
IIT KHARAGPUR

MODEL UNITED NATIONS

CONFERENCE

24-26 JANUARY 2013



BACKGROUND GUIDE : DISEC





DISEC

Agenda: State - Sponsored Terrorism

Letter from the Executive Board

Dear Delegates,

Welcome to the second session of the IIT Kharagpur Model United Nations Conference. We welcome you to the simulation of the DISEC, to discuss the situation of State-Sponsored Terrorism.

President:

Ahaan Mohan

Vice-President:

Shreyas Pai

Director:

Damini Agarwal

Terrorism is the scourge of the modern world - a many-headed serpent that has reared its vicious self on several occasions, leading to disastrous consequences for people around the world. What makes an already toxic activity even more volatile and dangerous is when it is perpetuated by the very institutions that were set up to protect the people - national governments. That is why the problem of state-sponsored terrorism has been so difficult to address, fraught as it is with diplomatic quagmires and issues of sovereignty.

However, the world can ill afford to let things continue this way. In the interest of international security, the members of the UN General Assembly must come together in the DISEC and tackle this issue. There will be considerable resistance from different sources, as well as numerous challenges and obstacles, but delegates have to utilize their political acumen and negotiation skills to advance their cause. The security and stability of life for their people depends on it.

This guide gives you an overview about the situation and the arguments surrounding it. It is not an exhaustive document and we expect delegates to refer to other sources too.

If you have any questions, send us an e-mail. We look forward to intense and constructive debates at IIT Kharagpur.

Regards,

Executive Board.

Overview

State sponsored terrorism literally implies a state's use or support of terrorism against another state or against its own people. However, multiple definitions of this act have been put up over the course of modern history. Some of the ones popularly used are mentioned below – but it should be noted that there is not necessarily any internationally credible or universally accepted definition of this activity.

The State Department of the USA describes state sponsors of terrorism as "*countries determined by the Secretary of State to have repeatedly provided support for acts of international terrorism.*" The law presupposes material support, even though it does not expressly describe it as such. However, the law is very explicit about one particular form of sponsorship. According to the U.S. Code, support refers to "*the recurring use of any part of the territory of the country as a sanctuary for terrorists and terrorist organizations,*" if the government, "*expressly consents to, or with knowledge, allows, tolerates, or disregards such use of its territory.*"

It can be used to indicate when governments provide supplies, training, and other forms of support to non-state terrorist organizations. One of the most valuable types of this support is the provision of safe haven or physical basing for the terrorists' organization. Another crucial service a state sponsor can provide is false documentation, not only for personal identification (passports, internal identification documents), but also for financial transactions and weapons purchases. Other means of support are access to training facilities and expertise not readily available to groups without extensive resources. Finally, the extension of diplomatic protections and services, such as immunity from extradition, diplomatic passports, and use of embassies and other protected grounds, and diplomatic pouches to transport weapons or explosives have been significant to some groups.

Overview

Dr. Donald J. Hanle of the National Defence Intelligence College defines state-sponsored terrorism as “the employment of lethal force across international borders for the purpose of destroying or weakening the political cohesion of a targeted political entity.”



It is quite different from that previously discussed. Firstly, it specifically addresses acts of terrorism against other political entities. This is important because it specifically addresses international attacks (which are therefore of international interest to targeted states), as opposed to attacks against internal, domestic targets.

Second, it clearly specifies the motivation of such attacks; namely, they are politically oriented. This is important because political motivation distinguishes terrorist attacks from non-politically motivated international crimes.

Another definition proposed was:

“An act of war, involving an illegal attack on persons, property, and/or communications and information infrastructure of another state, executed by one or more sub-national or clandestine groups, instigated or supported by a sovereign state to achieve a political objective.”

To summarize, an effective definition of state-sponsored international terrorism must state that such attacks are:

1. Illegal;
2. Performed to achieve some political objective;
3. Instigated or supported by a sovereign state;
4. Performed by a sub-national or clandestine group;
5. Conducted against another sovereign state;
6. An act of war; and
7. Not limited to physical violence against property or persons, but can include attacks on a state's vital communications and information infrastructure.

Major Players

The following section takes a look at some of the major nations and regions that have been involved in state-sponsored terrorism.

THE BIG FIVE

UNITED STATES OF AMERICA

USA, being a permanent member of the UN Security Council, plays an important role in international affairs. After the 9/11 terrorist attack, it declared a war on terror. It spends a lot of resources on this war, and has passed many resolutions against countries found guilty of sponsoring terrorism. However, there remain multiple accusations made against the USA by other nations.



