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International terrorism in the conditions of globalization: modern challenges

It is well-known that the current state of international security is due to a number of factors, which are based on the globalization of the world economy and its associated revision of the entire system of international relations. Among the sources of existing and potential threats, one can distinguish: the dangerous actions of individual states, as well as non-state groups, aimed at violating the territorial integrity of other states, including the use of interethnic, interdenominational and other internal contradictions to the satisfaction of territorial, political and economic claims with references in individual cases to the lack of clear legal and contractual legalization of interstate borders; the policy of "double standards" and so on.

Recently there have been relatively new sources of external threats in the form of international terrorism and organized crime, drug trafficking, smuggling of weapons and military equipment, the danger of environmental disasters that require adequate responses.

International terrorism has become a direct military threat to international security. The perspective directions of combating terrorism at the global and regional levels in the context of development of security concepts are analyzed, identified a system of priority factors and existing approaches to realization of antiterrorist strategy from the leading countries of the world is determined.

Terrorism today has become the most dangerous global phenomenon, which hinders the normal development of international relations, destabilizing the security of many regions and entire countries. Today, the phenomenon of terrorism has been intensified both in the countries that were subjected to terrorist attacks and in countries that are aware of its potential danger. Terrorism (from the Latin terror - fear, intimidation) is a form of political extremism, the use or threat of the use of the most violent methods of violence, including the physical destruction of people, intimidation of governments and the population to achieve certain goals [12, p. 232]. Originally existing as a kind of individual acts of organized crime, terrorism in our time deeply plunged into the shadow economy, took up arms and actively used not only super-modern weapons, but also powerful technologies, primarily information. This made terrorism a very widespread and persistent phenomenon [4, p. 91-95].

Each phenomenon has its own distinctive influence on the development of society, but in order to understand the consequences of such influence it is necessary to have a clear idea and an exhaustive description of the components of this phenomenon. Terrorism has a large number of constituent elements, approaches to their study and understanding, and options for coverage from the position of the field and the research site. Definition of the term "terrorism" is not established in the science of international law, since the evolutionary changes that have taken place in the world and accompanied by permanent civilizational conflicts, challenges and threats to the existing law and order, not only determine various forms and

manifestations of phenomena in modern conditions, but also lead to existence different views on the problem, which does not allow scholars to formulate the general definition for all and consolidate it in international law.

American historian J. Hardman in his article provided one of the first definitions of terrorism. He interpreted terrorism as a term that describes the method by which an organized group seeks to achieve the goals that it has been proclaimed, usually through the use of violence that is aimed at people who hinder the pursuit of these goals. J. Hardman also argues that terrorism always aims to demonstrate to the people that legitimate power is not safe and that its actions are trying to bring the government or the entire nation away from equilibrium [18, p. 245]. In works V. Lipkan, in particular, is viewed as a socio-legal phenomenon as a separate crime, as the core of terrorist crimes[22, p. 57-60].

Professor Yemelyanov V., for example, notes that terrorism can be viewed in three respects:

- 1) as a criminal act,
- 2) as terrorist groups (organizations),
- 3) as terrorist doctrines [16, p. 131-135].

A very successful definition of terrorism at the present stage was the definition formulated by the Ukrainian international lawyer V. Antypenko, according to which, "terrorism is a violent confrontation based on conflict and which, along with the task of harming the state, impinges on international security and the world order. and is based on the differences in the political, economic and cultural interests of groups of states, states, peoples, nations, social groups and movements, provided that at least one of the parties uses terrorist acts as a means of influence with the aim to achieve political goals". In general, today there are dozens, even hundreds of different definitions of terrorism [1, p.253].

