of quality education of their children in schools of United
Kingdom. Department for Education and Employment Statistics of

\(^{41}\) Quoted in, Craig R. Prentiss, (ed.) *Religion and the creation of Race and Ethnicity*,
p.6.

United Kingdom reports that black Caribbean boys are six times more likely to be excluded permanently than white boys. This indicates that there is discrimination in managing the behavior of students in schools. It is found out that there is only 15% possibility for excluded children to return to mainstreaming schooling, resulting in denial of right to education.

The ethnic warfare between Bosnians Serbs, and Croats was considered as one of the worst wars after the Second World War. Bosnia was declared independent in spite of objection by Serbs, which resulted in warfare. In the year, 1994 CE, Serbs took control of Bosnia, with superior military power, and as part of ethnic cleansing, they killed tens of thousands of Bosnians and drove out two million Bosnians out of the country, creating mammoth refugee situation.43

Media and Internet also play a major role in propagating racism, Lou Dobbs, in a television show; described immigrants in United States bring disease into American communities, and declared that illegal immigrants are criminals, although United States law does not categorize illegal immigrants as criminals.44 Music compact discs promoting racism, and anti-Semitic ideologies are produced and distributed to American teenagers and youths, by white supremacist groups.

The Southern Poverty Law Center, the non-profit organization, which fights, racial discrimination, reports that, there are more than 500 websites devoted for promotion of racist ideologies. Religious discrimination is increasing day by day for reasons like, ever-widening economic inequalities along religious line, immigration of people who bring their religious faith and practice in foreign nation, and religiously driven terrorists acts and corresponding reactions to terrorist acts.\textsuperscript{45} It is observed that, after terrorist attack on United States, in the year 2011 CE, discrimination against Muslims has increased at different levels in developed nations. Religion coupled with ethnicity play a major role in discrimination. For instance, Muslims who are Arabs, North Africans, and Turks are considered as a threat to French culture. Therefore, their religious activities are monitored and suppressed by the law in France.\textsuperscript{46}

Those countries, which deny religious freedom and those whose constitution is guided by particular religious beliefs, practice severe religious discrimination. As seen in Saudi Arabia, certain jobs are reserved only for certain religious adherents, which are explicitly stated in the advertisements seeking application for jobs. It is well-established fact that people belonging to Bahai, Christian and Jewish communities

\textsuperscript{45} International Labour office, \textit{Equality at Work Tackling the Challenges: global report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work}, p.33.

are discriminated on religious grounds by the constitution of Islamic Republic of Iran.\textsuperscript{47} In Senegal, one needs to convert to Islam to get jobs, where as in Egypt, Coptic Christians are denied equal access to education and employment; they are denied jobs in police academy and in military positions.\textsuperscript{48} The above-mentioned discussion clearly point to the fact that, racism thrives freely across the globe, in spite of international, and domestic laws framed to curb racism under the leadership of United Nations.

The Pre-amble of United Nations Charter emphasizes human dignity and equality. The article 55, of the same charter asserts for equal opportunity for all, irrespective of the racial background. In line with the above mentioned charter, ‘Universal Declaration of Human Rights’ in its first and second articles, solemnly proclaim that all humans are equal in dignity and everyone is entitled to the rights enshrined in declaration without any discrimination based on race, color, and other criteria. In continuation with the spirit of ‘Universal Declaration of Human Rights’, ‘United Nations Declaration on the Elimination of all Forms of Racial Discrimination,’ explicitly asserts that it will be mandatory on part of states to frame laws, policies devoid of any racial discrimination, and insisted that all citizens are equal before the law. In addition, any

\textsuperscript{47} Afshari Reza, “Human Rights in Iran: the abuse of cultural relativism, p.128.
\textsuperscript{48} International Labour office, Equality at Work Tackling the Challenges: global report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, p.34.
discrimination based on race, color, ethnic origin is an offence to human dignity.