The directors of the ISI and CIA meet with Mujahideen leaders

The Bay of Pigs Invasion was an unsuccessful attempt by United States-backed Cuban exiles to overthrow the government of the Cuban dictator Fidel Castro. Increasing friction between the U.S. government and Castro's leftist regime led President Dwight D. Eisenhower to sever diplomatic ties with Cuba in January 1961. Even before that, however, the Central Intelligence Agency had been training anti-revolutionary Cuban exiles for a possible invasion of the island. The invasion plan was approved by Eisenhower's successor, John F. Kennedy.

USA also has a history with Nicaragua. The first armed intervention by the United States in Nicaragua occurred under President Taft. In 1909, he ordered the overthrow of Nicaraguan President José Santos Zelaya. During August and September 1912, a contingent of 2300 U.S. Marines landed at the port of Corinto and occupied León and the railway line to Granada.

Major Players

A pro-U.S. government was formed under the occupation. The case was taken to the International Court of Justice in which the ICJ ruled in favour of Nicaragua and against USA and awarded reparations to Nicaragua. The United States refused to participate in the proceedings after the Court rejected its argument that the ICJ lacked jurisdiction to hear the case. The U.S. later blocked enforcement of the judgment by the United Nations Security Council and thereby prevented Nicaragua from obtaining any actual compensation.

It is also believed that the US was at the root of the rise of certain terrorist groups in the Middle East, directly or indirectly. According to the official version of history, CIA aid to the Mujahideen began during 1980 after the Soviet army invaded Afghanistan. They provided them support in their war against the USSR. This finally led to the rise of the Taliban.

RUSSIA

Soviet Russia

Soviet secret services worked to establish a network of terrorist front organizations and had been described as the primary promoters of terrorism worldwide. In 1969 alone, 82 planes were hijacked worldwide by the KGB-financed Palestine Liberation Organization (PLO). The operation "SIG" ("Zionist Governments") was devised in 1972, to turn the whole Islamic world against Israel and the United States. KGB chairman Yury Andropov allegedly explained to Pacepa that "a billion adversaries could inflict far greater damage on America than could a few millions."

The following organizations have been allegedly established with assistance from Eastern Bloc security services: the PLO, the National Liberation Army of Bolivia (created in 1964 with help from Ernesto Che Guevara); the National Liberation Army of Colombia (created in 1965 with help from Cuba), the Democratic Front for the Liberation of Palestine (DFLP) in 1969, and the Secret Army for Liberation of Armenia in 1975.

The leader of the PLO, Yasser Arafat, established close collaboration with the Romanian Securitate service and the Soviet KGB in the beginning of the 1970s. The secret training of PLO guerrillas was provided by the KGB. A number of notable operations have been conducted by the KGB to support international terrorists with weapons on the orders from the Soviet Communist Party, including the Irish Republican Army and the Popular Front for the Liberation of Palestine.

Post Soviet Russia

During the First Chechen War (1994-1996), human rights organizations accused Russian forces of engaging in indiscriminate and disproportionate use of force whenever encountering resistance, resulting in numerous civilian deaths. The Russian soldiers often prevented civilians from evacuating from areas of imminent danger and prevented humanitarian organizations from assisting civilians in need. It was widely alleged that Russian troops, especially those belonging to the MVD, committed acts of torture and

Major Players

summary executions on separatist sympathizers; they were often linked to zachistka ("cleansing" raids, affecting entire town districts and villages suspected of harbouring Boyeviki - the separatist fighters). Humanitarian and aid groups chronicled persistent patterns of Russian soldiers killing, raping and looting civilians at random, often in disregard of their nationality. The violations committed by members of the Russian forces were usually tolerated by their superiors and were not punished even when investigated.

In March 2005 the European Court of Human Rights (ECHR) issued the first rulings on Chechnya, finding the Russian government guilty of violating the right to life and even if the prohibition of torture with respect to civilians who had died or forcibly disappeared at the hands of Russia's federal troops. Many similar claims were ruled since against Russia. Dozens of mass graves containing hundreds of corpses have been uncovered since the beginning of the Chechen wars in 1994. According to Amnesty International, thousands may be buried in unmarked graves including up to 5,000 civilians who disappeared since the beginning of the Second Chechen War in 1999.

Western and Arab governments state that Russia is continuing to support the Syrian government led by President Bashir Assad, despite their call for condemnation amidst accusations that Assad's government has killed over 9,000 of its own citizens in order to maintain control. Russia has at various times used its UN Security Council position to block resolutions that would condemn the Syrian government (often in concert with China), including blocking the first and second drafts of a Franco-British sponsored attempt to condemn the use of force by the Syrian government. Russia has been shipping large amounts of weapons to Bashar al-Assad. Russia's current contracts with Syria for arms are estimated to be worth 1.5 billion US dollars, comprising 10% of Russia's global arms sales.

