THE AMERICAS CONTINENTAL LEGAL RESPONSE TO TERRORISM: LESSON FOR THIRD WORLD COUNTRIES

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ABSTRACT

The mental voyage on the menace of terrorism from the Americas perspective is a fascinating continental comprehensive overview, which cuts across some hidden but terror infested totalitarian regimes in the four zones, VIZ: North American states (led by the United States of America); Central American states (led by Mexico); Caribbean (Banana) Islands (led by Cuba) and South Latin American states (led by Venezuela). The global security concern was spurred by 9/11, 2001 tragic suicide-bombings in New York (USA), which jolted the international community and the collective continental and regional responses to tackle the scourge of terrorism and its looming threat worldwide. It is envisaged that effective good governance and democracy would flourish, especially in the southern sub-continent of the entire Americas, as the OAS member-states ratify and implement the provisions of the A.66 ICAT (Inter-American Convention Against Terrorism), incorporating the United Nations (UN) legal instruments to fight against global terrorism.

The study argues that the enabling legal framework is necessary in ensuring effective fight against terrorism across the globe, especially in particular regions. The paper concludes that the third world countries need to learn from the experience of the OAS through the ICAT, in not only adopting the necessary legal framework, but also ensuring its effective implementation by member countries. Third world countries also need to address the negative effects of globalization through good governance, which would address issues of growing inequalities among third world countries.

KEY WORDS: Terrorism, legal response, military dictatorship, human rights, democracy, third world countries

INTRODUCTION

Terrorism has on universally accepted definition. The United States State Department defines terrorism as “premeditated politically-motivated violence, perpetrated against non-combatant targets, by sub-national groups or clandestine agents, usually intended to influence an audience.” (Whittaker, 2007: 3). Birch (2007: 69) defines it as “the infliction of grievous harm on one or more members of an identifiable group or category of people with the aim of frightening other members of that group or category into changing their intended behaviour.” The United States Department of Defense (DOD) tries to distinguish between terrorism and other kinds of violence, by adopting the United Kingdom (UK) 1999 Act of Parliament on Terrorism, as: “The calculated use of violence or the threat of violence, to inculcate fear intended to coerce or to intimidate Governments (or societies), in the pursuit of goals that are generally political, religious or ideological”.

Most African scholars including, Adekanye (2007) posit that “one-man’s Terrorist-bomber is another’s freedom-fighter”, to justify the United Nations General Assembly Resolution (R.3201 of 1974) on self-determination and its associated ethical issues with the actions of past
liberation activists in Africa’s dependent territories. The position is held to justify the violent activities of various liberation groups that fought for the colonial masters, which could be regarded as terrorist by some scholars.

Terrorist activities have never been limited to a particular continent, as its occurrence cuts across various continents of the globe. The level of occurrence is however not directly linked to the population of each continent. According to the United Nations, Asia has about 37% of the world population (led by China, 2 billion and India, 1 billion), Africa has 19% (led by Nigeria, 150m and South Africa, 50m); Europe at 13% (led by Germany 82m; UK 68m; France 69m and Turkey in the Middle East) and 7% for Australasia and Oceania (led by Australia, 49m). As at 2003, the United Nations identified that the greatest proportion of terrorists operation in the world between 1940 and 2003 were as follows: Western Europe - 36%, Middle East - 21%, Latin America - 19%, North America - 9%, The rest of Asia 5% (excluding Middle East; with Eastern Europe and former USSR accounting for 3%), Australasia and Oceania – 4%, Africa - 3%, and Structural balance of 3%.

The Middle East has evidently become the harbinger of international terrorism, following the September 11, 2001 attack and its aftermath. (Nosakhare, 2002) writes that they export terror to the rest of the world. Religious violence and extremism fuels 90% of terrorist attacks worldwide and in Africa, terrorism existed in the past as “freedom-fighters”, as a major instrument of enforcing de-colonization of the entire African continent. The experience of the Americas continent on terrorism comprising the North, Central, Caribbean Islands and South (Latino) American states tend to have significant differences from those terror hiccups found in Africa, Asia, Australasia and Oceania, as well as the continent of Europe (including the Middle East).