Article one, of ‘International Convention on the Elimination of All Forms of Racial Discrimination’, asserts that, all the states party to the convention shall formulate policies to uplift the racially oppressed sections of the society and such policies cannot be considered as discrimination. In addition, article two mentions that, states party to the above-mentioned convention should condemn all forms of racial discrimination and respond appropriately to eradicate discrimination and build understanding between the races.\footnote{Anne-Marie Mooney Cotter, \textit{Race Matter: an International Legal Analysis of Race Discrimination}, p.57.}

‘The International Covenant on Civil and Political Rights,’ in its preamble states that, all human beings belong to one human family and possess inherent dignity with equal and alienable rights. Article two, of the above-mentioned covenant instructs states party to this covenant to treat all individuals equally irrespective of racial and other backgrounds. In the similar vein, Article two, of ‘The International Covenant on Economic, Social and Cultural Rights’, instructs all the states party to the covenant, to ensure all the economic and other rights enshrined in the covenant are realized by all the citizens of the state irrespective of race and other backgrounds.
In line with the United Nations efforts to fight racial discrimination, domestic laws and policies came into existence in many parts of the world. However, racism of any kind cannot be combated just by framing the laws without altering the power structures of the society, so that racially oppressed groups get equal opportunities in education, employment, and political participation. This implies that there is need for strong movement of people both at national and international level to pressurize the national governments and international communities to alter the socio-economic and political structures to protect interests of the racially oppressed.

Consequently, it is felt that racially oppressed sections of the society need to be given opportunities to participate and involve in framing socio-political and economic policies of their country, as asserted in World Conference on Human Rights in Vienna.\textsuperscript{50} It is a well known fact that, the result of racial discrimination, based on biological traits, reilgion, ethnicity, nationalism and language are some of the significant rationale for political conflicts, war, genocides, ethnic cleansing, which have huge refugee population all over the past decades. The issue of refugee crisis has become a concern of human rights across the globe as discussed in the succeeding paragraphs.

\textsuperscript{50} Ibid.,25
Refugees and Human Rights

Down through the ages different religions and political systems catered to the needs of the people who were uprooted from their countries and regions for various reasons. In twentieth century a universal standard for refugee rights was developed. In the first half of the twentieth century international entities like ‘Leagues of Nations’ catered to the needs of refugees. And when ‘United Nations’ was formed in 1945 CE, its members felt the strong need for an organization to address the issue of refugees, as the two world wars produced huge number of refugee population. Consequently, ‘United Nations High Commissioner for Refugees’ (UNCHR), a subsidiary of United Nations was established in 1947 CE. One of the major achievements of ‘United Nations High Commissioner for Refugees’ was to adopt, ‘1951 Refugee Convention’ for granting basic rights to the refugees. The ‘1951 Refugee Convention’ applies the term ‘refugee’ to:

“any person who flees from his/her country of nationality due to persecution or fear of persecution for reason like, race, religion, nationality, membership of a particular group or political opinion and is unable to return to his/her country for the fear of persecution.”51

Humanitarian crisis due to armed conflict is the major cause to uproot millions of people from their own countries and seek refuge in

51 James Hathway, Rights of Refugees Under International Law, pp .96-97.
alien lands. ‘United Nations High Commissioner for Refugees,’ in its report, mentions that, 40 million people were forcibly displaced worldwide until 2009 CE. The report also mentions that, out of 40 million of displaced people, women and girls constitute 20 millions.

In Europe, the First World War produced 9 million of refugees across Europe alone.\(^\text{52}\) The period of Second World War created mammoth refugee population across Europe amounting to 30 millions. After the Second World War, Hungarian revolution in 1956 CE, produced nearly 200,000 refugees.\(^\text{53}\) In addition, in Kosovo, 700,000 Kosovo Albanians were forced out of their houses and country by Serbian army as part of ethnic cleansing in 1999 CE. The last decade of the twentieth century saw, ethnic warfare in former Yugoslavia that resulted in millions of refugees, out of which around two and half million from Bosnia and Herzegovina. The Russian assault on Chechnya in 1994 CE, forced 300,000 Chechens to flee the country and shelter in camps. Around 200,000 Georgian refugees were uprooted from Abkhazia as part of ethnic cleaning drive in 1993 CE.