F RANCE

France, the 4th nation to have developed nuclear technology, conducted nuclear tests in atolls of French Polynesia. Greenpeace was opposed to the testing and planned to lead yachts to the atoll to protest, including an illegal incursion into French military zones. The French government decided that in order to stop the planned protest, the Greenpeace flagship would have to be sunk to prevent her from interfering in a nuclear test in Moruroa. French spies successfully sank the ship when it was docked, which resulted in one casualty and was a huge PR disaster and embarrassment for France when agents were arrested in New Zealand.

France is also notorious for Industrial Espionage (act of stealing intellectual property or technology). Between 1987 and 1989, IBM and Texas Instruments were thought to have been targeted by French spies with the intention of helping France's Groupe Bull. In 1993, US aerospace companies were also thought to have been targeted by French interests. During the early 1990s, France was described as one of the most aggressive pursuers of espionage to garner foreign industrial and technological secrets. France accused the U.S. of attempting to sabotage its high tech industrial base. The government of France has been alleged to have conducted ongoing industrial espionage against American aerodynamics and satellite companies.

Major Players

C HINA

Recent allegations of state-sponsored terrorism in Tibet by China by the International Parliamentarians Network on Tibet (INPaT) have been accepted as credible by the deeply troubled Syracuse Buddhist community. This network of parliamentarians from more than 30 countries has condemned China's actions in the region of Kardze, eastern Tibet, calling the crackdown, 'state-sponsored terrorism'. The International Parliamentarians Network on Tibet (INPaT) is a global organisation made up of law makers.

U NITED KINGDOM

The UK has been involved in instances of state-sponsored terrorism, particularly in relation to the troubles Northern Ireland. In the 1970s, when Irish nationalists and Catholics were targeted through shootings and bombings, it was believed that the British Army was in part responsible, and that the British Military Intelligence was in command. Nearly a hundred deaths have been attributed to their actions. The UK is also accused of providing intelligence material, training, firearms, explosives and lists of people that the security forces wanted to have killed. Inquiries and investigations since then have all pointed towards a tangible link between the British authorities and the loyalists who claimed responsibility for the killings.

Major Players

THE MIDDLE EAST AND AFRICA

I RAN

Iran has been accused (by the USA, the European Union, Israel, Yemen) of supporting a number of terrorist organisations against local rivals in the Middle-East and generally opposing the peace process in the region. The Qods Force, a branch of the Islamic Revolutionary Guard Corps, has been accused of executing these terrorist-support activities. Suspected forms of support include financial and material help as well as providing arms training in some instances.



Iranian President Ahmadinejad with Hamas leaders

Iran has also been accused of supporting and providing refuge to the Hamas organisation, Hezbollah, Al-Qaeda, the Syrian militia, separatists in Yemen, as well as the Taliban via the aforementioned channels. It has admitted to providing material assistance to the Hamas organisation in their 'struggle for Palestine' and to the Syrian government, describing it as an 'axis of resistance' to terrorism. All of these activities have led to widespread warfare and bloodshed across the world. Consequently it has had economic sanctions (especially on its gas exports) imposed on it by the USA and the European Union.

It has accused the USA and the European Union of double standards in supporting the People's Mujahideen of Iran (MEK) (de-listing it as a terrorist organization), and of using the organization against the government in supplying intelligence and in other capacities. Mujahideen-e-Khalq is an opposition movement in exile, committed to overthrowing the present Islamic Republic of Iran and is the major component organization of the National Council of Resistance of Iran. Iran accuses the aforementioned entities, along with Israel, of supporting the MEK in carrying out terrorist activities against the state.

Major Players

I SRAEL

Israel has been embroiled in one of the most prominent instances of state-sponsored terrorism, the conflict over Palestine, along with Iran. Opinions about the role and moral ground of Israel have been many and varied. Some believe that its ordering of air strikes on Gaza is a justified reaction to violence initiated against it, while others believe it is misusing its lobby with the United States to prevent the right of the people in Gaza to their own state, and that its actions have been overtly brutal and terrorizing as well.



Israeli soldiers kidnapping Palestinian citizens

Israel has alleged that Syria supplied Hezbollah with missiles. It has criticized the UNIFIL (United Nations interim Force in Lebanon) for its failure to maintain peace at the Israel – Lebanon border and stop the flow of arms to Hezbollah in the same region; the UN had earlier responded saying that this falls under the responsibility of the Lebanese forces and has so far only asked the Lebanese government to ensure the same; however, this is yet to be achieved, considering that the Lebanese government supports Hezbollah's rights to arms. The Israeli intelligence agency, the Mossad, has also been accused of various covert assassinations that amount to state-sponsored terrorism.