Contrary to expectations, the OAS Treaty legal response to terrorism subsists, adopted at Bridge Town, Barbados on March 6, 2002 in which 34 states acceded to the ICAT, excluding three states as: Cuba, Puerto Rico and Caracas. Most of the studies on global terrorism have centered on Western Europe (focusing on Middle East) and Asia (with Pakistan, Kashmir and Afghanistan as the hotbeds of global terrorism) with little or no probe-focus on Latino-American states and their relationship with the rest of the world, on global institutional collective security of our environment.

There is also the paucity of texts from law angle or legal response to global terrorism and the refusal of most states to be bound, by international statutes on terrorism, based on Pacta Sunt Servanda principle, thus leaving most OAS (Organization of American States) members as sanctuary for Asia Tiger terrorists. This study sets about appraising the success of the OAS treaty with a view to putting forward lessons for third world countries grappling with the menace of international terrorism.

The study is divided into ten sub-sections: introduction, types of terrorism, causes of terrorism, motives of terrorism, contemporary terrorist groups worldwide, Contemporary International Statutes on Terrorism: ICAT and UNGA Resolutions, review of national experiences within the region, lessons for third world countries, conclusion and recommendation.

**TYPES OF TERRORISM**

Birch (2007) identifies five major types of terrorism, namely: repressive terrorism, small-group terrorism, domestic revolutionary terrorism, international terrorism, and millenarian terrorism. These different types of terrorism may manifest in different ways. Money laundering to finance terrorism; hostage-taking; plane hijack or ship-sea piracy; a lone or group suicide-bombers with
Causes of Terrorism

Causes of terrorism, according to Bjorgo (2005) include absence of social justice; democracy; civil liberties and rule of law, as pre-conditions for domestic terrorism. Adekanye (2007) refer to those factors as precipitants and trigger effects linked with terrorism in the African continent.

Ideological terrorism may arise due to rapid modernization or westernization over conservative ethno-centric nationalism and safe-havens for terrorists in a larger secular society. These are the myths, realities and logical explanations of terrorism across the globe.

Political violence, corruption and illegitimate Government; powerful external influence or actors upholding oppressive regimes and failure of a state to integrate dissidents groups or emerging deviant social classes in society are among the identified causes of terrorism. Triggering events as shared by Adekanye (2007) and Bjorgo (2005) are: rising poverty, refugees spill-over and asylum-seekers; contested and controversial election results; lost wars and demise of ethnic leaders through violence; massacre of a people; genocide; global cultural imperialism.

Others include outrageous acts committed by an enemy against a Community; lopsided Police action; Army brutality against innocent civilians and other provocative events. These could lead to reprisal (retaliation or revenge action), which are illegal actions within the ambit of relevant international statutes. Adekanye (2007) writes that even a negative outcome of Peace-talk may trigger terrorism or “mere shooting incident” under conflict situation, by the spoilers on both warring sides.

Expounding on the causes of terrorism, Adekanye (2007) identifies three sets of factors and forces behind insurgencies and global terrorism. These are: Pre-conditions to conflict situation, Precipitating conditions as accelerators/precipitants and Triggers as catalysts and more immediate variables. Adekanye (2007) equally observes that “the imposition of strange law or tax levies seen as discriminatory or arbitrary may trigger or spark-off conflict and terrorism, as events and circumstances that come from obscure and unforeseen sources”.

