

Perspectives on International Terrorism - I

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The anti-terrorist international military campaign led by US in Afghanistan has completely changed the conspectus of terrorism. The immediate consequence of this international response, per se, is the recognition of terrorism as a crime against international community irrespective of its origin and scope of operations. For the present, this assumption is based on the premise that the US is carrying on the military strikes in Afghanistan as an international coalition partner against terrorism and not as an individual State. This situation has far-reaching implications on International Law as well as on the International Relations.

There are larger issues associated with the phenomenon of Terrorism. In fact terrorism has been a growing phenomenon with larger implications for international peace and security. It has been drawing international concern which is amply reflected in UN Commission on Human Rights(UNCHR) resolutions from time to time. However, in practical terms, US initiative against Osama bin Laden and his international network of Al Qaida is the first of its kind dealing with the menace of international terrorism. In view of the enormity of the problem, the international community has thrown its lot with the US in dealing with it.

However, constructing an appropriate legal regime is a sine qua non for dealing with the menace of international terrorism. The UN has paid attention to this issue although in generalised terms. Thus, articles 51 to 54 of Protocol I and articles 13 and 14 of Protocol II of the Geneva Protocols of 1977 to the Geneva Conventions of 1949 on the International Humanitarian Law prohibit the targetting of civilians or non-combatants in an armed conflict. These provisions should have formed the basis for evolving a concrete international legal regime to deal with international terrorism. Be that as it is, the international legal system is not directly addressing the menace of terrorism by evolving comprehensive provisions and mechanisms. The problem is addressed through the provisions of financing terrorism or through the extradition treaties. In order to evolve a comprehensive international legal regime to deal with the crime of terrorism, some basic principles need to be recognised by the international community. The first principle which needs to be recognised is that terrorism cannot be used as a strategic weapon to deal with the adversaries.

It is no secret that the Afghan guerillas described as Mujahideen (a term usually used for holy warriors of Islam) and their entire leadership were trained, armed and financed by CIA and ISI of Pakistan to throw USSR and her cohorts out of Afghanistan. It is a common knowledge that terrorist methods with a strong component of religious fundamentalism formed the important ingredients of the strategy to give a final blow to communism in the region. The USSR along with communism was out of the region but terrorism and fundamentalism stayed back. It found a space to flourish and operate in, after the US had withdrawn from the scene. The Taliban are the reincarnated conglomerate of Afghan Mujahideen. Pakistan, as a co- partner of the strategy of

using terrorism and fundamentalism as a strategic weapon, had its own plans to use it for its own political and strategic purposes in the region. Even, after becoming a coalition partner in anti-terrorism campaign against Taliban and watching the decimation of its own nationals who were pushed into Afghanistan as Mujahideen to bolster the ranks of Taliban, Pakistan establishment is trying hard to convince its local extremists and fundamentalists that it was coerced to enter and support the coalition to avoid economic disaster of Pakistan. Rest is history now. Be that as it is, another crucial issue in dealing with the international terrorism remains, as raised by Noam Chomsky: is this war against terrorism being waged to safeguard the US national self interest? Or does it have a broader spectrum? The theme will recur as soon as some sort of stability returns to Afghanistan.

The September 11, 2001 carnage implores the international community to rise above the narrow confines of; 'national self interest' while dealing at least with the horrendous crime of terrorism. There cannot be a selective approach to this problem. In this regard, greater responsibility is cast on US, as the sole super power, to assess its position towards terrorism and relate it to its foreign policy. It is being argued that the track record of US initiatives reveals that the US has not been consistent in pursuing an objective unless it has some implications on its national self interest. The US has been explicitly asserting that its national self-interest was supreme and in case of a contradiction between its national self interest and international law, the former would prevail. The relationship of US with the UN and its responses to certain international conventions substantiate the argument that US has remained steadfast on the policy of supremacy of its national self interest. In a scholarly work, *Rogue States: The Rule of Force in World Affairs* (India Research Press, New Delhi, 2000), Noam Chomsky documents and analyses the dimensions of US policy of self interest and its assertion, no holds barred, in a greater detail. Chomsky critically examining the US record of dealing with former USSR and its allies or sympathisers, be they in South America or East Timor, concludes that it has completely been guided by its policy of preserving its self interest. Chomsky, curiously remarks that in order to avoid international isolation the US devised the mechanism of *international coalitions*. It is, in fact, a very uncomfortable conclusion, particularly when one is dealing with the spectre of international terrorism.

On the other hand, the Afghanistan experience of using terrorism and fundamentalism as a strategic weapon in dealing with the adversaries makes it abundantly clear that this weapon has an ever-expanding scope and its targets can change in space and time. It has the capacity and potential to transcend international boundaries. Therefore, it has all the ingredients to be categorised as a crime against humanity. The humankind cannot afford selectivity in this categorisation. Noam Chomsky documents this selectivity on the part of US in great detail in his work. According to him, the US has devised the formula of dubbing unfriendly or what he calls "protesting states" as rogues. The US defends the friendly states even if they often behave as rogues. In this regard, Chomsky cites the illustrations of US support to Pakistan during the Bangladesh war of liberation, the US support to Turkey and Iraq against Kurds and the US support to Suharto in East Timor where 200,000 people were killed. Even during the present war against terrorism, the US is attempting to underplay the concerns raised by India, which has been at the receiving end of— what it describes as— cross border terrorism in Jammu & Kashmir state.

