

THE MEANS AVAILABLE IN CRIMINAL LAW TO COMBAT TERRORISM

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Abstract:

The current study presents a vision for terrorism prevention. The study focuses on terrorism prevention activities. by creating some legitimate components for fighting the terrorism by using the principles of the international rules of the law. Just as the international community perceives that the threat of terrorism is increasing in severity and scope, there is a parallel risk of overreaction by implementing measures and mechanisms that may prove unjustified. Some states may invoke so-called emergency powers to combat terrorism while balancing individual rights, community protection, and national security. No state, no matter how powerful, can protect itself from current threats. Every state needs the cooperation of other states to ensure its security. Therefore, it is in every state's interest to cooperate with other states to confront the most pressing threats, as this maximizes the opportunities for cooperation in confronting its own priority threats. criminal law also plays a prominent role in combating bioterrorism, and this important aspect has been highlighted. Bioterrorism is considered one of the most dangerous cross-border weapons of mass destruction, given its great potential to kill millions of people in various countries around the world, within a few days, in complete silence and without shedding a single drop of blood. This type of weapon relies on invisible microscopic organisms such as bacteria, viruses, and microbes in hostile acts to achieve political, religious, intellectual, or commercial goals. This has placed the international community in a state of true panic, especially after the spread of the Corona pandemic throughout the world, fearing that this virus, and others, could be used as a biological weapon that would kill humans. Therefore, this study aims to evaluate the role of international mechanisms in the field of combating bioterrorism, which have been unable to perform their duties due to the rapid scientific development in biotechnology and genetic engineering, in the absence of an effective international mechanism for monitoring, investigating, and inspecting such international crimes.

Keyword: Criminal law, principles, organization, combat, terrorism. human rights.

Introduction:

Technical issues pose real challenges, including ensuring that the definition is neither vague nor incomplete, ensuring that it guarantees human rights. International consensus is a fundamental principle that defines terrorism as criminal violence whose primary purpose is to terrorize humanity. Sharp political disagreements hinder agreement on a comprehensive or general principle [1]. The dialectical relationship between international or domestic counterterrorism law and international humanitarian law (which regulates all types and forms of violence and terrorism, particularly in armed conflicts) remains contentious. This general concept remains inconsistent, resulting in misinterpretations that contradict

the purpose for which the specific law was established, despite the theoretical approach to reaching a comprehensive international legal agreement [2].

In the absence of such an agreement, most states, between the 1960s and 1990s, responded to terrorism by applying a combination of ordinary domestic crimes and crimes related to public order or national security [3]. The international definition of terrorism is crucial to defining criminal offenses.

He also refers that cross-border violence and its military works is increasingly being used by states, "even when not justified under international law for self-defense." He said, "Many states have also failed to address the root causes of terrorism, including state-sponsored human rights violations—while impunity for such violations is rampant."

The United Nations must also do its utmost to meaningfully consult with civil society on counterterrorism [4].

He emphasized that he will continue his predecessor's efforts He will also pursue the protection of detainees and those transferred from the Guantanamo Bay detention center, and ensure that the United Nations upholds human rights in its counter-terrorism work [5].

Mr. Saul called on "rhetorical commitments to human rights and instead place human rights at the heart of all counter-terrorism measures." He said, "Double standards and selectivity by major powers in the implementation of human rights also erode public confidence in the credibility of the international human rights system." is a "terrorist" or not [6].

The War Crime of Terrorism:

Terrorism is prohibited by numerous international humanitarian law treaties, a realistic response to the terror perpetrated by racist fascist powers against civilians during World War II. The International Criminal Tribunal for the former Yugoslavia, in the Galic case, recognized that violations of this treaty may constitute war crimes because they deliberately spread fear and terror among civilian populations. Terrorism has been defined as "intense fear" manifested through deliberate, systematic, and calculated acts, not random ones [7].

