

## The Capacity of Preventing the Spread of Terrorism in Iranian Domestic Law and International Documents in the Next Ten Years

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### Abstract

*Terrorism* is a familiar and yet complex concept that is heard at least once in the media every day. Terrorism is a simple and abstaining concept, which has always been with humanity throughout history, yet man has never been able to fully comprehend it because of the lack of definition and ambiguity in terrorism. The maintenance of world peace and security has been the most crucial goal of the League of Nations, which ended with the beginning of World War II. The United Nations came into being in 1948 after the end of the war and the killing of millions of innocent people and made peace and security his most crucial goal like his older brother because the world community has learned from experience that the absence of this essential factor in human life will lead to catastrophes. Terrorism has always been an important obstacle to peace and security, which brings societies closer to absolute violence (war) day by day. From that day on, the international community, especially governments and international organizations, drafted conventions, treaties, agreements, charters, and other binding and non-binding instruments in this field that give the capacity to prevent terrorism at the global level. Criminal law has made some progress in this regard but has not been able to criminalize this phenomenon. If criminal law succeeds in criminalizing terrorism, it will have positive consequences for the world. Iran has also taken steps in the fight against terrorism that, while noteworthy, are not enough.

**Keywords:** prevention capacity, terrorism, international instruments, Iran, domestic law, promotion of terrorism

### Outlines, principles, and concepts

Terrorism is undoubtedly one of the most critical issues and problems of the current community. The current world of terrorism is recognized as a plague equal to drug addiction and violation of the inalienable rights of human beings and nations, and the kindling of the fire of war. Hundreds of seminars and conferences have been organized in the West and East to identify and study its causes and roots and methods to prevent it, and thousands of books have been published to research it from different perspectives and in various fields such as sociology, politics, law, religion, and ethics. Nevertheless, terrorism has not been eliminated or reduced, and the scope and variety of its forms have been increased.

The famous great culture of Littré defined *terrorism* as "Establishing the domination of intimidation and terror." If this definition is accepted, assassination is not an isolated or emotional act, but a group, organized, and even political strategy. The term terrorism was not

common before the nineteenth century, and the word "terror" was used to create fear and intimidation. If someone assassinated a king or a high-ranking government official, it was called "assassination." Terror and terrorism were used in nineteenth-century literature and later became common in this sense, perhaps because the harsh rule and the countless executions of innocent people were called the "terror" period during the French Revolution.

In the 1960s and 1970s, terrorist acts spread dramatically in Europe and other continents, and groups such as the Red Brigade and Baader Meinhof emerged in Italy and Germany, which adopted terrorism as a strategy of socio-political struggle. On the one hand, these groups use new forms and methods of terrorism, such as kidnapping, hostage, bombings in public places, airplane hijacking, ship hijacking, and even bus hijackings, and on the other hand, they give terrorism an international dimension. For example, they held hostage and killed the Dutch engineers and professors hiring the Spanish government! The CIA (one of the terrorism instigators) reported 1,152 international terrorist acts between 1976 and 1968 regardless of the nationals of a country against its personalities and institutions. This situation has led European governments and even some other countries to start or intensify the fight against terrorism. The European Union declared in a draft European Convention on January 10, 1976, that it did not criminalize such acts as kidnapping, arbitrary imprisonment of persons, and bombings in public places.

In a particular definition of terrorism, it can be said that "terrorism means an illegitimate and conspiratorial act to kill one or more people with political intent or to achieve certain political goals."

Writing about the complex and challenging phenomenon of terrorism is not an easy task because it begins with the definition of terrorism and ends with the reasons for its occurrence and how to deal with it.

There are many differences in the definition of terrorism. Theorists and academics have definitions, and international organizations define this phenomenon differently by emphasizing the dimensions and examples of terrorism. Governments have their views in line with national interests and the nature of their government in defining terrorism. Even the terrorists give themselves legitimate definitions in justifying their actions and interpretations and offer a different definition of themselves. On the other hand, the relationship between terrorism and the nature of some propositions, such as self-determination, legitimate defense, liberation movements, revolutions, and jihad, is discussed because some terrorist acts are always justified under these propositions. For example, violence among Palestinians is interpreted as jihad and holy war and the defense of the right to self-determination in the Islamic world. However, the same acts of violence are defined as terrorism by Western countries and some international organizations. This multiplicity of these contradictory definitions and interpretations of violent acts have made it difficult for countries to both discover the cause of terrorism and to confront and treat it. According to many experts, the fight against terrorism will be tough until there is a global consensus on the definition of terrorism at various levels. There are many similarities in the definition of terrorism alongside differences. *Terrorism* has been defined as the use of ideologically motivated violence to achieve the goals of its perpetrators, which is a general

definition of terrorism. Providing a comprehensive definition of its essential elements can be useful to fully understand this phenomenon. Accordingly, the word terror and its equivalent are first examined from other languages.

Terrorism in Persian is referred to as any act or threat to intimidate or harm citizens, governments, groups, and political figures<sup>1</sup>.

The word "Arhaab" or "terrorism" means "fear and intimidation" whose source "Rahab."

In the dictionary, the common denominator between this word and most derivatives of the word "Rahab" means fear and intimidation. In English, the word Terreur<sup>2</sup> originates from the Latin verb Ters, meaning "to frighten" or "fear," most derivatives of which revolve around these specific meanings.

The word terrorism in French was first used in politics, and the word Terreur or Terrorisme has the same meanings as in the past.

In Dekhoda's dictionary, terrorism means the principles of government on terror and pressure (the principles of government that ruled in France between 1793 and 1794).

According to Culture of Political Science book:

The word in Persian refers to the principle in which political assassinations are defended. In other Persian cultures, terrorism means the need to kill, threaten, intimidate, and terrorize the people to achieve political goals or overthrow the government and take over the affairs of the state or delegate it to another group. This idea is usually one of the main tools of fascism<sup>3</sup>, Machiavellianism<sup>4</sup>, and similar schools.

In the above definitions, terrorism is equivalent to murder, which is equivalent to the English title Assassin. The English word is also derived from the word Hashashin or Assassin, a nickname given to the Nizari Ismaili sect, and then interpreted in various ways in European languages, similar to the above title.

From a political culture point of view, terror means horror, referred to as government action or rallies, which create panic to maintain power and fight the government with specific actions. In legal terminology, the concept of terrorism states that criminal acts against the country are intended to intimidate specific individuals or guilds and classes or all the country's people.