In Africa, Algerian war of independence started in 1954 CE, killed more than a million Algerians, and produced more than one million

\(^\text{52}\) Tony Kushner, Katharine Knox, *Refugees in an Age of Genocide*, p.43.
\(^\text{53}\) Ivor, C Jackson, *The Refugee Concept in Group Situations*, p.113.
refugee populations. The inter-state conflicts especially after cold war era were responsible for a generation of huge refugee population in Africa. Conflicts in Somalia, Burundi, Rwanda, Uganda, Liberia, and Sierra Leone produced millions of refugees. Over hundreds of Libyans fled their country to escape the state sponsored violence in Libya. Ethnic conflicts in Sudan, has uprooted two million people who fled to deserts of eastern Chad. Political and military conflicts in Ivory Coast made nearly a million refugees to flee their homes. The three decades of conflict in Angola produced more than four million refugees who were internally displaced.

Even Asia shares large chunk of refugee population of the world. The separation and independence of India and Pakistan produced mammoth exodus of refugees. It is estimated that 15 million refugees crossed the western border between Pakistan and India. The Vietnam war which lasted for twenty years until 1975 CE, uprooted and produced one and half millions of Vietnamese and Indo-Chinese refugees. These refugees are famously known as boat people because they sailed on boat,

often taking the dangerous routes. Millions of refugees were created because of ethnic and civil conflicts in Iraq. Afghanistan is known to be the largest refugee-producing nation for reasons like the Soviet invasion in 1981 CE, internal ethnic conflicts, and United States invasion. Consequently, Afghanistan has produced six million refugees who have largely fled to neighboring Pakistan and Iran.\textsuperscript{60} At least two millions Afghans became internally displaced.

In addition, Tajikistan civil war in the end of 20\textsuperscript{th} century CE, resulted in one million refugees and 700,000 internally displaced people. The Sri Lankan civil war that started in 1980 CE, lasted for twenty six years, produced more than two million refugees primarily ethnic Tamils.\textsuperscript{61} In 1990 CE, as a part of ethnic cleansing, government of Bhutan expelled tens of thousands of Nepali Bhutanese, who went as refugees to Nepal.\textsuperscript{62} In Middle East, after the creation of Israel, Jews in Arab world were declared as enemies of the state, which led to the exodus of the million Jews from Arab world to Israel.\textsuperscript{63} In addition, Israel’s

\begin{thebibliography}{99}
\item Larry P. Goodson, \textit{Afghanistan’s Endless War: State Failure, Regional Politics, and the Rise of Taliban}, p.5.
\item Nicholas Van Hear, “Refugee Diasporas or Refugees in Diaspora,” in \textit{Encyclopedia of Diasporas: Immigrant and Refugee Cultures Around the World}, p.582.
\end{thebibliography}
establishment as a state produced 700,000 Palestinian refugees.\textsuperscript{64} More than three million of Kurds were driven out of the Turkey as part of ethnic cleansing.\textsuperscript{65}

Survey of refugees across the different continents exposes the mammoth of refugee population. Refugees in foreign land suffer in different spheres, politically they are voiceless, in some cases even after decades of residing in host countries their refugee status remains the same. Even the children and grand children of refugees will not have any political privileges in host countries. For instance, ‘United Nations Relief and Works Agency’ estimates that more than 400,000 Palestinian refugees residing for three decades in Lebanon do not have any basic rights. Most of them do not even have any identification card, without which they cannot legally marry, work or travel.\textsuperscript{66} In addition, for lack of any proper accommodation these refugees are dumped in dark over crowded camps.