Major Players

SYRIA

Syria has been on the list of UN's State Sponsors of Terrorism since 1979. It has been accused of supporting terrorist groups, or those causing instability in and around Syria and beyond. Syria openly supports the terrorist groups in Palestine. It has been a safe haven for the exiled individuals and is accused of supporting fellow state sponsors of terrorism as Iraq and Iran. Syria provides a comfortable platform for Iraqi rebels to unite and attack Iraqi government interests, and its vast black market also acts as a source of terrorist financing in Lebanon and Iraq. Syria allowed leaders of Hamas and other Palestinian groups resident in Syria to visit Tehran. Syrian President Assad continued to be a staunch defender of Iran's policies, including Iran's nuclear ambitions. Hence, Syria is considered to be responsible for major instability in the Middle East region and taking no significant initiatives to counter them. Although it has laws against terrorism, Syria has never implemented them.

Western governments fault Russia and China—both resolute allies of the Assad regime—for a lack of diplomatic progress on Syria. Moscow and Beijing have vetoed three UN Security Council resolutions aimed at isolating Assad, and have rejected the imposition of economic sanctions. Policymakers in the United States continue to press for Assad's departure but debate over whether greater unilateral action is prudent, including providing arms to the resistance. The UN estimates more than 20,000 deaths—mostly civilians—in the uprising, more than 340,000 refugees, and some 2.5 million Syrians in need of humanitarian assistance. This has particularly been enhanced in the recent uprising against the current Syrian government.



Major Players

LIBYA

It became a member on the list of US-designated state-sponsored terrorists in 1979, as the US claimed that the Government, then run by Muammar Gadhafi, had shown a clear pattern of aid to several major terrorist groups, such as the Provisional Irish Republican Army and the Popular Front for the Liberation of Palestine. According to them at the time, Libya's support for terrorism included financing for terrorist operations, weapons procurement and supply, the use of training camps, and Libyan diplomatic facilities as a support base for terrorist operations.



The aftermath of the Lockerbie disaster

Two of the most comprehensive and well documented cases during the 1980s were the Lockerbie Pan Am disaster of 1988 and the UTA 772 disaster of 1989. The explosions of these planes, while traversing over Scotland, and the Sahara desert respectively, were believed to be due to bombing by Libyan elements. The international community raised sanctions against Libya as a result of this, which went unheeded by them initially, but after much more pressure and severity, Libya relented and handed over the major suspects in the Lockerbie case. Sanctions were finally lifted in 2003.

Major Players

SUDAN

Sudan was designated a state sponsor of terrorism in 1993, with the accompanying declaration that it was maintaining a disturbing relationship with a number of Islamic extremist groups, through the National Islamic Front which dominates the Sudanese Government. Some of these include the Hamas, the Hezbollah, and Egypt's Gama' at al-Islamiyya. At the time, Sudan's close ties with Iran, the leading state sponsor of terrorism, caused concern in the international community. It served as a convenient meeting point and refuge for Iranian-backed extremist groups. The Al-Qaeda leadership was also involved in the administration of Sudan.

AFGHANISTAN

Islamic extremists from around the world - including North America, Europe, Africa, the Middle East, and Central, South, and Southeast Asia, allegedly use Afghanistan as a training ground and base of operations for their worldwide terrorist activities. The Taliban, which control most Afghan territory, permit the operation of training and indoctrination facilities for non-Afghans and provide logistics support to members of various terrorist organizations and the Mujahideen, including those waging jihads (holy wars) in Central Asia, Chechnya, and Kashmir.

Throughout 1999-2001 the Taliban continued to host Osama Bin Laden - indicted in November 1998 for the bombings of two US Embassies in East Africa - despite UN sanctions and international pressure to hand him over to stand trial in the United States or a third country. In a serious and ongoing dialogue with the Taliban, the United States repeatedly made clear to the Taliban that it would be held responsible for any terrorist attacks undertaken by Bin Laden while he WAS in its territory.

The Taliban have been accused of violence in many instances such as the terrorist bomb attack against the USS Cole in Aden Harbor, Yemen, which killed 17 US sailors and injured scores of others in October 2000. In August 2000, Bangladeshi authorities uncovered a bomb plot to assassinate Prime Minister Sheikh Hasina at a public rally. Bangladeshi police maintained that Islamic terrorists trained in Afghanistan planted the bomb.

On 25 December 1999 the Taliban permitted the hijacked Indian Airlines flight 814 to land at Kandahar airport after refusing its permission to land the previous day. The hijacking ended on 31 December 1999 when the Indian Government released three individuals linked to Kashmiri militant groups in return for the release of the passengers aboard the aircraft. The hijackers, who had murdered one of the Indian passengers during the course of the incident, were allowed to go free.