Under international law, international terrorism is a crime against humanity that emphasizes the punishment of perpetrators, and its criminality is no longer in dispute. The only gap is that there is no precise definition of terrorism, the main reason for which must be sought in the political considerations and interests of the dominant states.

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<sup>1</sup> Jafari Langroudi, Mohammad Jafar, Legal Terminology, Ganj-e-Danesh Publications.

<sup>2</sup> Oxford Dictionary 2007, Wikipedia. Free Encyclopedia.

<sup>3</sup> Authoritarian, nationalist

<sup>4</sup> A kind of political view in which they unequivocally believe in the complete legitimacy of a king.

Therefore, the contradictory use of the word terrorism hurts its meaning, and today it is mainly used to provoke people's feelings by describing and allegorizing so that yesterday's terrorism becomes a hero today and yesterday's hero becomes today's terrorism. For example, on October 25, 1984, then-Secretary of State George Schultz, in a lengthy speech on terrorism in New York, said, "*Terrorism is a new barbarism that we call terrorism. Terrorism is a kind of political uprising. Terrorism is a threat to Western civilization. Terrorism is a threat to the moral value of the West...*" The text of the speech is published in the bulletin of the US State Department. Without defining the meaning of terrorism (because making sense of it creates commitment), another characteristic of this type of approach is that the use of power to fight terrorism is prescribed anywhere and anytime. The limitations of geographical boundaries are ignored. However, the 1995 report of the 13 International Commissions defined Article 24, paragraph 2, of international terrorism as follows:

The following acts will be international terrorism:

Incumbency, organizing, commanding, facilitating, financing, encouraging, or directing acts of violence against another government that targets persons or property that creates a state of terror (fear or panic) in the minds of organizations or groups of individuals or public opinion so that the government forces the granting of benefits by acting in a certain way.

Today, terrorism is defined for each country under its interests. The problem of Western countries like the United States is foreign terrorism, while in countries like Iran, it has been a significant issue of domestic terrorism.

Efforts by countries and the international community to reach a consensus on the definition of the word terrorism acceptable to all or the majority of states have remained unsuccessful because of political and sometimes aggressive purposes. Accordingly, the representative of the Islamic Republic of Iran during the fifth session of the Commission for Crime Prevention and Criminal Justice called for a clear definition of the concept of terrorism and its separation from the struggle for the rights of nations to liberate the occupied territories. Regardless of these drawbacks, international terrorism is now recognized as an international crime under international law. These acts, which can be committed by individuals or non-governmental groups, are also perpetrated by governments, in which case the concept of state terrorism is introduced along with other concepts. On the other hand, resorting to legitimate defense against this criminal phenomenon is a matter of concern. In particular, US military strikes on Afghanistan and the 9/11 terrorist attacks are considered as acts of war, and the US government and its supporters justify their military aggression in the context of resorting to legitimate defense.

Terrorism can be divided into different ways: 1- Motives of the perpetrator 2- Victim of the act of terrorism 3- Tools used in this act 4- Location of the act of terrorism 5- Based on structuredness.

Based on these topics, the titles of this study is divided as follows:

1. Based on Motivation: Belief terrorism, revenge terrorism, and financial terrorism are the three main motivations for terrorism. If this phenomenon is examined from a motivational point of view, terrorism can be divided into unlimited titles, which is beyond the scope of this study, but it can be considered as the above three.
2. Based on the victim: Terrorism can be classified according to the situation of the victim, for example, political terrorism, religious terrorism, sports terrorism, cultural terrorism, or legal terrorism, which is also unlimited.
3. Terrorism can be categorized using the means that lead to it; For example, nuclear terrorism, chemical terrorism, suicide terrorism, and so on, which also use people as tools.
4. Given that there is the potential for intimidation, destruction, and irreparable damage in cyberspace today, terrorism can be identified and categorized using its location; for example, soft terrorism or cyber terrorism and real-world terrorism.
5. Terrorism based on structuredness can also be divided into regular (organized) terrorism and irregular (unorganized) terrorism. If the different periods of human life are examined, terrorism is more inclined from irregular (unorganized) to regular (organized).

### **Explanation of terrorism**

Terrorist groups often have the geographical and financial backing of countries that share terrorists' goals and seek to avoid the guarantee of international performances that they will face in the event of public action. An example of this is the successive governments of the Republic of Ireland, which until recently indirectly supported the Irish Republican Army. Another example is the stance of the Palestinian Authority against Fatah.

The relationship between nation-states and terrorist groups is more complex than sharing hatred. Insecure governments in some countries ransom terrorists in their geographical areas to avoid destabilizing the country with violent attacks or guarantee support for attacks on their foreign enemies. Examples of such cases are Egypt, Saudi Arabia, Pakistan, and Yemen against al-Qaeda. Weak and interim regimes in failed countries like Somalia, Yemen, Sudan, and surprisingly Afghanistan go even further, allowing themselves to be bought by wealthy terrorist groups like al-Qaeda and pretending to be terrorists and effectively become handicrafts by designing them. Since there is not yet an analysis of the general election of such abducted states, the literature on the subject will inevitably emerge after the 9/11 terrorist attack in 2011<sup>5</sup>. Such obedient states can be better described as states sponsored by terrorism and not states sponsored by terrorism.

The most common charge of linking governments to terrorist groups is government support for existing terrorist groups, whose shared interests bring their positions closer together and lead to government support for the terrorist group. Undoubtedly, such government support is vital for terrorist groups and has an influential role in increasing the capabilities of terrorist groups, expanding the geographical scope of the group's operations, and making their attacks more

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<sup>5</sup>Shughart, 2003

destructive<sup>6</sup>. Supporting governments take advantage of such opportunities to defeat their enemies. Whenever it becomes clear to governments that the activities of a political group weaken or create a crisis for the enemy, they will no doubt support the activities of this political group. This support can be purely diplomatic and/or includes political, military, or financial support, in addition to direct government support for terrorist groups.

In some cases, the indifference of governments to the actions taken by some terrorist groups can make them more successful in continuing their actions. An example of this is the actions of the French government before the 1980s, which pursued a neutral policy towards international terrorist groups, meaning that these groups were free as long as they did not directly conflict with the interests of the French government<sup>7</sup>. Such a position can be seen in the actions of the Italian government towards the Palestine Liberation Organization<sup>8</sup>.