Persecution of refugees by the police and army of host nations is a common phenomenon. Arbitrary arrests, shootings, and torture without any trial of refugees are often unheard to the outside world. For instance, The Rohingyas, refugees of Myanmar living in Bangladesh often face the


\textsuperscript{65} Lokman I. Meho, \textit{The Kurdish question in U.S. foreign policy: a documentary sourcebook}, p.386.

threat of deportation; they are dumped in crowded camps, face starvation and disease. These refugees are arrested, tortured, and forced to deport back to Myanmar, their original home country that is not ready to accept them. These refugees cannot legally work, marry, or travel.\textsuperscript{67} The freedom of movement of refugees is violated as they are forcibly displaced from their home country or region, but in host nation freedom of movement is further violated by confining them to camps for decades. In Kenya, the refugees are coerced to live outside the cities, deprived of all the necessities of life.\textsuperscript{68}

The right of refugees for their life and dignity are jeopardized, as they are more vulnerable than normal citizens due to lack of protective support structures, which emboldens the oppressor. In refugee situation, women are more vulnerable for rape and domestic violence by the policing agency of the state and host nation population. Generally, refugees are neither accepted by the host countries nor welcomed by their own countries. They lose their identity as human beings and the basic rights mentioned in corpus of international human rights. They are considered as a burden to be disposed in the host nations, always viewed with suspicious mind by the government and the population of the host nations. In some cases, especially in protracted refugee situation, refugee

\textsuperscript{67} Mathea Falco, Myanmar: time for change, p. 32.

camps are believed to be the breeding ground for criminals, traffickers, and armed terrorists. This creates a sense of insecurity in host nation leading to greater restriction on refugee activities.\textsuperscript{69}

Though the ‘1951 Refugee Convention’ categorically mentions rights related to refugee, they are not seriously implemented for various limitations on part of the host nations. Generally, host nations safeguard the interests of their citizens especially in economic and political dimensions. Granting all the rights mentioned in the ‘1951 Refugee Convention’ to refugees especially in protracted situation where masses of refugees live in camps may jeopardize the economic and political security of the host nations. This has been clearly demonstrated in host nations like Lebanon and Uganda. Above all, it is observed that, poorer and developing nations take the burden of large chunk of refugee population of the world.\textsuperscript{70} After Second World War, many developed countries absorbed millions of refugees, as there was need for labor force, and greater economic security.\textsuperscript{71} However, in later years developed countries felt saturated with labor force and started to restrict the refugee influx.

\textsuperscript{71} James Hathway, \textit{Rights of Refugees under International Law}, p.6.
‘Universal Declaration of Human Rights’ lacks legal binding force; therefore many of its concerns are far from full implementation due to various limitations of member states and lack of political will. Therefore, there is a need for international supervisory mechanism making states to be transparent in implementing the rights of refugees; along with treaties, there is felt need to have a treaty based human rights law instead of depending on generic corpus of human rights without any binding legal force.72

The ‘1951 Refugee Convention’ formulated under ‘United Nations High Commissioner for Refugees’ (UNHCR) is considered to be the cornerstone for refugee rights. Along with the ‘Universal Declaration of Human Rights,’ the earlier refugee conventions were also the sources for above-mentioned convention. The rights under this convention include some basic refugee rights like, right to escape, right to be accepted and sheltered, access to national courts, documentation of their status. In addition, refugees are entitled for a solution, which ends their refugee status. The socio-economic rights include integrating the refugees in the economic structures of the host nations so that refugees become economically independent and own property and have access to social safety net of the host nations.

72 Ibid., p.48.
The major hitch, for refugees to claim their rights under the above-mentioned convention is that, it allows the host nations to make reservations in granting certain key rights to the refugees. Host nations are free to modify or exclude all other rights other than rights connected to non-discrimination, freedom of religion, access to courts, and protection against repatriation. Therefore, certain key political rights, civil rights, and economic rights mentioned in ‘Universal Declaration of Human Rights’ are not guaranteed for refugees. Any evaluation of the state in treating refugees is based on the reservation made while signing or ratification of the convention, James Hathway mentions that there is considerable reluctance on part of host nations to grant rights to refugees to enroll in public schools, benefit from social safety nets and labor law and freedom of movement in the host nation.73

Most of the refugee crisis occurs due to political crisis and conflict that demands a political solution. In the above-mentioned context, In September, 2005 CE, the heads of the states preparing for the special World Summit session of United Nations met in New York. In this gathering, it was declared that:

“Each individual State has the responsibility to protect its populations from genocides, war

73 Ibid., p.95.
crimes, ethnic cleansing, and crimes against humanity.”

The above-mentioned gathering also declared that, when a state does not protect its citizens from above mentioned crimes, the international community has to take the responsibility to interfere and protect the citizens, through peaceful, diplomatic, humanitarian interference or even military interference if necessary.

