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The “civilizing” approach in solving the global terrorism problem

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Grachova Viktoriia

Over the period of more than fifty years, from 1963 till 2014, States have adopted a range of special universal treaties aimed at countering the threat of international terrorism¹. These treaties mostly rely on criminal justice mechanisms in responding to terrorism², focusing primarily on ensuring prosecution and punishment for terrorist offences. Meanwhile, it is rather evident that such mechanisms do not provide a comprehensive basis for the solution of the global terrorism problem and should be supplemented with other measures. In this regard, the Secretary-General of the United Nations pointed in his report of 14 April 2014 concerning the activities of the UN system in implementing the United Nations Global Counter-Terrorism Strategy, that while initially many UN Member States “may have focused on their immediate need to combat and prevent terrorism by building critical capacities in law enforcement, investigation and prosecution, longer-term success also depends on a more thorough implementation of pillars I and IV”³ of the Strategy, consisting, respectively, of measures to address conditions conducive to the spread of terrorism and measures to ensure the protection of human rights and the rule of law while combating it⁴. A particular importance of the pillar I is stressed in this report since the UN Secretary-General recommends that “the international community make a concerted and focused effort on the preventive aspects of counter-terrorism”, what “necessarily requires addressing conditions conducive to terrorism”⁵. Later on in its resolution 2178 (2014) of 24 September 2014 the UN Security Council recognized that terrorism would not be defeated by military force, law enforcement measures and intelligence operations alone and underlined the need to address the conditions conducive to its spread⁶. Considering the above-mentioned, it is

¹ See the list of the corresponding treaties on *United Nations Action to Counter Terrorism. International Legal Instruments* (<http://www.un.org/en/terrorism/instruments.shtml>). See also *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft. Done at Montreal on 4 April 2014* (http://www.icao.int/Meetings/AirLaw/Documents/Protocole_mu.pdf?Mobile=1).

² See *Handbook on Criminal Justice Responses to Terrorism*, United Nations, New York, 2009, 127 p.

³ *Activities of the United Nations System in Implementing the United Nations Global Counter-Terrorism Strategy. Report of the Secretary-General*, 14 April 2014, UN Doc. A/68/841, para 20.

⁴ *Ibid.*, paras 27, 91.

⁵ *Ibid.*, para 107.

⁶ UNSC Resolution 2178 (2014), 24 September 2014, UN Doc. S/RES/2178 (2014), preamble.

important for international law to embrace the challenge of expanding legal regulation of the global anti-terrorism efforts on the basis of adequate preventive measures.

For a better understanding of what measures are particularly needed it may be useful to have recourse to the conflict paradigm which allows to view the phenomenon of terrorism as a manifestation of underlying societal antagonisms. Since reconciling such antagonisms requires the knowledge of the inner mechanisms of social conflicts and a special methodology, the tools of conflict studies appear to be valuable in finding a solution to the global terrorism problem. In this regard, a number of the East European law scientists point at a conflict-based nature of terrorism and the need to investigate its social and political genesis. In particular, Liliana Punga mentioned “crisis processes” in society as conditioning terrorism and the necessity to make a thorough analysis of its “social and political origins”⁷. Viktor Petrishchev views conflicts in social, economic, political, interethnic, interreligious and other spheres as a “[b]asis of origination of terrorist manifestations” and points that an effective strategy for combating terrorism requires “a good knowledge of this destructive phenomenon”⁸. The causes of terrorism as a form of violence can be analyzed from a micro- and macro-viewpoint: the former focuses on the characteristics of terrorist perpetrators and potential participators in terrorist activities, the latter concentrates on the fluctuations of terrorism in function of such societal developments as “periods of political strife, economic conditions, and cultural-ideological conflicts”⁹ *etc.* Still, in general, terrorism study “has become preoccupied with the constant debate that revolves around explaining *what* actually constitutes terrorism and *how* to counter it” instead of concentrating on “*why* it actually occurs”¹⁰, what seems to be a key question in the realm of terrorism prevention. In order to answer this question and to solve the problems which the answer would inevitably expose, terrorism *per se*, as Jason Franks argues, needs to be recognized “as conflict” and the study of it needs “to move beyond the [S]tate-centric understanding” which concentrates mainly on terrorist violence “against the established authority or [S]tate”, into a wider and more holistic approach that

⁷ PUNGA, *Politiko-pravovye aspekty mezhdunarodnogo terrorizma* [Political and Legal Aspects of International Terrorism], Kishineu, 1998, p. 9.