State unilateral public policy, considered as cultural dominion and having wider social implications, such as: Islamic banking; imposition of one-language as the only official language in schools in a multi-ethnic society or one religion in a multi-religious, secular state, like Nigeria; unjust rules and regulation; are also identified by scholars as pre-conditions and causes of terrorism across the globe.
MOTIVES FOR TERRORISM

According to Whittaker (2007:2) “there is a forest of terrorism definitions, very likely more than a hundred printed versions”, but some motives or criteria of terrorism seem agreeable amongst scholars like Chitkara (2002:279), be it by African, Asian, American, European or Australasian scholars, viewed from domestic or global perceptions, and either by non-state actors or state-sponsored, as a distinction without a difference. Terrorism by a typical description is a pre-mediated, politically motivated use of violence or its threat, to intimidate or coerce a constituted authority, Government of a Sovereign state or the general public.

The intention, often carried out by non-state actors or sub-national groups or sect, is to instill fear and sense of insecurity across the globe, as a weapon of the weak, to expose the invincibility and vulnerability of military formations, capabilities and superiority of a stronger, of the two warring enemies.

It is a surprise, non-crossfire attack, ambush and sporadic incidents against civilians and non-combatant ready targets. It is a carefully planned and programmed clandestine activity as to goals, means or methods, targets and swift access to victims or to destroy military formations or installations. By methods and tactics, splinter groups within a terror sect, may target banks and rich traders for robbery. Publicity motive is vital to terror networks, to acquire what is unfairly denied; reassert identity or legitimate possession earlier challenged or prevent further ill-treatment or restore former rights, privileges or advantages denuded or taken away. Motive and goals may essentially be political, religious, ideological or socio-cultural, “otherwise terrorists would be thought of as delinquent-criminals”, Whittaker (2007:2).

Acts of terrorism may be carried out by a lone individual without a trace; with or without a succession plan or may be state-sponsored as counter-terrorism or reprisal (other than war, retorsion or confrontational challenge). As a hit and run mission, the motive is: Thou shall not be caught or arrested in the act but perish with no trace. Above all, terrorism is aimed at bringing about a change in foreign policy within a beleaguered state or to quell an uprising or press for the release of political fugitive-offenders by the belligerent terror group to release their king-pin under custody, as a tool of negotiation by the weak, but violent-breed.

Contemporary Terrorist Groups Worldwide

Following the September 11, 2001 terror attacks in the US, it is now in the public domain that al Qaida network alone, operate in about thirty-five or more countries and move explosives, train its members and provide financial logistics to its suicide-bombers, through the following outlets, VIZ: Pakistani Society of ulemas; Egyptian jehad Group; Ansar Movement in the USA; at the Holy sites worldwide; Kashmir state, having sixty-eight (68) groups, at the last count; The al Qaida network was founded in early 1990, at Afghanistan, with the Taliban regimes.

AMERICAS CONTINENT: USA in North America has five notable hate groups, as: Black Panthers; Ku Klux Klan (Militia Style Hate Group); Symbionese Liberation Front (SLF); Una-Bombers; Weather Men; et al.

Mexico in Central America has land disputes: Zapatista National Liberation Army (ZNLA) and Popular Revolutionary Army (EPR).

Cuba in Caribbean Islands with State-Sponsored Terrorism; USSR mounting ICBM and ABM in Cuba, during CWE (Cold War Era under Fidel Castro’s Regime).Cuba, Havana city was a Sanctuary for terrorists from Puerto Rican National Group, opines Wilkinson (1986:246). More
so, Cuba was non-compliant to the ICAT by OAS and other terrorist groups like Colombian Groups (FARC and ELN) and Spanish ETA Group and USA Fugitives reside in Cuba. Venezuela in South Latin America: Venezuela was adjudged by Scholars as a Democratic Oasis in Latin American states’ Military Dictatorships and ruled by two parties since 1958 as AD and COPIE. AFRICAN CONTINENT: Nigeria in West Africa has become a major flashpoint for terrorism following the incessant attacks of BOKO HARAM, an Islamic-sect (based in Northern Nigeria), which is believed to have links with al Qaida. Saighai (2004) writes that Pakistan is now adjudged the epi-centre of terrorism in Asia and major terror-exporter.