Except for critical cases, such as al-Qaeda, modern terrorist groups emerge mainly in certain countries to overthrow governments considered hostile politically, religiously, or other fields. Evidence strongly suggests that the major countries that attract such terrorist groups are those with politically unstable states or in which the stages of modern state formation are not so institutionalized.

Countries that witness dictatorial regimes, religious conflicts, periodic wars, and periodic changes in their borders are particularly attractive to terrorist parasites. Countries with access to sea routes, and the relative benefits of international trade, are less attractive as potential hosts for terrorist groups. It is assumed that the economic benefits of trade and the devastating course of war change the situation in favor of terrorist groups because it is illegal situations or income-generating economic conditions that are attractive to terrorist groups and allow them to grow. Many host countries of terrorist groups are vulnerable to the actions of these groups because they are victims of artificial geographical demarcation created by the colonies of former empires regardless of racial composition like most of the desert countries of Africa.<sup>9</sup> Such nation-states, especially when not federally established in response to traditional tribal values, are predicted to lead to ethnic violence and provide a breeding ground for terrorist parasites<sup>10</sup>.

Thus, after World War II, the independence of the colonies and the defeat of colonialism did not mean the beginning of peace for them. In some cases, the borders of the new government were drawn under the wishes of the colonial power and not in accordance with the will of the locals. The result in most countries, such as the Congo, Nigeria, Somalia, and Sri Lanka, members of a particular ethnic group, who in some cases had a long history of enmity with the majority group, became part of the same nationality. The result was often civil wars aimed at the superiority of one ethnic group over another or the independence of one group from a newly independent country. As a result, countries around the world experienced widespread violence between 1945 and 1960. The violence resulted from ethnic nationalist ideologies that rallied around each other

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<sup>6</sup>Veness,2001

<sup>7</sup>Shapiro,suzan,2003p69

<sup>8</sup>Chalk,1996,p11

<sup>9</sup>Rowley2000, pp133-158

<sup>10</sup>Shoghart,2003

and sparked independence movements based on the common language, race, and culture of individuals of a particular ethnicity as nationalist fighters. Famous groups like basque in Spain (ETA), Tigers of Tamil Eelam (LTTE) in Sri Lanka, and the PKK in Turkey are examples of these groups whose political boundaries have been divided into several countries or dominated by a different ethnic group. Moreover, single-group political systems and direct dictatorships rule most of the Middle East and sub-Saharan Africa. These cases are primarily attractive to leaders of terrorist groups because such regimes must retaliate and provide a haven for them and facilitate their access to economic benefits.

In the early 21st century, the United States is the only superpower globally compared to the military supremacy of the ancient Roman Empire in 200 AD, and the British Empire in the mid-nineteenth century. Given this superiority, in principle, the United States should not be vulnerable to enemies and should be incredibly capable of destroying them.

However, do the enemies dare to invade the private territory of that country? The United States is now uniquely vulnerable to terrorist attacks, ironically perhaps because its individuals and physical capital are valuable. The answer to this question must be sought in the asymmetric nature of terrorist struggles. The term asymmetric war was first used in the Soviet Union during their unsuccessful attempt to preserve their imperial territory against the "holy warriors" or the Mujahideen. The term entered the US military culture in 1995, which was interpreted as the most beautiful manifestation of "Asymmetric warfare"<sup>11</sup>. Asymmetric warfare lone and weak powers can use destructive means against a stronger enemy without worrying about punishment or military reactions, or even fear. A clear example of such an attack can be seen in the terrorist attacks of September 11, 2001. The asymmetry of the terrorists' battle justifies them using any form of violence or even inhumanity. War or terrorist fight is an example of asymmetric warfare, according to which the weak side uses to intimidate the enemy and defeat it. The battlefield goes beyond humanitarian rights designed in a terroristic war as an asymmetric action<sup>12</sup>.

However, it is necessary to understand the distinction between two groups of terrorists to understand the varying degrees in which terrorists engage in acts of violence. The extent of violence by resident and non-resident terrorist groups<sup>13</sup> can be predicted, depending on each groups' circumstances. Inhabited terrorist groups such as the Irish Republican Army, Fatah, and Hamas, operate in a specific geographical area and seek to gain or claim interests in which people living in the area share. According to the forecast, they always consider the interests of their homeland in their actions. Therefore they are less likely to be involved in catastrophic terrorist acts such as bioterrorism and nuclear terrorism.

Undoubtedly, they and their affiliates are not safe from these attacks. Other groups do not belong to any particular land and consider the whole land to carry out violent attacks and operate in it. This group poses far more danger than the first groups because there are no affiliations and tendencies that limit the first groups among these groups. An example of these groups is al-Qaeda, which has bases and supporters in many countries and does not limit its terrorist activities

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<sup>11</sup> Bray, p25

<sup>12</sup> Saed, Nader, 2009, p.104

<sup>13</sup>(McGuire,Olson, pp72-96)

to a specific geographical area. Given this fact, recourse to any catastrophic action by this group will not be unlikely.

### **The capacity of Iran's law regarding the terrorism**

This section tried to briefly review the set of laws approved in the Islamic Republic of Iran and before that in the imperial regime to fight terrorism and sabotage. In this section, the approved laws and regulations are studied under three headings.

1. **Internal laws and regulations:** This set of laws includes (special laws) and (general laws) which have validity and value within the country's borders.
2. **Bilateral International Treaties (BIT):** These laws include articles that have been concluded separately under the title of the treaty and the document of international cooperation between Iran and different countries.
3. **Multilateral International Treaties:** Including conventions and protocols and other Erga Omnes Obligations drafted by international organizations and relevant institutions acceded in Iran.

**Legal resources under approval:** Given that today there is a massive wave of terrorist operations around the world and more than fifty percent of these cases occur in the Middle East, it is not unreasonable to expect that the countries of the Persian Gulf try to deal with these crimes logically, and Iran is no exception to this rule, and this process has started in Iran since the 1980s.

### **Law on Punishment of Disruptors in Iran's Oil Industry, approved on October 7, 1957, containing 19 articles**

Anyone intentionally and intentionally set fire to any of the central units of the oil industry such as wells or oil separation centers or oil collection centers or refineries or oil tanks or loading centers or major docks or oil houses or ships or power plants or oil industry offices or warehouses or destroyed by any other means is sentenced to the death penalty.

**The spiritual element of crime:** malice and intent to destroy

**Material element:** burning or destruction of facilities by any means

**Damaged case:** Major units of oil industry such as wells, oil-gas separation centers, gas-oil collection centers, Oil refiners or capacitors, major loading and docking centers, pump houses, oil-carrying ships or power plants, oil industry depots.