Major Players

SOUTH-EAST ASIA

P AKISTAN

The Pakistan state government allegedly funds a controversial military intelligence agency, the ISI, seen by many as an enabler and tacit ally of militant extremists and terrorist groups in South Asia, and also accused for being involved in the training, funding, equipping and directing of Islamic inspired terrorist groups for more than 30 years. On the list of terrorist organisations available on the US State Department's website are familiar names like Lashkar-e-Jhangvi (LeJ), Lashkar-e-Taiba (LeT), Jaish-e-Mohammad, Harkatul Mujahideen, Jundallah and Tehreek-e-Taliban Pakistan (TTP). Most of these groups have also been declared banned organisations in Pakistan. However, people like Hafiz Saeed (founder of the LeT and considered to be the mastermind of the 26/11 Mumbai attacks) and Malik Ishaq (founder of the LeJ) have been repeatedly taken into custody and released by Pakistani courts. The TTP has made a name for itself by attacking security installations and executing Shia Muslims.

The Lahore High Court has been accused of releasing extremists and the Pakistan Army apparently still needs all kinds of persuasion from national and international entities to launch an offensive against fundamentalist camps. Pakistani security agencies have reportedly themselves admitted that they are in contact with the Haqqanis, a noted terrorist outfit. The Haqqanis have been credited with well-executed attacks in Afghanistan in recent years. On Pakistan's western border with Afghanistan, the ISI supported the Taliban up to September 11, 2001, though Pakistani officials deny any current support for the group. Pakistan's government was also one of three countries, along with the United Arab Emirates and Saudi Arabia that recognized the Taliban government in Afghanistan.

Most officers in the ISI are from the army, so that is where their loyalties and interests lie. Experts say until the end of 2007, as army chief and president, Musharraf exercised firm control over the intelligence agency, but it is not clear how much control Pakistan's civilian government - led by Bhutto's widower, President Asif Ali Zardari - had over the agency. In July 2008, the Pakistani government announced that the ISI will be brought under the control of the interior ministry, but revoked its decision within hours. Sources report that the civilian leadership had virtually no control over the army and the ISI. In September 2008, army chief Ashfaq Parvez Kiyani replaced the ISI chief picked by former president Musharraf with Lt. Gen. Ahmed Shuja Pasha. Until then, Pasha headed military operations against militants in the tribal areas. In November 2008, the government disbanded ISI's political wing, which politicians say was responsible for interfering in domestic politics.

Major Players

BANGLADESH

The Rapid Action Battalion (RAB), a Bangladeshi paramilitary unit that receives training from British police, has been accused of being frequently involved in extrajudicial killings by several human rights groups. According to a report published by the Bangladeshi rights group Ain O Salish Kendra, 133 people died in extrajudicial killings in Bangladesh in 2010; RAB officers were said to be responsible for the overwhelming majority. Around 18 of those who died were said to be communist party activists. The (RAB) – condemned by human rights groups as a "death squad" – ceased the killings briefly after the existence of the British training programme was disclosed in US diplomatic cables posted on the internet by WikiLeaks in December 2010.

Human Rights Watch, the New York-based NGO, has repeatedly pointed out that senior political figures had expressed their support publicly and privately for Bangladesh's policy of extrajudicial killings. The group had called for the UK to withdraw its support. Leaked diplomatic cables showed that Washington had been prevented by law from offering support to RAB because of its human rights abuses. RAB admitted killing more than 600 people since its inception in 2004. Its use of torture had been documented by the UK government as well as human rights groups.

The Enemy Property Act (Vested Property) also gives an interesting insight into state sponsored terrorism at the grass root level. After the outbreak of war between India and Pakistan in 1965, Pakistan's military government imposed a state of emergency under the Defense of Pakistan Ordinance. The Ordinance, which authorized the use of measures to "ensure the security, public safety, interest and defence of the state," gave expansive and wide-ranging powers to the country's military rulers. Simultaneously, the military regime implemented the Defence of Pakistan Rules, enabling the Governor of East Pakistan to promulgate the Enemy Property (Custody and Registration Order II on December 3, 1965. The Enemy Property Order, commonly known as the enemy Property Act, comprised several key components, including proclaiming India as an enemy state. Specifically, the Act declared that "all interests of the enemy(i.e., the nationals/citizens of India, those residing in the territory occupied/captured/controlled by India) in firms and companies, as well as in the lands and buildings situated in Pakistan, were to be taken over by the custodian of Enemy Property for control or management," and "the benefits arising out of trade, business, or lands and buildings were not to go to the enemy, so as to not affect the security of the state of Pakistan or impair its defence in any manner.

Major Players

I NDIA

The most talked about case of state funded terrorism in India would be the Gujarat riots of 2002. Towards the end of February 2002, rioting by Hindu mobs broke out across the Indian state of Gujarat. The rioting was sparked after the death of 58 Hindus on a train in what was described by Indian officials as an arson attack by a mob of Muslims in Godhra, a town southeast of Ahmadabad. Police and army forces deployed by the government to restore law and order allegedly largely granted Hindu extremists a free reign in the state. The carnage was made possible by the city's Hindu police force, which were accused of having merely watched as gangs rampaged through Muslim areas.