Contemporary International Statutes on Terrorism: ICAT and UNGA Resolutions

A. 66-ICAT: The Inter-American Convention Against Terrorism (A. 66-ICAT) as an effective legal response against terrorism in the Americas Continent, has Articles, A.1-23, encompassing essentially as follows: A. 1- Object and Purpose; A. 2- Applicable International Instruments; A. 3 -Domestic Measures (Adoptable by individual states of OAS, against the financing of Terrorism); A. 4- Measures to Prevent, Combat and Exradicate the Financing of Terrorism A. 5- Seizure and Confiscation of Funds or other Assets (Funds and Assets Seizure); A. 6- ‘Predicate Offences’ to Money Laundering (money Laundering Offences); A. 7- Cooperation and contagious Inter-states Border Controls; A. 8 – Cooperation Amongst Law Enforcement Authorities (by states’ party to the Convention); A. 9 – Mutual Legal Assistance; A. 10- Transfer of (Terror Suspect) Persons in Custody (as between states); A. 11- Inapplicability of Political Offences exception; A. 12- Denial of Refugee Status; A. 13- Denial of Asylum; A. 14- Non-Discrimination; A. 15- Human Rights (protection); A. 16- Training (in Terror Information gathering); A. 17- Cooperation through the Organization of American States; A. 18- Consultations among the Parties; A. 19- Exercise of Jurisdiction; A. 20 – Depository; A. 21-Signature and Ratification; A. 22 – Entry into Force; A. 23- Denunciation.

A. 66 of the ICAT (Inter-American Convention against Terrorism) was adopted at Bridgetown, Barbados on 6th March 2002, at the 32nd regular session of the OAS General Assembly. Entry into force was on 7th October 2003 and the Depository at the OAS General Secretariat, with congenial instrument and instruments of ratification. Thirty-three (33) countries were in attendance that made the ratification with accession information; signature and deposit with reservations, denunciations, declarations and/or withdrawal remarks. The 33 states were Antigua and Barbuda; Argentina; Bananas; Barbados; Belize; Bolivia; Brazil; Canada; Chile; Colombia; Costa Rica; Dominica; Dominica Republic; Ecuador; El Salvador; Grenade; Guatemala; Guyana and Guiana (French); Haiti; Honduras; Jamaica; Mexico; Nicaragua; Panama; Paraguay; Peru; St. Kt Hs & Nevis; St. Lucia; St. Vincent & Grenadines; Suriname; Trinidad and Tobago; United States; Uruguay and Venezuela, less Cuba; Puerto Rico and Caracas.

UNGA Resolutions

The thirteen United Nations General Assembly (UNGA) Resolutions also place combating global and domestic terrorism at the top of international peace and security agenda, which were incorporated into the ICAT Treaty, as a multi-lateral and unilateral enforcement actions by any UN member-state in self-defense or as collective security by various legislations abridged below as follows:
United Nations Legal Instruments

Convention on Suppression of Terrorism-Financing was adopted by the UNGA on December 9, 1999 at UN/HQ; USA. Convention on Suppression of Terrorist-Bombings was adopted by the UNGA on December 15, 1997 at UN/HQ; USA. Convention on Making of Plastic Explosives Suppression 1991; and the Protocol on Unlawful Acts against Safety on Fixed Platform, located at the Continental Shelf was done at Rome (Italy), on March 10, 1988; Convention on Safety of Maritime was Navigation, was done at Rome (Italy), on March 10, 1988; Protocol on Unlawful Acts of Violence at Airports Serving International Civil Aviation, was signed at Montreal (Canada), on February 24, 1988; Convention on physical Protection of Nuclear Materials was signed at Vienna (Austria), on March 3rd, 1980; Convention against Taking of Hostages was adopted by the UNGA on December 17, 1979, at UN/HQ; USA; Convention on Crime against Internationally Protected Persons was adopted by the UNGA on December 14, 1973 at UN/HQ; USA; Convention on Safety of Civil Aviation Signed at Montreal (Canada) on September 23rd, 1971; Convention on Seizure of Aircraft Suppression was signed at The Hague (Netherlands), On December 16, 1970; Convention on Offenses relating to Boarding of Aircraft Suppression was signed in 1963; Convention on Terrorist Bombings (Ratified By India only), now done at UN/HQ; NY in 1997.