⁸ PETRISHCHEV, *Antiterroristicheskaia strategii* [Anti-Terrorism Strategy] in *Organizatsionno-pravovye voprosy borby s terrorizmom* [Organizational and Law Issues of Combating Terrorism], Moscow, pp. 104, 85–86.

⁹ See DEFLEM, *The Policing of Terrorism: Organizational and Global Perspectives*, New York, London, 2010, p. 16.

¹⁰ FRANKS, *Rethinking the Roots of Terrorism*, Basingstoke, New York, 2006, p. 1.

will provide access “into the deep socio-political roots of the violence”¹¹. It seems true that the relocation of terrorism into conflict studies would allow “to open up terrorist conflicts to the multi-level and interdisciplinary approaches to understanding violence” and would also “bring with it the tools of conflict resolution”¹². For instance, as Jason Franks believes, the analysis at the level of “non-state actor” provides an understanding based on social conflict theory and suggests that terrorism is caused “by the perceived function and utility of terrorism, unsatisfied human needs and relative deprivation”, what implies the existence of “*revolutionary or reactionary terrorism, grievance terrorism and deprivation terrorism*”¹³; the analysis at other levels implies the existence of “*inherent*” and “*devious*” terrorism, “*terrorism management*”, “*cultural, systemic, situational*”, “*socio-economic*”, “*ideological, identity, issue, emotional, cognitive*” and “*group*” terrorism¹⁴.

Consequently, a starting point in understanding terrorism through conflict paradigm is the awareness of its conflict-based nature what presupposes the presence of an intrinsic source of confrontation. In this regard the Ukrainian researcher Volodymyr Antypenko insists on the “decisive presence” of a “violent conflictness” in terrorism and considers it as a form of “international social confrontation” based on the “differences of political, economic, ethnic and territorial and cultural interests” of States and the groups of States, peoples, nations, social groups and movements, resulting in a “[g]lobal terrorist conflict” which becomes the means to remove contradictions and is able to bring disastrous effects if it is not solved¹⁵. Both Volodymyr Antypenko and his Ukrainian follower Anna Antypenko argue that conflict dimension of the crime of terrorism contributes to examining it “in the frame of reference of international humanitarian law” and suggest a theory of international legal regulation of “terrorist armed conflicts”¹⁶. At the same time, considering the importance of the “preventive” pillar of anti-terrorism strategy, I believe that the conflict approach to international terrorism needs to be developed in global anti-terrorism law in order to enrich it with a comprehensive concept focusing on the

¹¹ *Ibid.*, pp. 17, 18, 195.

¹² *Ibid.*, p. 88.

¹³ *Ibid.*, pp. 112–113.

¹⁴ *Ibid.*, pp. 112, 113.

¹⁵ ANTIPENKO, *Teorii mirovogo razvitiia i antiterroristicheskoe pravo. Logika sopriagaemosti* [The Theories of the World Development and Anti-Terrorism Law. The Logic of Associativity], Kyiv, 2007, pp. 8, 274, 125, 437.

¹⁶ V. ANTIPENKO, A. ANTIPENKO, *Konfliktologiiia v mezhdunarodnom pravotvorchestve* [Conflict Studies in International Law-Making], Odessa, 2014, pp. 11, 169 ff.

eradication of the corresponding societal antagonisms. The purpose of this essay is, therefore, to study preventive aspect of the conflict paradigm in the context of the global legal regulation of fight against terrorism.

In general, as Peter Wallensteen points, a conflict “contains a severe disagreement between at least two sides, where their demands cannot be met by the same resources at the same time”, what is an “incompatibility” – a key element to the existence of conflict¹⁷. The additional elements are “actors” and “action”, and a complete definition characterizes conflict as a “*social situation in which a minimum of two actors (parties) strive to acquire at the same moment in time an available set of scarce resources*” (the notion of resources covers “all kinds of positions that are of interest to an actor”)¹⁸. Manifest conflict requires both incompatibility and action, but even if there are no actions although it is possible to discern incompatibilities, there is a latent conflict¹⁹. The Ukrainian researcher Anatoliy Ishmuratov defines conflict as a “manifestation of the imbalance of interests”, a “disagreement” between parties, when each of them attempts to promote its position or its goals solely²⁰. It is also viewed as a “malady of communication”, an “unfair, unjust, incomprehensible play”²¹. The dynamics of conflict is represented by “latent”, “manifest”, “latent aggressive” and “manifest aggressive” phases, and the latter constitutes a “[b]attle” phase, at which aggressive plans are being realized; it is the phase of “declaration of war” and its main strategy is “destruction”, “hatred”, “fanaticism”²². Considering this, terrorism appears to be a manifest aggressive phase of social interaction, linked to the incompatibility of interests of its parties, the existence of profound contradictions between them. Conflict resolution, in turn, presents a “*situation where the conflicting parties enter into an agreement that solves their central incompatibilities, accept each other’s continued existence as parties and cease all violent action against each other*”²³. Therefore, solving terrorist conflict requires acceptance, agreement and