It has to be borne in mind that the crisis in Kashmir surged with the demise of cold war and the disintegration of Soviet Union. A society where until 1989 not more than a couple of legally

licensed guns, mostly used for hunting birds, were available with the people, suddenly witnessed a flood of high quality arms. The large quantities of Remote Controlled Airborne Aerodynamic Modules (RCAAM's), Anti Aircraft Guns (AAG's), Anti Tank Guns (ATG's), Missiles, Missile Launchers, Mortars and Rocket Launchers, which were recovered from hideouts in Jammu & Kashmir by the Indian security forces, are not sold merely as vegetables in the open markets. These weapons are smuggled into Kashmir along with thousands of different varieties of light weapons, which have been recovered in the state during the last ten years or so. The statistics collected from the local press reveals that so far 59551 grenades, 7219 AP/AT Mines, 2977 Kilogram Explosives, 5887 Kilogram RDX have been recovered from militant hideouts. It is an established fact that these weapons came from Afghanistan and Pakistan and were a part of the armoury used against former Soviet Union. The militants engaged in insurgency in Kashmir have claimed in their press statements that they were trained along with Afghan Mujahideen and they had participated in Afghan *Jihad* against Soviets. According to them, after having finished their task in Afghanistan they had turned to Kashmir. In their statements, some Afghan mercenaries claimed that they were pursuing a larger objective of setting up an *Islamic Caliphate* transcending the boundaries. (For details see *Journal of Peace Studies*, Vol. I; Nov.- Dec. 1993). The head of Markaz-e-Dawat ul Irshad, a Pakistan based University in Lahore, which prepares (manufactures) young Mujahids (Holy Warriors) in *Jihad*, publicly asserts that his University was supplying Mujahids to Taliban as well as sending them to Kashmir. How is the case of Kashmir different from Afghanistan in dealing with the issue of international terrorism?

There is an urgency in clearing the cobwebs in order to lay down a foundation for an international policy frame to deal with the menace of terrorism. There are regimes and systems which are perceived as oppressive and coercive not only by the people who suffer under these regimes and systems but by the general international opinion as well. Some of these regimes enjoy the overt and covert support of the West and in such scheme of things the West is consequently suffering a part of the wrath of these very sections of oppressed societies. The West needs to review its international relations at least in the realm of its claims to democracy, human rights and rule of law.

As the campaign in Afghanistan is advancing smashing the Al-Qaida network, awful details of functioning of Taliban regime in Afghan society are coming to the fore. It would take some more time in documenting and analysing the social, psychological and emotional consequences of Taliban rule in Afghanistan. However, two aspects of this situation are crucial to be analysed and addressed. One pertains to women. The horrendous details documented by Revolutionary Association of the Women of Afghanistan (RAWA) about the brutal, inhuman and un-Islamic treatment meted out to women deserve to be taken up by the international community through UN bodies particularly the Commission on Human Rights on urgent basis. RAWA, which was set up in Kabul in 1977 has been working against heavy odds for the welfare and rehabilitation of Afghan women. Its founder leader, Meena Kamal, was reportedly assassinated allegedly by the followers of Gulbuddin Hekmatyar in Quetta in Pakistan in 1987. The reported diaries maintained by RAWA detail out the organized violence against women, particularly rape and establishing the monopoly of prostitution by the Taliban ranks, which deserve a deeper investigation. Rasil Basu who has spent thirty years in the United Nations, working on Human Rights and Women's issues reveals in *The Asian Age* (12/11): "Rape by armed guards of the various warring factions was condoned by their leaders; it was viewed as a way of intimidating vanquished populations, and of

rewarding soldiers. Fear of rape drove women to suicide, and fathers to kill their daughters to spare them the degradation. Scores of women were abducted and detained, sexually abused, and sold into prostitution”.

She further observes: “In the fall of 1988, I wrote an article for an op-ed piece which I submitted to the *New York Times*, *Washington Post*, and *Ms Magazine*. I pointed out that ascendant fundamentalism in Afghanistan had struck its first blow at women’s education and employment. Since the Najibullah regime, which was still in power, was anxious to accommodate the Opposition under its National Reconciliation Policy, women’s rights were made the first offering!.... And the above publications also preferred not to publish my piece, obviously, because it went against the perceived interest of the US”. The Islamists, who are pursuing the utopia of a pure Islamic Order should be confronted with this state of affairs.

Second aspect, which equally deserve immediate attention about the seminaries in Pakistan which produce the human material for Jihad. The press reports emanating from Pakistan reveal that students, usually from poor and backward social milieu, who are provided food, shelter and training are given the option to join a Jihad or vacate the premises. It needs to be acknowledged that both these aspects are residuary of the strategy of using terrorism and fundamentalism as a strategic weapon.

These are some of the issues which deserve immediate attention on the part of international community. The war against terrorism will remain inconclusive unless these issues are addressed and some mechanism to safeguard the right of the people to existence with dignity, honour and peace is devised-be they Americans, Indians or Afghan women.