The UNGA Resolution 1373 of 1997 on Terrorist Bombings empower the UN member-states to take a series of (unilateral) measures against global terrorism and Resolution 1377 of 1999 on Financing of Terrorism, lends assistance to states to fulfill the criteria set out in R. 1373, by collective security and the invigoration of the UN War Crimes Tribunal (WCT); the UN Human Rights Commission (HRC) and the UN International Criminal Court (ICC), as arbiters.

REVIEW OF NATIONAL EXPERIENCES WITHIN THE REGION

It is important to review specific national experiences of key countries in the Americas with terrorism over the last few decades. This would provide the enabling platform for a better appreciation of the willingness of the countries to adopt and implement the ICAT treaty to ensure effective combat of terrorism within the region.

USA Domestic FBI Construct

President Ronald Reagan, in April 1982, signed a National Security Decision Directive (NSAD), giving the FBI (Federal Bureau of Investigation) the responsibility of investigating terrorism, within the United States. The Comprehensive Crime Control Act, 1984 also addressed the FBI’s role in responding to hostage-taking. The Omnibus Diplomatic security and Anti-Terrorism Act (1986) also expanded the FBI’s jurisdiction to include investigating acts of terrorism directed against “Americans” overseas.

In 1995, President Clinton signed a Presidential decision directive (PDD) 39, entitled US Policy on Counter-Terrorism that further articulated and defines the role of members of the US Counter-Terrorism Community, including the FBI. Investigating acts of terrorism overseas includes interviewing victims, collecting forensic evidence and apprehending terrorist fugitives.

The FBI coordinates all overseas investigations with the US State Department and the host-foreign Government. Similarly, contemporary events or root causes of terrorism were identified
to include political assassination, religious violence and fanaticism, drugs and ship-sea piracy and state-sponsored terrorism, by the US Department of Defense (DOD) construct, as definition of terrorism.

In the 111th US Congress, President OBAMA signed into law, the Comprehensive (Iran) Sanction, Accountability and Disinvestment (CISAD) Act, 2010 (Public Law, 111-195), on July 1st, 2010 and similar laws, for ICAT non-ratification by some OAS members. USA major terrorism cases include, inter alia: the September 11, 2001 terror tragedy; the Oklahoma city bombing (1995); World Trade Centre bombing (1993) and the Pan Am Flight 103 terror tragedy (1988) as Libya Lockerbie case; Waco Massacre case of Dravidians (April, 1993); and the Guyana tragedy case of 1980 by Jim Jones’ involvement.

**Mexico Experience in Central America**

Mexican state was signatory to the ICAT by the OAS and did ratify the Treaty on 9th June 2003, which made provisions for declarations, reservations, denunciations and withdrawals. The Mexican interpretative declarations upon signing, in respect of Article 15 (on Human Rights), paragraph 2 (June 3rd, 2002) had some of Mexico’s determination to combat all terrorist acts, methods and practices. It was Government’s interpretation that the right to Asylum is part of its International human rights law, as referred to in paragraph 2 of A.15 of the Human Rights Provision and Article XXVII of the American Declaration of Rights and Duties of Man, embodied in the right of every person to seek and receive asylum in foreign territory. Accordingly, any request for cooperation against terrorism made pursuant to the convention had to be decided by Mexican Government in accordance with the ICAT Treaty by the OAS, Mexico’s domestic (or Municipal) laws and other applicable international instruments of the United Nations which the country is party to the arrangement as binding.