¹⁷ WALLENSTEEN, *Understanding Conflict Resolution: War, Peace and the Global System*, London, Thousand Oaks, New Delhi, 2002, p. 15.

¹⁸ *Ibid.*, p. 16.

¹⁹ *Ibid.*, p. 15.

²⁰ ISHMURATOV, *Konflikt i zhoda. Osnovy kognitivnoi teorii konfliktiv* [Conflict and Agreement. The Fundamentals of the Cognitive Theory of Conflicts], Kyiv, 1996, pp. 154–155.

²¹ *Ibid.*, p. 155.

²² *Ibid.*, pp. 9, 104.

²³ WALLENSTEEN, *supra*, note 17, p. 8.

non-violence. Since prevention of conflict is a much better way to avoid disturbance of relationships than “reconciliation after a fight”²⁴, an effective anti-terrorism strategy should prioritize social prevention of terrorism, seeking to identify and eliminate those factors of social interaction (political, economic, cultural, religious *etc.*) which bear the potential of terrorist conflict. At the same time, by settling existing incompatibilities it is also possible to neutralize those factors which have already transformed into terrorist violence.

In 1970s the UN General Assembly made an effort to examine the root causes of terrorism, in particular, this issue was handled by the Ad Hoc Committee on International Terrorism established by its resolution 3034 (XXVII) of 18 December 1972²⁵. Between 1972 and 1991 the General Assembly consistently defended the need “to grasp the context within which terrorism thrives”²⁶. In the “Working paper on underlying causes of international terrorism” presented in the report of the Ad Hoc Committee of 17 April 1979 there have been named “colonialism”, “racism, racial discrimination”, “aggression, use of force contrary to the Charter of the United Nations”, “occupation of foreign territories”, “interference in the internal affairs of other States”, “policy of expansionism and hegemony”, “persistence of an unjust and inequitable international economic order”, “political, social and economic injustices and exploitation”, “poverty, hunger, misery, frustrations” *etc.*²⁷, although not all the delegations supported the approach reflected in the Working paper²⁸. By the 1990s the focus of the UN General Assembly’s anti-terrorism acts shifted decisively from measures “to prevent” international terrorism to measures “to eliminate” it²⁹. In 2004 the High-level Panel on Threats, Challenges and Change convened by the UN Secretary-General pointed to the imperative to develop a global strategy of fighting terrorism that “addresses root causes and strengthens responsible States and the

²⁴ See de WAAL, AURELI, *Ch. 18, Shared Principles and Unanswered Questions in Natural Conflict Resolution* (AURELI and de WAAL, eds.), Berkeley, Los Angeles, London, 2000, pp. 377–378.

²⁵ UNGA Resolution 3034 (XXVII), 18 December 1972, UN Doc. A/RES/3034 (XXVII).

²⁶ See MANI, *The Root Causes of Terrorism and Conflict Prevention in Terrorism and the UN: Before and After September 11* (Boulden and Weiss, eds.), Bloomington, Indianapolis, 2004, p. 231.

²⁷ *Report of the Ad Hoc Committee on International Terrorism, General Assembly, Official Records: Thirty-Fourth Session, Supplement No. 37 (A/34/37)*, New York, 1979, para 69.

²⁸ *Ibid.*, para 70 ff.

²⁹ See *United Nations Action to Counter Terrorism. Resolutions* (<http://www.un.org/en/terrorism/resolutions.shtml>).

rule of law and fundamental human rights”³⁰. The first element of such strategy was called “Dissuasion, working to reverse the causes or facilitators of terrorism, including through promoting social and political rights, the rule of law and democratic reform; working to end occupations and address major political grievances; combating organized crime; reducing poverty and unemployment; and stopping State collapse”³¹. Still, in the United Nations Global Counter-Terrorism Strategy adopted by the General Assembly on 8 September 2006 the UN Member States resolved to undertake measures aimed at addressing “the conditions conducive to the spread of terrorism”, including but not limited to prolonged unresolved conflicts, dehumanization of victims of terrorism, lack of the rule of law and violations of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and lack of good governance³².