The critical points are the separation of the four areas of oil facilities, production, distribution and refining, storage, and support for the entire perfection of the oil industry in general, which is quite reasonable given Iran's economic dependence on oil.

2. Destruction of these facilities so that they become unusable so that it is necessary to purchase or build new facilities to restart it. According to Article 2 of this law, this article is the most critical component of this law.

The subject of this law is oil terrorism and carrying out terrorist acts against the oil industry. Of the recent laws, terrorism is also considered against all government and industrial facilities in the country.<sup>14</sup>

### **Law on Punishment of Disruptors of Airplane Safety and Sabotage of Airplane Equipment and Facilities:**

This law was approved by the National Assembly on March 25, 1970. This law should be considered as one of the leading laws in the country's aviation industry in its time. This law consists of a single article and 9 notes. From its inception, the aviation industry has emerged as the most vulnerable transportation industry sector. One of the essential features of this law is its severe punishments for the committed crime. At first glance, this may seem like it, but with a little reflection, it becomes clear that the most minor and most detailed action in flight can have a very devastating effect on maintaining the safety and lives of passengers due to the sensitive flight conditions. The action of the legislator is deserved. The second important point is the special connection of this law with terrorist crimes because today, airplanes have become a safe target for extremists, and terrorists are in complete superiority when flying as neither the government can deal with them nor the lives of passengers can be spared. Finally, the legislature made flying safety a priority after the hijackings in the 1930s and mentioned the characteristics of a terrorist hijacked airplane in paragraph one of this single article. According to this article, those who, by coercion, intimidation, threats, deception, and trickery, seize a plane that is ready to fly or in flight, or somehow take it out of the control of the authorities and change the route or destination of the plane or force the plane to land at non-destination points.

This law even applies to those who intentionally carry objects on the airplane, or place them on the airplane or send them by airplane, to disrupt the flight or sabotage the airplane and punishes those who commit an act that causes damage to the airplane or passengers or flight crew or property on it. The punishment is imprisonment for hard labor from 3 to 15 years, and if such actions lead to suicide will be the death penalty. The spirit of this punishment can be seen in all lines of this law.

3- A- Law on Punishment of Disruptors of Water and Electricity and Gas Installations This law consisted of 5 articles and was approved by the National Assembly on January 3, 1982. This law cannot be directly related to terrorist operations. Although terrorists carry out acts of sabotage during their operations, they have always been, or often have been, a means to an end, and terrorists are much less likely to attack utilities. Governments have remarkable control over these sources of revenue, and most terrorist groups, sometimes calling themselves the Liberation Army or the National Resistance Movement, do not sabotage these facilities because they lose their money.

### **Laws passed after the Islamic Revolution:**

A relative period of legislative chaos ensued from the late 1950s to the late 1960s after the Islamic Revolution, when laws were passed one after the other, and past achievements were

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<sup>14</sup> See Article 190 of the Islamic Penal Code and Punishments and Detention, approved in 2000.

unreasonably ignored. These laws were in line with public sentiment in addition to being in line with the sharia. One of these cases was the Law on Intensification of Counter-Terrorist Acts of the US Government, passed on November 1, 1989. From the beginning of this law, there have been errors in the grammar used in its compilation.

For example, at the beginning of the single article, it is stated that in order to retaliate against the terrorist acts of the US government, the president is obliged to take the necessary measures to arrest and punish the Americans and their direct and indirect agents who have been convicted in Iranian courts.

**Retaliation in terms of Vocabulary:** Acting similar to the action of the other party. Does the law mean that the Iranian government, like the US government, should carry out terrorist acts? If not, then why is the word retaliation used? It is shown that the legislator has acted emotionally. In general, this law should be examined from a political point of view, and it has no legal value and cannot be considered as a founding source for a systematic confrontation with terrorism. The word "terrorist" is used in this law, but there is no specific reference to identify it, and it is just a word mentioned in the text.

**B: The Law for the Protection of the Islamic Revolution of the Palestinian People:** consists of 8 articles and a note, approved by the Islamic Consultative Assembly on May 10, 1990. Article 1 of these laws first expresses the Islamic Republic of Iran's views on the status of Palestine and its ownership, and the legislature explicitly declares [the Palestinian land belongs to the Palestinian people] and considers the Israeli government as an occupier and calls them Zionist. Article 2 of this law obliges the government, meaning the executive branch, to collect any humanitarian aid, as well as the aid of Muslims and freedom-seekers around the world, and spend it on supporting and strengthening the Palestinian refugees.

Article 3 also obliges the revolutionary institutions, which are run in the country independently of the government, participate in this assistance together with the government, and assigned rights that provide them with spiritual and material support and are mainly equal to the rights of Iranian citizens. This law fully protects the victims of war. It must be acknowledged that in war situations, there are always two sides to blame for these conflicts, but it should be noted that contrary to the previous law (A) it has paid full attention to the victims of terrorism because, unlike wars between two or more states, the Palestinian-Israeli war is more like a civil war because of its small territory. Since the situation is most similar to the terrorist attacks of civil wars, in this sense, this law can be considered in some way in full connection with terrorism. Another law was passed in 2008 under the title of comprehensive protection of the Palestinian people.

Anti-Money Laundering Law was approved on January 22, 2008, which consists of 12 articles that initially defined the crime of money laundering and in Article 3 directly punished its proceeds. Article 5 obliges all natural and legal persons, including the central bank, credit financial institutions, insurance companies, central insurance and loan funds, charities, and municipalities, to cooperate in the implementation of this law and to prevent the entry of dirty money into the system. Article 6 obliges legal entities, including notaries, attorneys, legal

experts, and legal inspectors, to cooperate with the entities referred to in Article 5 to implement this law. Article 9 provides the closest link to terrorist crimes. In Note 3, the perpetrators of the crime (terrorist crime) will be sentenced to the punishments in addition to the punishment provided for money laundering. Article 11 also obliges the judiciary to allocate branches in the general courts of Tehran and other cities to investigate money laundering and related crimes.

**Islamic Penal Code adopted in 2013:** Article 9 is the concept of the first principle of universal criminal jurisdiction, according to which the national courts of a country can try a crime that is neither in the territory of that country, nor the accused, nor the victim, nor a crime against the interests of that country. This law has evolved in various dimensions so that the theory of universal jurisdiction developed through custom and international treaties regarding the right to choose to prosecute a crime like past piracy. Governments now even accept a commitment to punishing the newest issue of principle, including terrorism.