International Mechanisms:

The suffering caused by terrorism has increased at present, to the point that it has become a comprehensive global problem that threatens international security, peace, and stability. As long as the problem is comprehensive, the solution must also be comprehensive, achieved through concerted international efforts [8]. Article 30 of the Universal Declaration of Human Rights condemns international terrorism: "No provision in the Declaration may be interpreted as implying for any State,

person, or group of persons any right to engage in any activity or act aimed at the destruction of any of the rights and freedoms set forth in the Declaration..." One of the key measures taken by the international community to combat terrorism has been the gradual establishment, since 1963, of a legal infrastructure of conventions and protocols related to terrorism—in other words, multilateral treaties and supplementary agreements. Since 1972, the United Nations has established a special committee to combat international terrorism. These legal instruments require states that adopt them to criminalize most imaginable terrorist acts. Another key part of the global counter-terrorism legal regime is the series of Security Council resolutions related to terrorism, many of which were adopted under the powers of Chapter VII of the UN Charter, which authorizes the Security Council to adopt legally binding resolutions on all UN Member States. The famous "aut dedere aut judicare" principle aims to make the world a place where terrorists (and those who finance and support them) cannot live by denying them safe haven. However, it must be emphasized that the legal authority to enforce these measures against terrorism rests exclusively with sovereign states [9]. There is no international court competent to prosecute hijackers of aircraft or ships, those who bomb civilian targets, or those who finance terrorism.

UN Counterterrorism Measures:

In 2026, the UN General Assembly will conduct the ninth review of the Strategy, marking the twentieth anniversary of its adoption as a critical framework for international cooperation to prevent and counter terrorism. This milestone provides Member States with an opportunity to reflect on progress made in implementing the Strategy since the eighth review in 2023 and to continue to identify and address emerging trends and threats [10].

President of the General Assembly is expected to appoint co-facilitators early in its eightieth session (September 2025–September 2026) to help guide this intergovernmental process. The United Nations Office of Counter-Terrorism, through its Policy, Knowledge Management and Coordination Branch, will serve supporting deliberations [11].

United Nations Conventions against International Terrorism:

The Organization and its agencies have established and developed a set of international legal agreements and treaties that enable the international community to take precise measures to combat the multifaceted forms of terrorism and provide legal means to hold those responsible accountable before courts and justice. The history of these agreements dates back to 1963. The solid and fundamental legal foundations for combating extremism and combating international terrorism in its various forms have been ratified by most of the agreements. However, they have not yet been implemented. These agreements were drafted under the supervision, support, and preparation of the General Assembly, the International Maritime Organization (IMO), and the International Atomic Energy Agency (IAEA). By 2001, 171 countries had ratified these agreements [12].

Conclusions and Recommendations

Research focused primarily on reviewing the importance of criminal law in combating terrorism and

extremism, and on ways to provide assistance to countries requesting it regarding aspects related to terrorism and to incorporate this assistance into their legislation. Providing such assistance to requesting countries is a priority. The General Assembly's adoption of conventions to suppress acts of terrorism in all its forms, especially nuclear terrorism, is crucial. Promoting modern and advanced legislation, based on the rising levels of terrorism and developing means to combat terrorism as soon as it emerges, requires the support. Office on International Terrorism continue to implement a comprehensive work program that includes actively seeking to establish partnerships. Additional measures to strengthen the role of criminal law enforcement require concerted international efforts, particularly by countries with an effective legal mandate within available frameworks, to prevent and end terrorist acts wherever they occur. The rule of law, strengthening effective criminal justice systems, and enhancing international counter-terrorism cooperation are essential components of any comprehensive response to combat international terrorism at both the national and global levels. Building the capacity of modern, scientific criminal justice systems and leveraging cutting-edge technologies is a key factor in strengthening the rule of law. Providing technical and material assistance to Member States that request it is a key factor in sustaining this achievement. Future results will lead to increased operational activities, sustained requests for assistance, and continued support for global security in the fight against terrorism. Solutions must be found urgently that are consistent with the requirements of international humanitarian law, respond to operational realities, and enable shared risk management among governments. International organizations and states can adopt various preventive measures.

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