Thereby, the perception of underlying causes of international terrorism within the UN seems rather blurred. But what is clear is the need to analyze them in a global context, and certain scientists blame the shortcomings of the global system for creating a breeding ground for international terrorism. In particular, it is stressed that under globalization the principles of “*equality*” and “*justice*” are violated, the single rules of play in economic, political, cultural spheres are absent, and “individualism, selfishness, the fight for survival and the cult of force” have come to the foreground³³. In this connection some researchers regard terrorism as a result of the existing flaws of the global system, as a sign of crisis within the international community and a specific resistance to globalization³⁴, and suggest that effective terrorism prevention requires changes within the global system and international community, “tant sur le plan interne des Etats que sur le plan des relations interétatiques”³⁵. Consequently, it may be useful to conduct a specific study of the cause-and-effect relationship between globalization and international terrorism as a social conflict within the framework of the United Nations. On the basis of it the UN General

³⁰ *A More Secure World: Our Shared Responsibility. Report of the High-level Panel on Threats, Challenges and Change*, in UN Doc. A/59/565, 2 December 2004, para 148.

³¹ *Ibid.*

³² UNGA Resolution 60/288, 8 September 2006, UN Doc. A/RES/60/288, p. 4.

³³ *Prava cheloveka i protsessi globalizatsii sovremennogo mira* [Human Rights and the Processes of Globalization of the Modern World] (LUKASHEVA, ed.), Moscow, 2005, p. 7.

³⁴ See e.g. MANI, *supra*, note 26, p. 237; V. ANTIPENKO and A. ANTIPENKO, *supra*, note 16, pp. 44–45, 386; BAŞEREN, *Terrorism with its Differentiating Aspects in Defence Against Terrorism Review*, 2008, p. 10.

³⁵ See e.g. MANI, *ibid*; RICHARD, *Droit de l'extradition et terrorisme. Risques d'une pratique incertaine: du droit vers le non-droit* in *Annuaire français de droit international*, 1988, p. 663.

Assembly could adopt the Agenda for addressing underlying causes of international terrorism in a globalized world, which would be a valuable supplement to the United Nations Global Counter-Terrorism Strategy. To have an in-depth discussion of the root causes of terrorist conflict within the UN does not necessarily mean to provide justification for acts of terrorism, as critics may caution, on the contrary, the above-mentioned general conflict model, consisting of “incompatibility”, “actors” and “action”, does not involve “violence” as its inalienable part, presupposing that social conflicts can be manifested and settled through a non-violent action. In addition, it is important that in the debate over the draft comprehensive convention on international terrorism it was suggested to change its name to “United Nations Convention on the prevention and suppression of international terrorism”³⁶, however, this requires substantial changes in it, since initially the draft convention hasn’t focused much on the prevention of international terrorism in the broad sense³⁷. The adoption of the above-mentioned Agenda could facilitate the elaboration of the appropriate legal provisions on global prevention of international terrorism which should be incorporated into the future Convention in order to reinforce its “preventive” side.

Solving conflicts involves compromising, and terrorist conflict resolution requires a social compromise, founded on seeking mutual benefit and reaching agreement through mutual concessions. Such compromise is always value- and morality-based, what is particularly significant, since violent social strategies usually reveal a deep value and morality crisis. As social science literature claims, modern civilization has started to forget such notions as “unique human nature”, “universal values of culture”, and “the signs of the world spiritual crisis” are showing up, what results in a growing “military, religious, political confrontation between peoples”³⁸. Within the framework of this discourse terrorism is regarded as a tool for searching the ways “to renovate human nature in a violent form”³⁹, what makes value and morality conflict an additional element of

³⁶ See *Measures to Eliminate International Terrorism. Report of the Working Group*, 3 November 2010, UN Doc. A/C.6/65/L.10, p. 27. Available on *United Nations Action to Counter Terrorism. Reports of the Working Group of the Sixth Committee* (<http://www.un.org/en/terrorism/workgroupsix.shtml>).

³⁷ See *ibid.*, pp. 4–15, 17–19.