**Article 498:** In this article, a kind of organized crime is considered, and a group that intends to disrupt the country's security is considered, and if it is not considered a warlord, it is sentenced to 2 to 10 years of imprisonment. Note: 1. For the inclusion of the article concerning the constituent or administrator, it is not necessary that all those who are present in the group or population, or at least the directors, be punished. 2. The gender, occupation, and nationality of the perpetrators of this crime are irrelevant, and anyone can commit the crime subject to this article. The purpose of individuals in forming and managing this population must be a specific intention to disrupt the country's security, and this story alone is enough, even if it does not succeed.

**Article 499:** The group members are sentenced to imprisonment from 3 months to 5 years; even the organization missionaries are sentenced to imprisonment from 1 to 3 years in Article 50.

Articles 123, 186, and 190, respectively, prescribe the previous intent of the perpetrators to damage public property, including the water, electricity, sewage, and mass communication networks. These articles indirectly cover the actions that a terrorist normally performs, but still, terrorism remains undefined.

Article 515 and 516: Respectively, the Supreme Leader, the heads of the three forces, and the authorities of imitation, and in the next article, the heads of foreign countries or their political representatives in the territory of Iran are sentenced. Any vicious acts against these people, including attempted murder, are punishable by imprisonment for three to ten years in Article 515 if they are not muḥārib. In Article 516 of this law, the action of the legislator is subject to reciprocal action.

- A. In some cases, Iran has ratified bilateral agreements with neighboring and non-neighboring countries, which are as follows. 1- Permission to take action for the preliminary signing of the Agreement on Security, Law Enforcement and Counter-Narcotics Cooperation between the Islamic Republic of Iran and the Republic of Greece on March 1, 1994.

- B. Permitting the temporary signing of the Security Cooperation Agreement between the Government of the Islamic Republic of Iran and the Government of Kuwait o the Ministry of Interior on June 14, 2003.
- C. The temporary signing of the Security Cooperation Agreement between the Government of the Islamic Republic of Iran and the Republic of Croatia and Saudi Arabia and Italy and Bosnia, and Herzegovina
- D. Interim Signing of the Cooperation Agreement between the Government of the Islamic Republic of Iran and the Governments of Qatar, Serbia, Montenegro, and Kazakhstan on Organized Crime
- E. The Law on the Necessity of Inspection and Fingerprinting of American Citizens When Entering the Country on November 19, 2006. This law was retaliation against Americans.

Generally, all such laws require the Contracting Parties to cooperate in the following affairs:

Countering international terrorism, continuing the fight against the illicit supply, production, distribution, and consumption of psychedelics and narcotics, combating actions that endanger the order and security of either Contracting Party in other's territory. Security cooperation, combating counterfeiting of government documents, money, credit cards, and banknotes and their illegal sale, as well as economic crimes including money laundering, smuggling of arms, ammunition and explosives, goods and cultural heritage, rape life, property, and adultery, and acts contrary to public decency to combat and prevent terrorism and other organized crime, the exchange of information and the establishment of equal jurisdiction have been considered.

### **Multilateral treaties**

#### **Charter of the Islamic Conference**

Iran's membership in the Charter of the Islamic Conference was achieved on February 11, 1973, with the Senate's approval. This law is valid among the following countries: Representatives of the Royal Government of Afghanistan and the (current government) of the Democratic Republic of Algeria (current Algeria), the United Arab Emirates, Bahrain, the Republic of Chad, the Arab Republic of Egypt, the Republic of Guinea, the Republic of Indonesia and the Imperial government of Iran, which according to the principle of stability of international personality, the Islamic Republic also replaces the imperial government.

The Hashemite Kingdom of Jordan, Government of Kuwait, Republic of Lebanon, Arab Republic of Libya, Malaysia, Republic of Mali, Mauritania, Morocco, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tunisia, Turkey, Yemen gathered in Jeddah from February 29 and March 1 to 4, 1972. The Charter of the Islamic Conference was concluded in Rabat from September 22 to September 25, 1969, concerning the Conference of Sultans and Heads of State and Islamic Government, taking into account the first Islamic Conference of Foreign Ministers.

This Charter is not one of the well-known international documents related to the fight against terrorism. This Charter is mentioned in the present collection as its provisions to protect the

rights of liberation movements (the same issue that some countries today are trying to remove internationally from terrorism).

This charter consists of 14 articles.

The Law of Accession of the Government of Iran to the Convention for the Prevention of Unlawful Acts against the Civil Aviation Security<sup>15</sup>, approved on May 27, 1973. The Convention was aimed at preventing unlawful acts against national aviation security. States Parties to this Convention: agreed to take appropriate measures to punish the perpetrators as follows given that illegal actions against national aviation endanger the safety of people and property, disrupt the operation of air services, and undermine the confidence of the people of the world in the security of the country's aviation.

**Article 1-** Whoever commits the following acts against the law and intentionally or intentionally is considered a criminal; (A) To take a stubborn action against the airplane's occupants in flight, the nature of which endangers the safety of the airplane.

(B) Destroy the airplane in service or cause damage to the airplane that makes its flight impossible, etc.

(C) In paragraphs (c), (d), and (e), respectively, placing devices that cause damage, as well as disrupting aviation facilities and services, making vital information inaccessible, and placing incomplete or incomplete information that poses a flight risk has been criminalized. In addition, the beginning of committing any of the above crimes and the accomplice of the above cases and initiating cooperation with the offender is not far from the legislator.

In Article 2 of this law, an airplane is considered as flying from when its exit doors are closed after boarding and loading until one of them said doors are opened to evacuate the above items. Although this law is not directly related to terrorism, it can be said that it includes one of the instances of terrorist crimes, which is hijacking and is perhaps one of the most valuable legal sub-sources of the fight against terrorism. Paragraphs 1 and 2 in articles 7 and 8 have set rules for the extradition of the mentioned criminals so they can be punished as soon as possible. Article 11 and other articles of this law states in this regard:

1. It addresses issues relating to the competence of the reviewing State, the relationship of the Contracting States, and international and aviation organizations, as well as the time required for the Convention to enter into force. A convention on crimes and other acts committed on airplanes was drafted on September 14, 1963, in Tokyo in three main texts in English, French, and Spanish to supplement the law. This convention was produced by the International Civil Aviation Organization and is open for signature in accordance with Article 19. The Organization shall transmit copies of the Convention to all States Members of the United Nations and any specialized organization. The above convention consists of an introduction and 26 articles.