No region in the world is exempt from the refugee crisis created for political reasons. In addition, as mentioned earlier, there needs to be a responsibility on part of international community to interfere in appropriate way to prevent political situations that create refugee population. As noticed earlier, large chunk of refugee population is shouldered by developing and poor nations, where as developed nations continue to tighten immigration laws to restrict refugee inflow, this has snowballed the pathos of refugees living in developing poor nations. Consequently, these refugees are deprived of their basic right. As mentioned earlier, there seem to be a close connection between refugee crisis and racial discrimination, which perpetuates inequality. It also seems to be true that racism based on different criteria like, religion, ethnicity, nationality, coupled with inequality and oppression in socio-

economic and political arena tend to be a major factor in unleashing of terror across the world. The next section of this chapter delves on terrorism and resultant human rights violation.

**Terrorism**

Terrorism is not a recent issue, but it has been a universal phenomenon for centuries. There are varied definitions of terrorism, and there is no consensus on definition of terrorism. Different countries and academic circles define terrorism differently, United States of America, defines terrorism in the following statement:

“the calculated use of threat or violence to inculcate fear, intended to coerce or intimidate governments of societies.”

Terrorism may have religious, ideological or political goals, as it can be seen in the United Kingdom’s definition of terrorism:

“the use of threat, for the purpose of advancing a political, religious or ideological course of action, or serious violence against any person or property.”

Encyclopedia of Social Sciences defines terrorism:

“method or the theory behind the method whereby organized group or party seeks to achieve its avowed aims chiefly through the systematic use of violence.”

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76 *Ibid*.
S. K. Ghosh rightly describes terrorism as systematic use of violence to terrorize individuals, groups, communities, and government to accept the perspective of the terrorist not by reason but by terror. Todd Sandler and Walter Enders present a comprehensive definition of terrorism:

“the premeditated use of threat or violence by individuals or sub national groups to obtain a political or social objective through the intimidation of a large audience, beyond the immediate victim.”78

In all these definitions, two common denominators that constitute terrorism are violence and terror. Terrorism is not a recent phenomenon but as old as repressive regimes. As S.K. Ghosh, rightly points out that, in the first century CE, the Jewish Zealot movement wielded guerilla warfare against Romans. In eleventh and twelfth century, the Assassin sect, sent its agents on the mission of murder in the Muslim world.79 After civil war in the United States, in 1861 CE, the defiant southerners formed, Ku-Klux Klan, a group formed to fight for white supremacy and continuation of slavery in southern states of America. It used terrorism as a tool to achieve its socio-political goals. In second half of the nineteenth century many people in power; Kings, Prime Ministers, Presidents were victims of the Anarchist guns and bombs. Anarchists

78 Todd Sandler and Walter Enders, “Economic Consequences of Terrorism in Developed and Developing Countries: An Overview,” in Terrorism, Economic Development, and Political Openness, p.17.
believed that human communities could manage their affairs by
themselves without the need for state or government. According to
Anarchists, government or state is evil and need to be abolished, based
on this belief they attacked many heads of the government.\textsuperscript{80}

Terror is not only used by organizations or outfits, as Moghadam
rightly pointed out that, state sponsored terror under military dictators and
authoritarian governments has occurred in many countries killing
thousands of people. When Mao, got the power in 1949 CE, he killed
more than five million Landlords in China. Hitler and Stalin wielded
terror by mass murders in Germany and Russia respectively. Cambodian
Dictator Pol Pot massacred three million people. In Spain, authoritarian
ruler Franco shot dead thousands of his opponents. Recently military
dictator, Colonel Gaddafi, massacred thousands of his own people in
Libya. It appears that, the above-mentioned state sponsored terror and
violence has caused more damage and massacre than terrorist outfits and
organizations.