The country has also been accused of harbouring criminals with a terrorist record. Bangladesh's top criminals have allegedly taken shelter in areas of West Bengal. When law enforcers turn tough or the criminals commit any serious crime, they simply cross the border, legally or illegally. According to the Pakistan Defence Forces, a number of the top terrorists comfortably reside in several districts of India, under the patronage of Indian police and intelligence wing. In exchange, they reportedly carry out several bomb blasts and killings back in Bangladesh. India has also been a victim of state sponsored terrorism in many instances. The 26/11 terrorist attacks in Mumbai has been repeatedly linked back to the ISI of Pakistan.

India has also been accused of training and arming the Sri Lankan Tamil group, LTTE, during the 1970s before it withdrew its support in the 1980s, when the activities of LTTE spread.

N ORTH KOREA

NORTH KOREA was one of the original seven designated state sponsors of terrorism. It was cited on the US department's list of countries that sponsor terrorism and was designated by President Bush as a member of the Axis of Evil. North Korea has been accused of being a part of conspiracy to attack South Korean President Chun Doo Hwan in 1983. It was also accused of helping the terrorist involved in the 1970 hijacking of Japan Airlines.

In terms of direct terrorist action, however, the Democratic People's Republic of Korea (as the nation is formally known) has been relatively quiet since 1987, when it was believed to have orchestrated the bombing of Korean Airlines Flight 858. However, it has been reported to be selling ballistic missile technology to Iran and Syria. Its missile technology is also being transferred to Israel and Pakistan. There is also ample evidence that Kim Jong-il's regime knowingly sold smaller weapons to separatist groups.

Major Players

SRI LANKA

Sri Lanka has been accused by various NGOs of being responsible for state-sponsored terrorism, dating back to the middle of the 20th century. This has manifested itself in numerous ways, including the long-standing animosity towards Tamil elements, and the government's response to marxist groups.



The Tamil refugees fleeing the Sri Lankan military

Hard-line Buddhist monks have a large role to play behind the scenes in the Government with an ideology similar to that followed by Islamic extremists. For example, SWRD Bandaranaike a former Prime Minister, was murdered in 1959 through a conspiracy led by a chief priest of a prominent monastery.

The counter-insurgency measures of the Sri Lankan government have come under intense criticism and scrutiny. To suppress a Marxist uprising in the 1980s, the state allegedly resorted to actions such as torture and mass murder. The response to the Tamils, represented by the group the LTTE, which was the other party in the Sri Lankan Civil War, is another notable example of government brutality. The systematic use of torture and rape by the Sri Lankan soldiers in countering the rebels was tantamount to state-sponsored terrorism, many believe.

Former Sri-Lankan President Chandrika Kumaratunga once famously said that Sri Lanka had killing fields. A large number of journalists and human rights activists have been murdered and/or disappeared in the last five years. One of the most prominent journalists was Lasantha Wickramatunga who was brutally murdered in broad daylight in Colombo in January 2009. According to Human Rights Watch, the government has failed to bring to justice those responsible for any of the killings or enforced disappearances of journalists in recent years.

Major Players

LATIN AMERICA

VENEZUELA

Venezuela has always hovered around the zone of being declared a state sponsor of terror by the United States of America. According to the USA,

"Hugo Chávez is a reckless leader who collaborates with Colombian narcoterrorists and Islamist terrorists, pals around with brutal Iranian dictator Mahmoud Ahmadinejad, is a virulent anti-Semite, and is guided by a relentless anti-Americanism in everything he does."

While harbouring ill-will towards another country should not alone be grounds for a nation to be suspected, USA feels that Venezuela, merits a place on this list because of its support for acts of terrorism and subversion committed by the Revolutionary Armed Forces of Colombia (FARC) and because of its strategic alignment with the other four designated state sponsors of terrorism, particularly Iran. Venezuela has initiated the first stages of nuclear programmes with the support of Russia, increasing the concern of the USA.

CUBA

Cuba was designated as state sponsor of terrorism by the USA in 1982. It is believed that Cuba has a history of supporting armed revolution in Africa and Spanish speaking countries. It has good relations with Iran, another country accused of state sponsorship of terrorism. At the time, the reasons provided by the USA for designating Cuba as a state sponsor of terrorism were that it had publicly opposed the 'War on Terror' started by the USA and had made no attempt to track, block or seize terrorist assets, and that it was providing safe haven to several alleged terrorists facing charges in the USA.