³⁸ BUKREEV, *Chelovek agressivnyy (istoki mezhdunarodnogo terrorizma)* [The Man Aggressive (the Origins of International Terrorism)], Moscow, 2007, pp. 15, 265, 264.

³⁹ *Ibid.*, p. 264.

terrorism. In order to cut negative trends which cause and characterize terrorism the global anti-terrorism efforts need to be guided by the “civilizing” approach. This approach is founded on the recognition of a conflict-based nature of terrorism and corresponding need in comprehensive humanistic tools to reconcile the antagonisms inherent in the international social development. This presents one of the ways to provide solid ground for coexistence and cooperation within the international community and create a more secure and democratic world. The aim of this approach is to bring international community to a thorough analysis of terrorism-generating factors which would allow to identify and to implement political, economic, social, cultural, ethnic, racial, religious and moral long-term development strategies contributing to a world-wide rejection of terrorist violence as a non-civilized tool. In particular, as Philippe Richard underlined, “[u]n progrès dans la pratique générale des Etats en matière de lutte contre le terrorisme ne pourra être obtenu que lorsque [...] le recours au terrorisme sera considéré comme illégal par tous les Etats”⁴⁰, but shaping the universal rejection of terrorist violence goes beyond recognizing it as an illegal practice.

Notably, it is necessary to strengthen the promotion of the concepts of justice and equality in international relations, first of all, in international economic relations. Needless to say, the Charter of Economic Rights and Duties of States, the Declaration on the Establishment of a New International Economic Order and the Programme of Action on the Establishment of a New International Economic Order adopted in 1974 and aimed at providing just and equitable basis for the international economic development⁴¹ haven’t been successfully implemented. Such fundamental principles of those documents as mutual and equitable benefit, no attempt to seek hegemony and spheres of influence, promotion of international social justice *etc.*⁴² are not fully working, deep income inequalities within countries and a wide economic gap between developing and developed ones are persisting *etc.* In its World Economic and Social Survey 2010 the Department of Economic and Social Affairs of the United Nations Secretariat recognized that “the pattern of uneven development brought about by globalization so far has been sustainable neither

⁴⁰ RICHARD, *supra*, note 35, *ibid.*

⁴¹ See UNGA Resolution 3281 (XXIX), 12 December 1974, UN Doc. A/RES/3281 (XXIX); UNGA Resolution 3201 (S-VI), 1 May 1974, UN Doc. A/RES/3201 (S-VI); UNGA Resolution 3202 (S-VI), 1 May 1974, UN Doc. A/RES/3202 (S-VI).

⁴² See *ibid.*

economically nor environmentally, nor has it been feasible politically” and offered ideas on how the international community could achieve “a more balanced and sustainable globalization and a safer, more prosperous and more just world for all”⁴³. In particular, the Department suggested means of “retooling the existing aid, trade and financial architectures” and pointed to the need “to strengthen the global coordination of economic decision-making”⁴⁴, which requires appropriate legal regulation and implementation.

An important resource which can be an antidote to political or economic injustices is dialogue – a concept which denotes the communicative interaction between some interlocutors where no party can claim to have the first or the last word⁴⁵. In the political context, as Fred R. Dallmayr points, this translates into a policy of multilateralism or multilateral cooperation, which is the opposite of any absolutism or empire, and the rejection of absolutism or empire constitutes “a precondition of just peace”⁴⁶. One of the key elements in solving terrorist conflict is improving global communicative interaction by means of dialogue among civilizations. This kind of dialogue is aimed, *inter alia*, at attaining the objective of identifying and promoting “common ground among civilizations in order to address common challenges threatening shared values, universal human rights and achievements of human society in various fields”⁴⁷. Accordingly, as Fabio Petito claims, the international situation imposes on us a “moral obligation to pursue a politics of inter-civilizational understanding”, and engagement into an intercultural dialogue is “crucial for peace”, as it cannot be ignored that since September 11, in the very year designated by the United Nations as the “Year of Dialogue of Civilizations”⁴⁸, global political violence and conflicts have reached a critical new level⁴⁹. While examining the global political discourse of dialogue of civilizations Fabio Petito even speaks of an “alternative model of world order”, having “multipolarity as its spatial orientation and a

⁴³ *World Economic and Social Survey 2010. Retooling Global Development*, New York, 2010, pp. xxiii, iii.