Types and forms of terrorism are distributed according to goals, forms, methods, subjects and objects. Terrorism also has several distinctive features. First, it is a transnational phenomenon that affects the interests of all states on the planet, whose development is at a looming pace. Secondly, terrorism is today a component of more complex global phenomena. Among them - interstate, interethnic, religious, political and socio-economic conflicts, as well as organized crime, - says Professor A. Dolgova - The implementation of large-scale terrorist acts represents a threat to the entire civilized world. There is an urgent need to solidify the efforts of the international community with a view to countering international terrorism " [6, p. 115-120]. At the level of cooperation of the international community, the definition of "terrorism" has succeeded quite recently. Adopted on 7 December 2001 by the Council of the European Union The Framework Decision on Combating Terrorism contains a general definition, but it has not become universally accepted in international law. According to the provisions of this document, terrorist crimes are defined as "intentional acts which by virtue of their nature or content may cause serious damage to a country or an international organization, if they are committed in order to intimidate the public or to deny the government or international organization the performance or retention from carrying out a certain action, or by serious destabilization or destruction of the main political, constitutional, economic or social structures of a country or an international organization " (Report of the

Secretary-General. - UN Doc. A / 59/187). Such a definition is rather generalized, does not contain clear boundaries for the classification of acts as terrorist, is not perfect, permits the possibility of interpretation, but the very fact of the legal consolidation of such an international definition, which has become a meaningful basis for the study and development of this issue, the process of which still continues.

International legal developments in the field of counter-terrorism began to grow significantly after the Second World War. A number of documents were adopted to regulate activities in this area, in particular: the Convention on Offenses and Certain Other Acts Committed on Board Aircraft, 1963 (the "Tokyo Convention"), the Convention for the Suppression of Unlawful Seizure of Aircraft of 1970 (The Hague Convention), the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1971 (the "Montreal Convention"), the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including the Diplomat Convention on the Suppression of Unlawful Acts of Domestic Violence at Airports Serving International Civil Aviation, 1988, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 1988, the Convention on the Suppression of Unlawful Acts against the Safety of Maritime Navigation, (in 2005, supplemented by the Protocol), the Protocol on the Suppression of Unlawful Acts Against the Safety of Stationary Platforms Located on the Continental Shelf of 1998 (Supplemented by the 2005 Protocol).

Considerable attention was paid to the cooperation of the states in the anti-terrorist sphere, which was characterized by the adoption of conventions aimed at combating terrorist acts committed with the use of specific means: the 1980 Convention on the Physical Protection of Nuclear Material, the Convention on the Marking of Plastic Explosives for the Purpose of Their Detection 1991, the International Convention for the Suppression of the Bombing of 1997 and the International Convention for the Suppression of Acts of Nuclear Terrorism of 2005, the International Convention for the Suppression of the Financing terrorism in 1999.

Strong cooperation between states in countering terrorism should be noted at the regional level. The most important regional documents include the Convention of the Organization of American States on the Prevention and Punishment of Terrorist Offenses, which take the form of crimes against persons when such acts are of international significance in 1971, the European Convention on the Suppression of Terrorism of 1977, the Regional Convention of the Association of Regional Cooperation the South Asian States on the Suppression of Terrorism of 1987, the 1968 Arab Convention on the Suppression of Terrorism, the Treaty on the Cooperation of the States Members of the Commonwealth of Independent States 1999 with the 1999 Convention on the Organization of the Islamic Conference on the Suppression of International Terrorism, the 1999 Organization of African Unity Convention on the Prevention and Combating of Terrorism, the Shanghai Convention on the Suppression of Terrorism, Separatism and Extremism 2001, the Inter-American the Convention on the Suppression of the Terrorism of 2002, the Council of Europe Convention on the Prevention of Terrorism of 2005, the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the

Proceeds from Crime and the Financing of Terrorism 2005, the Convention of the Association of Southeast Asian Nations on combating terrorism in 2007, etc.

At the present stage of the development of international legal regulation of the fight against terrorism, there is an urgent need to develop effective measures to counteract this threat. It is the cause of all mankind, regardless of racial, religious or social affiliation. The United Nations is actively involved in solving this problem. The UN, its bodies and organizations are working on a wide range of international instruments aimed at preventing terrorism [16, p. 469-473].