In 1998, a comprehensive review by the U.S. intelligence community concluded that Cuba does not pose a threat to U.S. national security, a conclusion which implied that Cuba should no longer have been on the list of state sponsors of terror. However, it continued to remain there. Critics argued that Cuba's place on the list was a remnant of the Cold War and served only as a distraction from current counter-terrorism initiatives. It is to be noted that Cuba has itself accused the USA of perpetuating state-sponsored terrorism in its territory.

OTHERS

Ecuador has been linked with the FARC revolutionaries. The President, Rafael Correa, received funding for his presidential campaign from FARC guerillas in Colombia. Ecuador has been called an active supporter of terrorist organisations. In Guatemala, a coup organised by the CIA in 1954, in the name of anti-communism, brought into power the dictator Arbez who would later be responsible for the killing of thousands of citizens. El Salvador and Chile have been in similar situations as well.

The Stance of the United Nations

The UN has been involved in attempts to end state sponsored terrorism for many years. In 1992, upon receiving proof of Libyan involvement in the bombing of 2 aircrafts, member states passed Resolution 731, in which the UNSC demanded that Libya end its sponsorship of acts of international terrorism and cooperate with American, British, and French judicial requirements in the trials of those Libyan officials charged with the bombings. It imposed sanctions on Libya that included a ban on commercial flights, an arms embargo, a restriction of the transfer of technical information, and other measures. As Libya continued its refusal to bow to international pressure, the Security Council stepped-up its punitive efforts, and imposed air blockade. This was the first time the UN used its power to impose sanctions against a country accused of international terrorism (the resolution was approved by a majority of ten, with five abstentions).

It is worth mentioning Libya's appeal to the International Court of Justice in The Hague in 1992. Libya sought an injunction against Britain and the United States to forbid them from imposing sanctions. (This request was denied, *inter alia*, because sanctions on Libya were imposed in accordance with Article 41 of the United Nations Charter, Chapter VII, which grants the Security Council sweeping authority to act so as to preserve world peace and security, even in disregard of law and justice considerations).

UN Security Council resolution 687 was passed in response to several acts of violence in the international community in 1992 and requires Iraq to refrain from aiding or housing any terrorist activities. As stated in the resolution, it "requires Iraq to inform the Security Council that it will not commit or support any act of international terrorism or allow any organization directed towards commission of such acts to operate within its territory and to condemn unequivocally and renounce all acts, methods and practices of terrorism". In 1999 the International Convention for the Suppression of the Financing of Terrorism was adopted by the general assembly.

In 2005, the international community also introduced substantive changes to three of the 13 universal legal instruments in place to prevent terrorist acts. Universal instruments to specifically account for the threat of terrorism; on July 8th 2005, states adopted the Amendments to the Convention on the Physical Protection of Nuclear Material, and on 14 October added the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf. In 2006 a new step was taken in combating terrorism when the UN member nations formed the first consolidated strategy to counter terrorism. The strategy "forms a basis for a concrete plan of action: to address the conditions conducive to the spread of terrorism; to prevent and combat terrorism; to take measures to build state capacity to fight terrorism; to strengthen the role of the United Nations in combating terrorism; and to ensure the respect of human rights while countering terrorism". This meeting was reconvened in 2010 and during it the member states reiterated their condemnation of all terrorist acts and implemented the Counter-Terrorism Implementation Task Force.

The Stance of the United Nations

The recommendations of the 2006 report by the General Assembly are compiled into UN resolution (A/RES/60/288). The UN has accused several countries including but not limited to: Afghanistan, Argentina, Chile, Cuba, Iraq, Israel, Iran, Pakistan, and the United States of America. In order to force compliance to previously set forth rules the UN has been in the practice of implementing sanctions on countries in defiance of UN resolutions regarding State sponsored terrorism. Since September 28, 2001 the CTC has been there (*Guided by Security Council resolutions 1373 (2001) and 1624 (2005), the CTC or Counter Terrorism Committee works to bolster the ability of United Nations Member States to prevent terrorist acts both within their borders and across regions. It was established in the wake of the 11 September terrorist attacks in the United States.*) However, it has never named a single terrorist, terrorist organization or state sponsor of terrorism.

On the contrary, though Syria is one of four state sponsors of terrorism designated by the U.S. State Department, it was a member of the CTC for two years, from January 2002 to December 2003. The four state sponsors of terrorism Cuba, Iran, Sudan and Syria have written reports to the CTC about their compliance with Security Council Resolution 1373. In the absence of any UN definition of terrorism, all of these states have readily proclaimed that they are engaged in a vigorous campaign to combat terrorism.

From 2001-2006 the CTC elicited over 700 reports from UN member states on their counter-terrorism activities. The countries, however, complained about the reporting burden. The questions and comments of the CTC's hired experts – which were made on the state reports – were kept confidential.