⁴⁴ *Ibid.*, p. xxiv.

⁴⁵ DALLMAYR, *Justice and Cross-Cultural Dialogue: From Theory to Practice in Civilizational Dialogue and World Order: the Other Politics of Cultures, Religions, and Civilizations in International Relations* (MICHAEL and PETITO, eds.), New York, 2009, p. 30.

⁴⁶ *Ibid.*

⁴⁷ See UNGA Resolution 56/6, 9 November 2001, UN Doc. A/RES/56/6, Art. 2.

⁴⁸ See UNGA Resolution 53/22, 4 November 1998, UN Doc. A/RES/53/22.

⁴⁹ PETITO, *Dialogue of Civilizations as an Alternative Model for World Order in Civilizational Dialogue and World Order: the Other Politics of Cultures, Religions, and Civilizations in International Relations* (MICHAEL and PETITO, eds.), New York, 2009, p. 58

new cross-cultural *jus gentium* as its normative order”, which is a “thick” dialogically constituted normative order based on a “genuine” and “enriched” universality⁵⁰. Still, in order to ensure that the global discourse of dialogue of civilizations moves beyond general and rhetorical statements and assumes a clearer and concrete political agenda⁵¹ the concept of such dialogue should be deeply entrenched and developed in international law, including its peremptory rules.

The concept of inter-civilizational dialogue reflects the core values and principles of the global ethic, such as humanity, reciprocity, trust, liberty, justice, rationality, sympathy, legality, civility, rights and responsibility⁵², essential in promoting rejection of terrorist violence in the world. In particular, the real prevention, as Ralph E. Stephens argues, “begins with inculcating values and desires in the population for an open and safe society in which individuals would consider the use of terror for any reason to be unethical and thus unacceptable, for themselves as well as for everyone else”⁵³. The culture of non-violence based on the global ethic seems to be a cornerstone in the global terrorism prevention and it implies the need to promote the culture of peace in whole. The UN General Assembly has adopted a number of important acts on this subject such as Declaration on the Preparation of Societies for Life in Peace of 15 December 1978⁵⁴, Declaration and Programme of Action on a Culture of Peace of 13 September 1999⁵⁵, Resolution 68/125 of 18 December 2013 “Follow-Up to the Declaration and Programme of Action on a Culture of Peace”⁵⁶ etc. The UN General Assembly regards the culture of peace as a set of values, attitudes, traditions and modes of behaviour and ways of life based on respect for life, ending of violence and promotion and practice of non-violence; respect for the principles of sovereignty, territorial integrity and political independence of States and non-intervention; commitment to peaceful settlement of conflicts; respect for and promotion of the right to development; adherence to the principles of freedom, justice, democracy, tolerance, solidarity, cooperation, pluralism, cultural diversity, dialogue and

⁵⁰ *Ibid.*, p. 62.

⁵¹ See *ibid.*, p. 63.

⁵² See ABOULMAGD *et al.*, *Crossing the Divide: Dialogue among Civilizations*, South Orange, 2001, pp. 70–91.

⁵³ STEPHENS, *Cyber-Biotech Terrorism: Going High Tech in the 21st Century in The Future of Terrorism: Violence in the New Millennium* (KUSHNER, ed.), Thousand Oaks, London, New Delhi, 1998, p. 206.

⁵⁴ See UNGA Resolution 33/73, 15 December 1978, UN Doc. A/RES/33/73.

⁵⁵ See UNGA Resolution 53/243, 13 September 1999, UN Doc. A/RES/53/243.

⁵⁶ See UNGA Resolution 68/125, 18 December 2013, UN Doc. A/RES/68/125.

understanding at all levels of society and among nations *etc.*⁵⁷. The decades of ever-growing violence which, ironically, followed the adoption of the Charter of the United Nations as the world's blueprint for maintaining peace and security, prompt that international law must provide valid means to defend and promote its fundamentals, notably, the ideal of international peace, unless we accept that modern international order is to be crushed down by an eruption of elemental violence, like ancient Pompeii has been destroyed by Vesuvius.