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<sup>15</sup>The above convention contains an introduction and 16 articles directly to the law of accession of the Kingdom of Iran to the Convention for the Suppression of Unlawful Acts against Civil Aviation Security.

### **Law on the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, Including Political Officials**

The Government of Iran ratified this convention (dated May 16, 1978) by the Islamic Consultative Assembly. The Convention contains an introduction and twenty articles attached to it (The law of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Political Officials). Introduction to the Convention: Considering that crimes against diplomatic agents and other internationally protected persons, while endangering the security of these persons, also seriously threaten the maintenance of normal international relations, which are necessary for cooperation between countries. Believing that such crimes pose a serious concern to the international community, such offenses were agreed by the Contracting Parties as follows, certainly the need for taking immediate and effective appropriate measures to prevent and punish. Article 1 of this convention defines international protection. In paragraph a, respectively, the heads of state or any group member perform the duties of the head of state under the countries' constitutions. The President and the Minister of Foreign Affairs, as well as all representatives and officials of any country or any official of an international organization, have the right, in accordance with international law, to special protection against harm to a person, liberty, dignity, and family members when a crime is committed against him or her, official places, and the place of personal residence or vehicles.

This article is stated in Article 2 of this law, and its conditions are in paragraphs 1 to 3, respectively. Intentional committing, violent acts, threatening to commit such attacks and committing and interfering in the commission are subject to legislative decree.

4. International Convention against Hostage: This convention was ratified by the Islamic Consultative Assembly on May 24, 2006. It is a milestone in the fight against terrorism and its prevention, and it can be considered the beginning of a systematic confrontation with terrorism, although Iran's approach to action is still the International Court of Justice, which is the implementing body of this convention. It is a doubtful approach, but the ratification of this convention can be considered a positive step by the Islamic Republic. The Islamic Republic's argument for dealing with the international system has been similarly skeptical, and the International Criminal Court, an independent body of international law, is no exception. However, the Court has proven that it often rules against the interests of the great powers. This law consists of an introduction and 20 articles, including hostage, security, rights related to physical liberties, including detention and detention, threats to kill and injure, or continued detention. Universal jurisdiction has also been considered by the legislature in this law mentioned in paragraph 1 of Article 3 and paragraph 2 of it. In the final articles of this law, countries are also allowed to exercise the right to bet, which is an incentive for universal acceptance by the world's governments.

Other conventions in the field of terrorism have been ratified by the Islamic Consultative Assembly, the full description of which is refused for the sake of avoiding procrastination, and their titles are only mentioned:

5. The Convention on the Marking of Plastic Explosives, which contains an introduction and sixteen articles and a technical appendix, which includes two sections, a description of the materials, and the identification factors.
6. The Convention of the Organization of the Islamic Conference, which is the most important source that can be relied on to draft new laws on the fight against terrorism. This law consists of 42 articles and 4 sections of general definitions and provisions, the basis of Islamic cooperation in the fight against terrorism, implementation strategies, and cooperation.
7. The Convention of the Organization of the Islamic Conference, which is the most important source that can be relied on to draft new laws on the fight against terrorism. This law consists of 42 articles, 2 chapters, and 4 sections in order of chapters in general regulations (Chapter 1) in judicial regulations (Chapter 2)

Section 1 includes General Definitions and Provisions; Section 2 includes the basis of Islamic Cooperation in Countering Terrorism.

Section 3 contains the implementation and cooperation strategies, Section 4 the final provisions that include the time of ratification and implementation of the Convention and the side issues of the Convention.<sup>16</sup>

### **Legal resources under approval**

Iran has begun a positive trend toward identifying and combating terrorism since the early 1980s proposing the approval of bills such as 1- Agreement on Cooperation with Organized Crime and Terrorism between the Government of the Islamic Republic of Iran and the Republic of Kazakhstan.

The plan called for the government to review the trade and economic relations of countries sponsoring terrorism because these two documents have not yet been approved by the Islamic Consultative Assembly and, as a result, do not have a legal obligation and are invalid. Innovations can be seen in these two documents. For example, in No. (1) of Article 1, paragraph A, which has taken measures to prevent, identify, and investigate crimes in the fight against terrorism and has paid particular attention to this issue (prevention of terrorism) concerning previous documents. Document 2, which consists of a single article, states that the government is obliged to reconsider trade and economic relations with countries that support terrorism to limit these relations. This plan has failed due to the revision's unclear mechanisms, despite targeting one of the arteries of terrorist groups.

The study on terrorism and its causes and ways to prevent it showed that it is still not possible to reach a consensus on terrorism theoretically (identify terrorism) and deal with it despite the importance of the issue of terrorism and the involvement of a large number of governments at the national and international levels with this phenomenon. Based on different but effective actors in terrorism, this study has tried to show their understanding of terrorism by identifying the needs and sensitivities of different actors. This approach will help arrive at an appropriate summary of

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<sup>16</sup> A detailed description of the provisions of this law is given in Section 3 of Speech 2.

the status and role of terrorism in national and international security while recognizing such an understanding. Accordingly, some criteria can be considered for identifying terrorism, which is the least that can be done due to the disagreement of the actors in the international arena. Studies show that most governments and discourses share some of the characteristics associated with terrorism.

### **The capacities of international law in the field of terrorism**

The United Nations, as the most important representative of the international community, has put dealing with this issue on its agenda with the globalization of the terrorism crisis and its transformation into a serious threat to world peace and security. In addition, governments at the regional level, either bilaterally or even individually, have taken steps such as drafting treaties and even hot laws that, in general, provide us with broad capacities to combat terrorism. Therefore, an overview and a look at international achievements go deeper into the fight against terrorism.

The United Nations has not yet reached a single definition acceptable to the members, but some definitions were provided in resolutions or reports of the Secretary-General. On the other hand, the United Nations has come close to identifying instances of terrorist acts and, to some extent, the definition of terrorist acts despite the ambiguous problems in defining terrorism. In sum, the three key words "terrorism," "terrorist acts," and "international terrorism" play a vital role in the UN literature.