The International Court of Justice has also had something to say on the matter. Its decision in the *Bosnia Genocide* case suggests that the two types of obligations regarding terrorism (one prohibiting the state itself from engaging in terrorism, the other regarding the state as the enforcer of prohibitions imposed against non-state actors) overlap in the obligation to prevent. In its judgment on the merits, the ICJ held that a state's obligation to prevent genocide under the Genocide Convention necessarily implies a prohibition of the commission of genocide by the state itself and that a dispute regarding breach of the prohibition by a state is thereby decidable by the Court pursuant to the clause of the Genocide Convention.

Perhaps not surprisingly, a UN Ad Hoc Committee to Eliminate Terrorism, created by the General Assembly back in December 1996, has remained deadlocked as it tries to reach agreement on a comprehensive draft convention to eliminate terrorism. The draft convention, tabled in 2001 by India, has won agreement by several delegations to a substantial extent. However, it is bogged down on a few crucial issues. For example, it has been proposed by some that state sponsored terrorism or certain acts of states be covered by the draft. Many others have resisted this proposal on the basis that acts of states are governed by other existing rules of international law and therefore, it was superfluous to cover this aspect under the draft.

Conclusion

As the evidence and the analysis have shown, state-sponsored terrorism has been quite a scourge to the modern world in the recent past. What makes it particularly dangerous and harmful is the difficulty in tackling it, from the origins to the manifestation of it.

For that matter, even the very idea of state-sponsored terrorism brings to mind a significant element of doubt. The issues of state brutality against citizens, of heinous acts committed during a war, and the seemingly unilateral role of the United States when it comes to designating state sponsors of terror, all of these make the classification of actions difficult. Furthermore, the degree of involvement that makes for a credible accusation is also hotly debated. States that control, communicate and coordinate with terrorist organisations may necessarily be condemned due to their active role, but what about states that have a passive outlook? Can countries be indicted for tolerating the existence of extremist groups in their territories? What about declining to provide support for international initiatives to eradicate these groups?

Why a country might want to take the risk of being involved in state-sponsored terrorism is also an interesting conundrum. Terrorist organizations find state sponsorship necessary to expand their terrorist campaigns, while the state is able to employ a lethal weapon such as terrorism against its enemies. Obviously, by sponsoring terrorism, a state can aim to politically destabilize the rival country, scuttle its political process, derail its governmental business, destroy its economy, demoralize its people and increase their sense of insecurity and vulnerability and, finally, damage the country's international standing in ways that direct military confrontation cannot, or will not achieve—and this effect can be seen regardless of whether or not a state of war exists between the sponsor and target government. Indeed, state sponsorship of terrorism is most detrimental to democratic institutions in cases short of outright warfare.

On the side of the terrorist organisation, state sponsorship increases the danger of terrorism because it provides the client group with far greater firepower than they would ever be likely to obtain in the normal arms-market. For the terrorist receiving support, external assistance from an organized government in control of sovereign territory and state institutions is an enormous advantage as they strive to create a favourable political climate in which to strike effectively.

Till such a time as the need for resorting to state-sponsored terrorism, at least from the point of view of the countries, can be properly addressed, the international community might find it a tough ask to deal with this problem on a long-term, general basis. That being said, there are hurdles even for responding to the individual incidents that occur every now and then.

For starters, accusing a country of something as drastic as terrorism is risky and leads to a storm of controversy, not just for the accused but also for the accuser. It can potentially damage relations between the two countries as well as in the region, with ramifications at the global level. Given that the atrocities are committed by terrorist organisations, it is easy for any country to cover its tracks and distance itself from suspicion. And even if tangible links can be shown, taking concrete action is another matter altogether.

Conclusion

Issues of encroachment on national sovereignty, as well as jurisdictional complications, all hinder the process to such an extent that there is often no option but to let it go. The clout and lobbying powers that many nations possess in the international community also reduce the likelihood of any sustained support coming for any endeavour. The end result is that the guilty are rarely, if ever, brought to task.

The various incidents of state-sponsored terrorism over the course of modern history have all seen some of these problems rear their head in one way or another. This is not to say that the problem is insurmountable, but merely that it is important to keep all these factors in mind while deliberating on this issue. A proposed solution that does not take into account past events and the knowledge gained from them is likely to lead to nothing.

QUESTIONS TO CONSIDER

1. What exactly can be referred to as state-sponsored terrorism?
2. Where does one draw the line when it comes to national sovereignty regarding an intervention in a country?
3. Is it justified to continue suspecting a country where a past Government was known to be involved in terrorist countries?
4. Should the UN create a designation of its own regarding state-sponsored terrorism? How far can the judgment of a single country, the USA, be trusted in this regard?
5. What is the most effective way to deal with the problem, such that collateral damage can be minimised?

This document is subject to change.

To ensure that you have the latest version of this document,
please contact a member of the Secretariat.