Thus, the interpretative declarations made, when depositing the instrument of ratification (June 9, 2003) include: without detriment to Mexico’s determination to combat all terrorist acts, methods and practices, it was the Government interpretation that the right to asylum is part of international human rights law as referred to in Para: 2 of A.15 of the ICAT Treaty, since both A.14 of the UN Universal Declaration of Human Rights (1948) and A.XXVII of AD/RDM embody rights to seek asylum in foreign territory. Land Disputes is a major issue facing the Mexican Government, particularly surrounding the Chiapas region, in Southern Mexico. Near absence of social reforms have made Mexico remain a country of have’s and have not’s. (Simonsen, 2000).

Apart from Chiapas region, other regions, located in Oaxaca-Hidalgo; Vera-cruz and Puebla, have experienced guerrilla warfare and the Mexican Government portrays them as terrorist movements (e.g. Zapatista National Liberation Army, waging armed struggle for land rights in the Chiapas region since 1994).

**Cuba Experience in Caribbean Island**

Bi-lateral Pact on Terrorism: The USA-Cuba Hijack Pact of February 1973, covers aircraft and ship hijacking, by both Governments with the undertaken to either return hijacks for trial or to try them in their own courts and if convicted, to mete out severe punishments. In the Pact,
signatory Government had the option to exercise discretionary right to grant political asylum. The Tokyo (1963); Hague (1970) and Montreal (1971) were conventions on civil aviation; hence “a politically motivated hijacking by a contiguous Puerto Rico National Groups may enjoy Cuban support or rely on Cuban sanctuary” opines Wilkinson (1986:246).

On ICAT, the law against acts of terrorism was adopted by the National Assembly of Peoples Power of the Republica of Cuba, on 20th December 2001. The Text of the law against acts of Terrorism and the introduction thereto clearly establish the acts that constitute criminal behavior, not necessarily terrorism. These offences are to a large extent based on the international conventions and protocols relating to terrorism to which Cuba have acceded or which it had ratified.

On issues of terrorism, the Republic of Cuba reiterates the unswerving determination never to allow Cuban Territory or soil to be used for the organization, instigation, support or the execution of terrorist actions, against any country and to re-affirm the willingness of Cuba to cooperate with all states in eradicating this phenomenon. The provisions also clearly established penalties for offences that no one who qualifies as a terrorist, under Cuba Legislation, shall be allowed to enter the Republic of Cuba. The Republic of Cuba is about 11m people in population and the landmass is the largest in the Caribbean region, located between the Caribbean Sea and the North Atlantic Ocean and ninety (90) miles off the Florida state, in the USA.

Venezuela Experience in South Latin America

Venezuela legal response to terrorism and the ICAT Declarations were made on 28 January, 2004. The Republica Bolivariana of Venezuela, according to Article, A. 22 of the Inter-American Convention against Terrorism (ICAT) declares that in application of the Convention to Venezuela, the following provisions of the Treaty shall be deemed NOT to be included in Article, A.2 (1) of the Convention by REPUBLICA BOLIVARIANA OF VENEZUELA, VIZ: Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons (IPP), including the Diplomatic Agents, adopted by the General Assembly of the United Nations (UNGA), on December 14th, 1973. Convention on the Physical Protection of Nuclear Materials, signed at Vienna (Austria), on March 3, 1980.

Protocol on the Suppression of Unlawful Acts of Violence at Airport, serving International Civil Aviation; Supplementary to the Convention for the Suppression of Unlawful Acts Against Safety of Civil Aviation, signed at Montreal (Canada), on February 24th, 1988; Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome (Italy), on 10th March, 1988; Protocol for the Suppression of Unlawful Act against the Safety of Fixed- Platforms, located on the Continental Shelf, done at Rome (Italy), on 10th March 1988. The five items in the ICAT were avoided. In May 2009, Venezuela was re-certified by the USA Department of State (DOS), as not cooperating in war against terrorism. Increase in bi-lateral pact and regional cooperation against terrorism have intensified since September 11, 2001 terror tragedy on the USA soil.