The twentieth century terrorism has become more of a lethal tool of
political movements. The advanced weaponry, revolution in
communications and media became a boon to terrorist outfits. The
violence brandished by terrorists and their demands are directly brought
to the millions of homes through media, consequently creating greater

\textsuperscript{80} Ibid., p.8.
The advanced communication technology enabled the contemporary terrorist outfits to form nexus on international level based on religion, ideology, race and nationality. The consequent international nexus strengthened the terrorist outfit dramatically by various kinds of resources; finance, weapons, contacts, ideological and logistical support. As a result, terrorist organization can easily carry out its mission within and outside the country. The cross-national terrorism is one of the significant concerns of the international community. It is observed that domestic terrorism leads to international terrorism, not only the infrastructure of domestic terrorism is used for international terror but also the sources of domestic terrorism can become the ideological ground for cross-national terrorism.81

In twenty first century terrorism can create a pinnacle of terror by the possibility of having ‘nuclear know how’ and availability of nuke material from former Soviet Union countries. As Moghadam rightly pointed out that, terrorists already use the ‘Weapons of Mass Destruction’. For instance, in 1995 CE, the Japanese terrorist outfit, Aum Shinrikyo was the first to use nerve gas in Tokyo subway killing twelve persons, consequently terrorism does not discriminate between combatants and non-combatants, or innocent and guilty.

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81 Ibid., pp.5-6.
The root causes of terrorism are considered relative. The developed nations and its policy makers cite that weak governance leavened with corruption, lack of representative government and poverty are the probable reasons for the origin and spread of terrorism. Hilary Benn, Secretary of State for international development of the United Kingdom, states that:

“Terrorism can plant its roots in poverty, corruption, poor governance, economic mismanagement and a lack of representative politics all can play a part in alienating and radicalizing poor.”

In the same vein, the Danish ministry of foreign affairs opines that, people living in democracy are less vulnerable to embrace terrorism, as all the conflicts can be resolved through negotiations and free expression of opinions. On the other hand, in some cases terrorist organizations may have legitimate political or economic goals, which need to be addressed, as Louis Pojman has rightly pointed out that terrorist groups may have legitimate political goals but terrorism, as a means to achieve these goals need to be condemned.

Governments intending to topple the government of the enemy nations, perpetuate terrorism. Poor countries gear up for the acts of

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83 Ibid.
terrorism against rich and militarily strong enemies. Even the so-called super powers like United States use terrorism as the instrument to attack or interfere with the internal affairs of enemy nations. For instance, Central Intelligence Agency (CIA) sponsored a manual for executing terrorist acts and managing guerilla warfare, and the same was exposed in 1984 CE. This manual was used against Vietnam and Nicaragua.\textsuperscript{85} It is well known fact that terrorist organizations thrive by the support of states in some cases. States clandestinely use these terror outfits to achieve their political or economic goals.

Religion and cultural differences also play an important role in origin and perpetuation of terrorism, as David Laitin and Jacob Shapiro, rightly mention that terrorism is a complex strategy rooted in distinctive cultural and religious grounds to accomplish political and economic goals.\textsuperscript{86} In the similar vein, S.K. Ghosh writes that:

\begin{quote}
“Terrorism manifests itself in political, religious and socio-economic inequalities and exploitation. It thrives on grievances, real or imaginary when the State or the ruling oligarchy fails to redress injustices, infringement of rights or oppression.”
\end{quote}

Generally, it seems that, religious terrorism is motivated by the faith that, divine power sanctions the terrorist acts. As Gus Martin rightly

pointed out that, the goal of religious terrorism is to form a political society based on religious identity or ethno-national identity. Religions whose doctrines are considered as absolute truths and all other religions are false tend to produce more extremist movements. The fundamentalist of these religions involve in violent acts to defend and achieve economic and political goals based on religious identity. Medieval violent Christian crusades against Muslims are examples of faith-based massacres. In contemporary era, across the globe, communal violence by Christian terrorists and extremist is witnessed. Judaism’s ‘Jewish Defense League’ members were arrested in December 2001 CE, on charges of conspiring to attack Muslims mosques in United States. Terrorist organizations like Taliban, Palestine’s Hamas, Hezbollah and Al-Qaeda are well known Islamic terrorist organization.

