Chapter 6
Crimes of Terror-Violence
6.1 Perspectives on International Terrorism

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Introduction

Terror-violence, commonly referred to as “terrorism,” has been a matter of legal concern to
the international community since 1937, with the League of Nations’ drafting of the Convention
for the Prevention and Punishment of Terrorism.1 Subsequently, the United Nations, as a result
of a spate of aircraft hijacking incidents, began its work in connection with terrorism in 1963.2
Since then, and throughout the last 62 years the U.N. has focused essentially upon individual
or small group violence directed against civilians, diplomats, civilian aircrafts, commercial
maritime navigation and sea-based platforms and attacks involving the use of explosives and
weapons of mass destruction. The work of the U.N. has focused on state-actors as parties
responsible for implementing efforts to combat, suppress and prevent terror-violence, while
sidestepping possibilities of terror-violence committed by state-actors themselves.

During that period of time, however, technological advances in the fields of transportation,
communication and weapons increased the actual, as well as, the perceived, dangers faced by
civil society, particularly those presented by the possible use of chemical, biological and nuclear
weapons at the hands of non-state actors. The combination of increased dangers and threat
perceptions has produced a climate of understandable concern in governments and general
populations, especially in Western societies which feel more vulnerable to these threats.

This symbiotic relationship between terror inspiring violence events and their psychological
impact on societies has enhanced the concerns of governments whose functions are to prevent
such occurrences from happening. These concerns, however, have frequently been manipulated
by the media and politicians who saw these issues as an opportunity to advance individual or
political party agendas.3 The media and political manipulation of the question have contributed
to a climate of fear and heightened public perceptions of vulnerability.

The dissolution of the Soviet Union in 1991 instigated fears that nuclear weapons would
fall into the wrong hands and be used for purposes of terror violence or blackmail. Although
these apprehensions failed to materialize, the world community has increased its vigilance
against possible terrorism involving the use of nuclear and other weapons of mass destruction,
such as chemical and biological weapons. Though the latter two are more accessible to state and
non-state actors and relatively easy to use, there has been only one incident involving the use of
chemical weapons by non-state actors for purposes of terror-violence, and no significant attacks
involving biological agents since their use in World War II. The incident involving chemical
weapons occurred on March 20, 1995 when a religious cult released sarin gas in a Tokyo subway
station, resulting in a dozen deaths and thousands more injured.

* This article is based in part on A Policy-Oriented Inquiry into the Different Forms and Manifestations of Interna-
tional Terrorism, in LEGAL RESPONSES TO INTERNATIONAL TERRORISM: U.S. PROCEDURAL ASPECTS xv (M. Cherif
1 League of Nations, Convention for the Prevention and Punishment of Terrorism, O.J. 19 at 23 (1938), League
of Nations Doc. C.546 (I). M. 383 (I). 1937, V (1938). 24 states signed this convention, but India was the only
one to ratify it.
3 This activity is reminiscent of many dictators who have in the past used popular fears to wield their tyranni-
cal powers.