Venezuela, may be considered as “a democratic Oasis” in a desert of Military dictatorships of ‘a terror and drug-gangsters’ infested region of the world. Since 1958, Venezuela has had a history of democratic Government with lessening interference by the military juntas, unlike much of the Latin American states. The military dictatorship of General Gomez in 1935, ended with mismanagement and corruption, when the democratic movement supported by the Army,
overthrew him and established a democratic Government. Venezuela has been ruled by two parties since 1958, as: Acción Democrática (AD) and Christian Democratic Party (COPIE).

In the past, Venezuela suffered minor incursions by Colombian terrorists, in the border villages and towns, with kidnapping and extortion as the main activities of both the National Liberation Army (ECN) and Colombian People Liberation Army (EPC). Since the 1800s independence movement led by Venezuela’s favorite son, Simon Bolivar, the country had a fair succession of military dictators. But, with the discovery of petroleum as the main source of revenue, the dictatorship of General Gomez fell in 1935. Thus, there is no active terror-movement in Venezuela today. The former leader of 1992 military coup, Lt Colonel Hugo Chavez has made a successful leap into the current political system in Venezuela. The country is however beseeched by corruption at the highest levels of governance, engaging in smuggling and money-laundering, with the USA as the main trading partner with Venezuela.

LESSON FOR THIRD WORLD COUNTRIES (TWCs)

The commitment of the OAS members countries to the implementation of the ICAT treaty is a fundamental lesson that the third world countries need to learn. There is a need for them to avoid relationships of mutual distrust, and formation of cliques based on language affiliations, and focus on their collective security. The success of the OAS experiment shows that the enabling legal framework for fighting terrorism is essential for its success, and more importantly a commitment to its implementation is necessary.

The third world regional organizations must go beyond political polarization based on national self-interest to focus on the regional security, as no nation can fight terrorism in isolation given its international nature. There is a need for governments at all levels in the third world countries to strive towards achieving good governance, by being responsive to the needs of the citizenry, especially the marginalized powerless minority groups.

The rise of international terrorism has been linked to some negative aspects of globalization and cultural imperialism (to the Arab World and Islam). The third world countries need to learn from this shortcoming by redressing the negative imbalance, through creation of an environment in which peoples of different cultures feel accepted. The strong and the weak in these societies must be made to co-exist peacefully. Protection of human rights should be guaranteed by the relevant authorities, there should be human security provisioning, this discourage citizens from joining the terror groups, as their interests are well accommodated in the society.

CONCLUSION AND RECOMMENDATIONS

The implementation of the ICAT treaty by the OAS has been very successful in curtailing terrorist activities within the region. This could be attributable to the level of commitment and the dexterity of the different countries within the region to the treaty. Though international terrorism heightened following the September 11, 2001 attacks in the USA, it has however been minimal within the region. This implies that the enabling legal framework is essential for an effective fight against terrorism.
Regional collaborations have become effective mechanisms for curbing terrorist activities, at regional levels following the OAS experiment. The study therefore, proffers the following recommendations:

The study recommends greater commitment by countries at the regional level to international treaties targeting war against terrorism. Building linkages with other regional bodies that have achieved reasonable level of success in countering terrorism such as OAS and NATO would help improve the capacity of third world countries to counter terrorism.

The International Community should work out ways of solving isolationism of terror infested Arab-states and reduce global inequities (social injustice and unfairness) in the redistribution of world resources by ensuring good governance. There is therefore the need to redress child-soldering in Asia and Africa, weak or failed state and lack of capacity or will by leaders to exercise territorial control and maintain the monopoly of violence, as with the case of Boko Haram sect in Bornu state of Nigeria.

The study in addition recommends the need to redress global inequalities and inequities in resource-endowment distribution and lopsided global trade inter-dependencies. Globalization should be given greater human face through technology transfer to the third world countries by the advanced industrialized countries. Finally, the third world countries must proactively adopt alternative dispute resolution mechanisms in efforts at settling grievances that have the potential of snowballing into fully blown terrorism.

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