Unlike, guerillas or militias, terrorists do not differentiate between combatants and non-combatants; they select their targets at random including the innocents. However, guerillas and militias generally restrict their offence to combatants or states forces. Terrorism targets not only to cause physical harm to immediate victims, but also to instill far-reaching fear in widest sections of the society. Consequently, the wider sections of the society influence the persons in power to comply with the

89 Assaf Moghadam, *The Roots of Terrorism*, p.5.
objectives of the terrorist outfit. United States, National Counterterrorism Centre presents the galvanizing report of worldwide terrorist attacks:

“Approximately 11,000 terrorist attacks occurred in 83 countries during 2009, resulting in over 58,000 victims, including nearly 15,000 fatalities. Attacks decreased by about six percent in 2009 and deaths by about 5 percent. This marks the second consecutive year for declines for both attacks and fatalities. Unlike the preceding four years where the Near East witnessed the largest number of attacks, the largest number of reported terrorist attacks in 2009 occurred in South Asia, which also had, for the second consecutive year, the greatest number of fatalities. Together, South Asia and the Near East were the locations for almost 2/3rds of the 234 high-casualty attacks (those that killed 10 or more people) in 2009. “90

The above-mentioned report clearly identifies one fact that terrorism has become a universal phenomenon in contemporary world, and the ripples of it are felt around the world. Generally, the economic effects of terrorism are severe in underdeveloped and developing nations when compared to developed countries with strong diversified economies. The bombing of world trade centre caused huge economic losses but United States quickly recovered. Enders and Sanders conclude their research with the note that though United States had only a small percentage drop of 90 billion dollars in its national income due to the above-mentioned attack, but its national income for the same period was

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90 The National Counter Terrorism Centre, 2009 Report on Terrorism, p.9.
ten trillion US dollars. Nonetheless, United States quickly restored its growth.\textsuperscript{91} Enders and Sanders also note that nations with smaller economies suffer largely by the consequences of terrorism, as larger economic nations have diversified economic activities, which absorbs the effects of affected economic activity, whereas as smaller nations which depend only on one or two economic activities.

As Todd and Walter rightly pointed out that, developing nations suffer severely from the diversion of the foreign direct investment due to terrorism or threat of terrorism, because public investment funds will be diverted to security instead of economic development. Destruction of the infrastructure by terrorist acts will dampen the economic activity affecting lesser ‘Gross Domestic Product’ growth.\textsuperscript{92} All these factors lead to decreased economic activity, which creates unemployment consequently leading to economic downturn and poverty. Terrorism creates a serious human rights violation by instilling fear in the population, indirectly dampening the spirit of freedom of choice, indiscriminate massacres that include the innocent. As mentioned in earlier sections, terrorism demoralizes economic activities leading to economic downturn thus creating unemployment and poverty, especially


\textsuperscript{92} Todd Sandler and Walter Enders, “Economic Consequences of Terrorism in Developed and Developing Countries: An Overview,” p.18.
in underdeveloped and developing countries. Consequently, people are denied of their jobs and deprived of their decent standard of living enshrined in the international corpus of human rights.

A military response or any other response to close down the particular terrorist organization will not be a well-sustained solution, unless the root causes of terrorism are addressed. One of the well sustained solutions to terrorism, as rightly pointed out by Phillip Keefer, is economic and political development of the nations where terrorist organization originate and sustain themselves.\(^9\) In other words, the human rights enshrined in the international corpus need to be implemented at both national and international relations and demands a serious contemplation from international community. The discourse on terrorism needs to be approached from different discipline as socio-political and economic factors are involved in terrorist acts.