The first definition of terrorism was presented in 1937 by the League of Nations. In this definition, terrorism refers to all criminal acts against a state to create a state of terror in the minds of specific individuals or groups of individuals or the general public<sup>17</sup>. The definition was given as part of an effort to establish an international convention to prevent and punish terrorism, following the assassination of the then King of Yugoslavia and the then French Foreign Minister, but eventually ratified by members and abandoned.<sup>18</sup>

In another phase, beginning in the 1960s, the United Nations addressed the issue of terrorism incoherently. The result has been the ratification of 13 international conventions, which are always used by the General Assembly and the Security Council on terrorism and terrorist acts. These conventions have addressed various forms of terrorist activity in the form of hijackings, kidnappings, and so on instead of providing a clear definition of terrorism. The concepts are close to the instances and nature of the action rather than using the concept of terrorism. In the autumn of 1985, the General Assembly, in its Resolution 40/61 on Terrorism, declared that "*terrorism includes criminal acts within the framework of five international treaties, namely the three conventions on hijacking, the convention on the protection of diplomats, and the convention on hostage, although it is not limited to them.*"<sup>19</sup> As mentioned, these treaties and conventions do not mean terrorism but cover a large part of terrorist acts. Therefore, the United

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<sup>17</sup> Parisa Khanbani, Human Rights Criteria for Combating International Terrorism, Shahid Beheshti University School of Law Publications, 2004.

<sup>18</sup> Ibid

<sup>19</sup> Measures to prevent International Terrorism, Resolution Adopted by General Assembly A/RES/40/6, Dec. 1985

Nations has tried to avoid the problems associated with the definition of terrorism instead of emphasizing a specific definition by reference to some ratified treaties and conventions that can cover a significant part of the terrorist cases in question.

About 10 years later, in one of its most essential resolutions entitled "Measures necessary to eradicate international terrorism" No. 49/60, the General Assembly defined terrorist action and stated that, "Terrorist acts that cause public panic are unjustifiable under any circumstances and with any motivation, whether political, philosophical, ideological, extremist, ethnic, religious or of any other nature."<sup>20</sup> In this resolution, terrorism is considered a criminal act, but this type of criminal act is distinguished from other criminal acts by emphasizing an act that causes public panic. Resolution 49/60, like most UN resolutions, focuses more on explaining terrorist acts than on defining terrorism. The points that are significant in this resolution regarding the explanation of terrorist acts are as follows:

1. The Members of the United Nations seriously consider any act, activity, or terrorist act to be a criminal and unjustifiable act and shall condemn it, regardless of when or by whom it is committed.
2. The members of the United Nations strongly and seriously condemn any act, activity, or terrorist method violating the goals and principles of the United Nations and threatening international peace and security in friendly relations between countries as an obstacle to international cooperation and a threat to human rights, fundamental freedoms and democratic foundations.
3. Any criminal act to create panic in society, in a group of people, or among specific individuals to achieve political goals is unacceptable in any situation, and no political, ideological, extremist, religious, or other reasons are acceptable to justify such actions. Following the decision of the United Nations to establish the International Criminal Court, the Committee criminalizes terrorism as a crime on the Statute of the Court and sets out its limits and characteristics in several paragraphs.<sup>21</sup> Organizing, supporting, ordering, facilitating, financing, encouraging, or imposing violent acts against another government that targets persons or places with the intent to create fear and insecurity in public, groups of individuals or the general public, or any political, philosophical, ideological, ethnic, religious, or similar consideration or goal to justify it.
4. Actions that are considered a crime according to the conventions "Prohibition of Unlawful Acts against Aviation Security," "Prevention and Punishment of Crimes against Internationally Protected Persons," "Prevention of Illegal Seizure of Airplane," "Preventing hostage," "Preventing illegal actions against maritime security" and "Preventing illegal actions against facilities located on the continental shelf."
5. A crime involving the use of firearms, weapons, explosives, and dangerous substances that can result in the death or serious bodily injury of individuals or a group of individuals or severe damage to premises when used as a means of non-discriminatory violence. Despite the views on the concept of terrorism by the drafting committee and the

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<sup>20</sup>Measures to Eliminate International Terrorism, Resolution Adopted by the General Assembly, A/Res/49/60,17Feb1996

<sup>21</sup> Ishaq Al-Habib, International Criminal Court and the Islamic Republic of Iran, Institute of Political and International Studies, 2000, pp. 540-538.

discussion plan in this regard, no chapter or discussion is devoted to a topic called terrorism in the approved statutes submitted by the same committee. The Court has placed four types of crimes within its jurisdiction and subject to trial. These crimes include genocide, crimes against humanity, war crimes, and rape. Examining the Court's view of these crimes shows that terrorism and terrorist acts are more included in crimes against humanity. The Court considers crimes against humanity to be committed in the context of a widespread or deliberate attack on a civilian population and knowingly attacks such as murder, torture, crime, and racial discrimination.

The General Assembly also, in Resolution 57/27, issued in 2003 under the title "Measures Necessary to Eradicate International Terrorism," considered terrorism a criminal act against individuals and groups with political goals and called on governments to act within the framework of the UN Charter and international principles to act in this regard.<sup>22</sup> In addition, the 1994 report of the Secretary-General on terrorism was acknowledged that the lack of a clear definition of terrorism stems from the lack of agreement among UN member states on a single definition of terrorism that has prevented the United Nations from fulfilling its ethical plans and sending a clear and unequivocal message about the non-acceptance of terrorism. The report emphasizes that there are two major obstacles to reaching a single definition of terrorism. The first obstacle concerns the use of force by states against the individual and their power, and the second obstacle relates to the right to self-determination of people under foreign occupation.<sup>23</sup> The report emphasizes that any definition of terrorism provided by the General Assembly must include the following criteria:

1. Any use of force by States against their citizens must be within the framework of the Geneva Convention;
2. Any act contrary to the thirteen colonies anti-terrorism conventions is considered terrorism, and terrorism is prohibited during armed conflict under the Geneva Conventions and its Additional Protocols.
3. Actions under the existing conventions, i.e., the Geneva Conventions, Security Council Resolution 1566, which cause serious harm to civilians or civilians, are considered terrorism with purpose, any nature, and context at which it is carried out that frightens the population and compels governments or international organizations to take a specific action.

The following axes on terrorism and terrorist acts can be extracted from the explanations and definitions of terrorism and terrorist acts based on the resolutions of the General Assembly and its specialized committees, as well as the reports of the Secretary-General to the delegations made by the Secretary-General:

1. Any action on the airplane while flying over international waters could endanger the safety or order of the airplane.
2. Airplane hijacking by capturing or forcing pilots to fly to another destination.