The counter-terrorism role also determines the role of the UN General Assembly, since it is precisely its (General Assembly) resolutions that set the basis for international criminal policy in the fight against terrorism. The UN GA resolutions have a strong influence on the formation of the conventional anti-terrorist mechanism, the content and direction of the norms contained in the charters of the International Criminal Tribunal for the former Yugoslavia and in Rwanda, as well as in the Rome Statute of the International Criminal Court. The UN General Assembly condemned terrorism at its XXV session in declarations 2625 of 24 October and 2734 of 16 December 1970. By the end of the twentieth century, the GA repeatedly considered issues related to the problem of terrorism.

The UN Secretary-General has repeatedly drew attention to the need to intensify work on the draft comprehensive convention on international terrorism in order to strengthen the international legal framework for the fight against terrorism. In particular, to develop a clear definition of terrorism (Report of the Secretary-General. - UN Doc. A / 59/187).

From the statement made by the UN Secretary-General at the International Summit on Democracy, Terrorism and Security, held in Madrid on March 10, 2005, the following conclusions can be drawn: it was proposed to reach agreement on the protection of human rights in the fight against terrorism; find compelling arguments in favor of persuading dissatisfied, aggressive groups to abandon terrorist methods of action; direct all possible resources to prevent terrorists from providing terrorist acts; to create a powerful state capacity in counteracting the activity of terrorist methods of action. The Secretary General urged all UN agencies to engage in the implementation of the Global Strategy. It was also planned to create a target group called to bring into force decisions taken by the relevant authorities forming the UN system [3, p. 368]. As pointed out by V. Kartashkin, "to ensure international security is possible only in the context of strengthening the United Nations and observance of its Charter, the widespread development of democracy and human rights" [14]. Significant work in this direction was made on May 16, 1973, by the Consultative Assembly of the Council of Europe, which, in its recommendation No. 703, condemned "acts of international terrorism, which, regardless of the causes, should entail the application of criminal sanctions, as are grave crimes that find expression in the murder or abduction of people or endanger their lives". The Consultative Assembly called for the adoption of general urgent measures for the establishment of "effective sanctions" by the member States of the Council of Europe [19].

On January 26, 1977, the European Convention on the Prevention of Terrorism was signed in Strasbourg, which became an important link in the development of the European counterterrorist cooperation of states.

It should also be noted that in the fight against terrorism, criminal justice bodies and law enforcement mechanisms should be effective. In the case of an international terrorist invasion, military actions aimed at punishing a state sponsor or striking terrorist bases can cause an international conflict, a phenomenon even more dangerous than acts of terrorism [15].

We note that today we are dealing with the industry of international terrorism, which has huge informational, financial, technological and human resources. This suggests that existing collective security systems are inadequate in time challenges and require radical rethinking. In general, the situation looks paradoxical. The armies of the leading countries of the world, equipped with state-of-the-art weapons, are virtually powerless to counter terrorist attacks that gradually spread their influence on new territories. Classic military schemes do not work in these conditions. In this regard, a separate analysis requires the improvement of the current international legal and regulatory framework for counter-terrorist operations involving peacekeeping or occupation forces. Even more urgent is the question of involving not only national armed forces, but also all components of the Military Organization of the State in the fight against terrorism in its own territory. In a democratic society, special attention is paid to this by strictly regulating and controlling similar measures [10].

Conclusions. Despite the lack of a single definition of terrorism, this phenomenon is enshrined as a crime in the legislation of most countries and internationally. Creators of international law in the name of scientists-jurists offer their own definition and refer to it in the relevant regulations. This is necessary in order to effectively combat the terrorist threat and to prevent a broader interpretation of the notion of terrorism, because in the light of recent events, this problem is quite acute. When defining the notion of terrorism, it is necessary to take into account certain general features developed by researchers in this field and international legal practice. Thus, one should proceed from the fact that terrorism is primarily a public socially dangerous activity that involves the use of violence or the threat of its use and is to create a state of fear in certain social groups in order to achieve goals that are beneficial to terrorists. Given the current situation in the development of such a phenomenon as terrorism, it is necessary to make maximum efforts and finally determine the most acceptable interpretation of this phenomenon, to facilitate its legal qualification as a crime and fight against it.

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