Another component of terrorism prevention is tolerance, recognized as a “necessity for peace and for the economic and social advancement of all peoples”⁵⁸. Its meaning, defined in the Declaration of Principles on Tolerance adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization in 1995, includes respect, acceptance and appreciation of the rich diversity of the world's cultures, the forms of expression and ways of being human; recognition of the universal human rights and fundamental freedoms of others; accepting the fact that human beings have the right to live in peace and to be as they are⁵⁹. Tolerance is not concession, condescension or indulgence; instead, it conveys the idea that one is free to adhere to one's own convictions and accepts that others adhere to theirs, and that one's views are not to be imposed on others⁶⁰. It is crucial that tolerance contributes to the “replacement of the culture of war by a culture of peace” and it is to be exercised by “individuals, groups and States”⁶¹. Tolerance in the sphere of ethnic, racial, cultural, religious and other “sensitive” social relations is able to eliminate risks of discrimination and marginalization, stimulate sound social interaction and create opportunities for conflict prevention and conflict resolution on the basis of social compromise.

Considering the above-mentioned, it is logical that the UN General Assembly emphasizes in its Resolution 68/276 of 13 June 2014 that tolerance, dialogue among civilizations, the enhancement of interfaith and intercultural understanding and respect among peoples, including at the national, regional and global levels, are among the most

⁵⁷ See, in particular, UNGA Resolution 53/243, *supra*, note 55, Art. 1.

⁵⁸ Declaration of Principles on Tolerance adopted by the General Conference of UNESCO on 16 November 1995, preamble (<http://www.un.org/en/events/toleranceday/pdf/tolerance.pdf>).

⁵⁹ *Ibid.*, Art. 1.

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

important elements in combating terrorism⁶². Yet, terrorism is also may be linked to the “lack of human security among an increasing number of people in the world”, what makes it necessary to put “individuals and their wellbeing into the centre of our concern” because, as Wolfgang Benedec points, “people who enjoy decent living conditions and democratic rule are less likely to generate terrorists or sympathise with them”⁶³. The concept of human security dares to make an individual a major element of the security paradigm what challenges the traditional security model based on the State’s coercive competence, since in the modern world “[p]ower cannot maintain itself solely through power, especially through the power of the armed force”⁶⁴. The UN General Assembly defined human security as an “approach to assist Member States in identifying and addressing widespread and cross-cutting challenges to the survival, livelihood and dignity of their people”, indicating that this notion includes the right of people “to live in freedom and dignity, free from poverty and despair” and calls for “people-centred, comprehensive, context-specific and prevention-oriented responses that strengthen the protection and empowerment of all people and all communities”⁶⁵. Governments retain the primary role and responsibility for ensuring the survival, livelihood and dignity of their citizens, while the role of the international community is to complement and provide the necessary support to them⁶⁶. Human security requires “greater collaboration and partnership among Governments, international and regional organizations and civil society”⁶⁷, which is particularly important in the context of the global anti-terrorism efforts. At the same time, I strongly believe that the anthropocentrism of the modern security paradigm must be complemented with the principle of high moral and civic responsibility of an individual, on the basis of which each of us should consciously act as a member of global community. This involves willingness to adjust one’s life, one’s rights and needs to the needs and interests of the whole human civilization, based on the imperatives of its survival and progress.

⁶² See UNGA Resolution 68/276, 13 June 2014, UN Doc. A/RES/68/276, para 23.

⁶³ BENEDEC, *Human Security and Prevention of Terrorism in Anti-Terrorist Measures and Human Rights* (BENEDEC and YOTOPOULOS-MARANGOPOULOS, eds.), Leiden, Boston, 2004, pp. 175, 174.

⁶⁴ DALLMAYR, *supra*, note 45, p. 38.

⁶⁵ UNGA Resolution 66/290, 10 September 2012, UN Doc. A/RES/66/290, para 3.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

The main conclusion following from this essay is that universal strengthening and development of the concepts of justice and equality, dialogue among civilizations, culture of peace, social tolerance and human security in international law seems to be a promising tool for global social prevention of terrorism and its elimination. This brings with it hope that global terrorist conflict could be finally solved by means of civilizing. The nature of the above-mentioned concepts unequivocally suggests that the success of this task primarily depends on the viability of the United Nations Charter values, which must be a critical foundation for building secure, democratic and prosperous world. This task, in particular, imposes a big challenge on the drafters of the comprehensive convention on international terrorism if they aspire to a truly “comprehensive” outreach of the future Convention. It is worth noting, that global terrorism not only poses a threat to human civilization, as it is broadly acknowledged, but also, ironically, puts its ability to function as “humanistic” and “civilized” to the test. International law should actively explore preventive aspect of the conflictological paradigm in order to provide an honorable solution to the global terrorism problem.