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<sup>22</sup>Measures to Eliminate International Terrorism. Resolution Adopted by the General Assembly. A/RES/57/27/30, January 2003

<sup>23</sup>A more Secure world: our shared Responsibility. Report of High Level Panel on Threats. Challenges and changes, 1994

3. Terrorism includes endangering flight safety through violence against individuals. Actions that damage the airplane, embedding explosives on the airplane, seriously injuring civilians for any purpose, with any nature and context, that intimidate the population, and compel governments or international organizations to take a specific action, damaging or destroying airplane on the ground in such a way that they can no longer fly. Destroying and damaging airplane navigation devices or exchanging incorrect information that endangers the safety of the airplane during flight.
4. Taking control, attacking, destroying, or damaging coastal facilities in a manner that endangers their safety.
5. Taking control of the ship in international waters.
6. Murder, kidnapping, or attack on the Heads of State or Government, the Ministers of Foreign Affairs, the representatives of a country, or an international organization, which has diplomatic immunity outside their territory at the time of the attack on the official headquarters.
7. Possession, transfer, or destruction of those uranium and plutonium isotopes sufficient to make weapons.
8. Stealing and holding someone to force a government, an international organization, an impartial or judicial person, or a group of people to do or not do something.
9. Violence against persons, facilities, and/or airplanes at civilian airports in such a way as to cause serious death or injury and severe destruction or damage to inactive facilities or airplanes in a manner that terminates the activities of that airport.
10. Deliberately destroying or damaging public buildings or other public places to kill or injure its residents.
11. Informed provision of financial resources of terrorist individuals or groups directly or indirectly by assisting terrorists in money laundering.

### Conclusion and Recommendations

In today's society, many factors lead to violence, insecurity, fear, and panic. These factors indirectly play an influential role in the formation of terrorism, and identifying these factors is a way to counter its promotion.

1. **Extremism:** Extremism or bigotry in Dr. Moin's dictionary is a behavior with unreasonable fervor, especially for political or religious purposes, in some cases sports, or with passion and obsession. George Santayana has defined prejudice as, "You have redoubled your efforts when you have forgotten the goal," According to Vaniston Churchill, a fanatic or extremist is someone who cannot change his mind or change the subject. By both definitions, the extremist has stringent standards and a low tolerance threshold for different opinions. Prejudice is a subject that has always destroyed society, backwardness, and many other corruptions throughout history because a fanatical person closes his/her mind to new ideas, new realities, and as a result, remains in a state of stagnation. Today, the world community is still struggling with extremism and bigotry, despite the many advances in various sciences. The rise of extremist politicians in the 20th and 21st centuries, such as Hitler, who started World War II, and Stalin, who killed

10 million of his countrymen and deported millions to Siberia, is part of the damage that extremists have done to human society. The main question is how such people get to the point where they take control of the destiny of millions of people and push people wherever their rotten minds want to go. There is a similar dilemma today. Unfortunately, extremism and bigotry in the legislatures have taken root in the executive branches of the world, which prevents creating a world with peace and security for all human beings.

The most important way to prevent extremism is to prevent these people from gaining power at the level of macro-politics, which does not mean that he stopped new ideas with the label of prejudice and extremism.

2. **Raising public awareness:** Appropriate advertisements to identify terrorists without political motives so that people can recognize terrorism and take steps to combat it. Today, terrorist groups are propagandizing in every way around the world. Even groups such as ISIS have fundamental levers on social media that play a significant role in promoting their ideas, as well as al-Qaeda, which is the mother of all terrorist groups. Awareness-raising means raising specialized knowledge and general knowledge, and each of these is incomplete without the other.
3. **Authoritarianism:** Authoritarianism has always led to turmoil, violence, and chaos throughout history; for example, the French Revolution, after which many people were executed, and many others were sentenced to long prison terms. Interestingly, most of these people were revolutionaries, and most of them remember the proverb that revolution eats its children, and this is a subject that has shown itself without exception in all the revolutions of the world. A democratic society in which there is oversight of all organs in a way that cannot be done without the opinion of more members of society to affect their fate will prevent the creation of authoritarianism and can prevent the creation of groups that commit terrorist crimes under the guise of independence; like the Irish Republican Army.
4. **Poverty:** Poverty is another crucial factor that indirectly contributes to terrorism and multiplies its negative effects. Some experts believe that most of the middle class plays a role in these events. This issue, like the definition of terrorism, is in a state of ambiguity. Unfortunately, no systematic research has been conducted to identify the relationship between poverty and terrorism. The studies that have transiently dealt with these two issues are not general and are partial and focused on specific groups, such as the studies that have been conducted today on the criteria for creating the Jabhat al-Nusra group. Opponents argue that there is no close link between poverty and terrorism because there is no evidence to support it. Poverty may be related to terrorism, but it is indirect and much weaker than what is claimed to be what is commonly known about terrorist activities. The tangible effect of poverty is not apparent on terrorism. For example, in the September 2001 suicide bombings, there were highly educated Saudis, not poor Muslims from the Middle East, Asia, or Africa.
5. Furthermore, the group's view of the indirect link between poverty and terrorism is correct, and poverty is not a direct cause of terrorism, but considering it as a trivial factor in promoting terrorism is an unwise act. For example, today in Afghanistan, war is

considered as a lucrative occupation due to the poor living conditions from the perspective of Afghan citizens, especially in more deprived areas such as Kandahar and Herat. According to Amnesty International, fighters like Taliban, ISIS, and al-Qaeda, with bases in the country, pay about \$ 600 per month to their subordinates. In addition to these cases, religious schools educate the country's youth and are practically supported by countries such as Qatar and Saudi Arabia. Offering rewards under different titles to the students of this school is a seal of approval that today financial motivation is the essential factor in promoting terrorism.

The future of the fight against terrorism depends on the will of nations to resist those who resort to extremist violence as a means to reach goals, but the challenging barriers are recognizing whether terrorism is escalating to crimes of universal jurisdiction. This issue is currently so controversial that it will not be raised in domestic and international courts without further knowledge of terrorism. Accepting that terrorism is seen as a global crime can effectively counteract this ominous phenomenon because the incoherence of dealing with terrorism in different countries has not been beneficial, which does not mean that there is no institution or organization within the country under the jurisdiction of the judiciary. However, it means that these organizations, under the leadership of an international institution, will fight terrorism.

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