

INTELLIGENCE AND HUMAN RIGHTS IN AN ERA OF GLOBAL TERRORISM

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Abstract: Post World War II scenario, saw frequent changes in the political opinions and humanitarian concerns. The interests of global leaders on one side influenced the intellectual warfare over the resources on one hand and its newly developed face in the form of evolving terrorism. Time and on, situations of self-doubt and question over the concerns over development versus human rights have been posed before mankind, presenting an ever-expanding domain of terrorism and an evolving correction to this definition. The paper brings in the concept of terrorism in different lights and addresses the growing impact on the society that is unknowingly suffering terrorism in many ways. Researcher delves into this very sensitive aspect of human development that brought in terrorism of sorts as a by-product. The paper is based on a systematic analysis of literature and data available on the above aspect. The data has been sifted for details that present terrorism as a challenge to human rights in every domain; personal, religious freedom, social structure and conformity, education and technological freedom, making all a part of Global terrorism in some form or the other. The paper presents scope of studying each of the discussed faces of terrorism in both global and local contexts.

Keywords: Human Rights, Global Terrorism, intellectual war-fare, intelligence

Introduction

“Of all men's miseries the bitterest is this, to know so much and to have control over nothing”

Herodotus (484-432 BC)

One of the man-made disasters is terrorism. With the speed and technology with which it is asserting control over the lives of people in general it has become crucial to have open debates on humanity versus terrorism more openly than ever. Like the open boundaries of terrorism that don't discriminate between human and human and yet create a dividing line, it has created a voice in unison that speaks of human race and its future. Terrorism, like multiple -isms propagated in society has become a trend influencing the lives of many. Of the most dangerous type of-ism one can think of, terrorism, is more in mind than body making its abstract presence a bigger challenge for humanity. Since Terrorism is dependent on the human factor, it is important to realize the connection between the two; humanism and terrorism, and how these two interconnected factors give way to each other's existence.

Terrorism is meant to create fear, and this fear is made pronounced in a such great voice that the right to existence of human has come to be challenged. The present study discusses at length some of the crucial areas including the understanding of 'Human Rights' and how the factors of Global terrorism have shaped the Human Rights and its relation with the Intelligence. The three important terms in discussion make an interdependent triad between human rights, intelligence and terrorism which has taken a global shape.

Objectives of the research:

The research intends to bring about a consolidated view of all the forms of terrorism existent in the world today and its relevance to the contemporary lifestyle mitigated by the technological advancement. The research also brings about a comparative view of how the definition of terrorism has found new horizons leading to a question on intelligence and human rights, with the involvement of modern means of knowledge access and the youth that is more equipped than ever with lesser employment avenues.

Review of previous researches:

In his book Steve Tsang talks on the subject with great eloquence on the pronouncement on the era of global terrorism with the episode of September 11, 2001 when 19 suicide bombers hijacked the planes and flew them over the world trade centers bringing about a whole new definition to the earlier conservative treatment of the word terrorism. This was one of the largest incidences in the history of mankind that took humanity at toll. The book systematically deals with the loopholes in intelligence and this episode presenting a question on the human rights as a global affair. (Tsang, 2007)

Further an article titled Transatlantic intelligence and security cooperation by Richard J. Aldrich discusses on the Madrid attack of 2004 and exchange of intelligence in the execution of this attack. (Aldrich, 2004)

Research Gap:

The previous researches have addressed the individual episodes of violence qualifying for the definition of terrorism. They have dealt the term in a limited sense of location. The present article presents a more global eye to the threat and has also produced an impending development to it presented by the combination of unemployed educated youth with technological knowledge and having assistance of global funding through the terrorist groups. This paper presents the combination of the intelligence, human rights and terrorism in light of this fresh face of terrorism.

What are Human Rights?

Universal Declaration of Human Rights by the United Nations in 1948 forms the single most document defining International human rights and the 30 articles enshrined in the same make for every detail that embolizes the right to dignified human existence. The third Geneva Convention discusses the issue of treatment of prisoners of war (POW). The ethical treatment of prisoners of war is a touchstone for the International human rights issues. In light of the present subject in discussion the situation of war is different from that of the conventional understanding of war between two countries. Terrorism on one hand infringes the human rights of the individuals who are victimized and on the other hand creates a question on the rights of those who are suspected to be involved as unlawful combatants (Luban, 2002)

Fact sheet no. 32 of Office of United Nations, High Commissioner for Human Rights discusses on Human Rights, Terrorism and Counter-terrorism and states, 'Human rights are universal values and legal guarantees that protect individuals and groups against actions and omissions primarily by State agents that interfere with fundamental freedoms, entitlements and human dignity. The full spectrum of human rights involves respect for, and protection and fulfilment of, civil, cultural, economic, political and social rights, as well as the right to development. Human rights are universal—in other words, they belong inherently to all human beings—and are interdependent and indivisible. (Rights, 2008).

What is Terrorism?

The GTI 2018 quotes;

“Defining terrorism is not a straightforward matter. There is no single internationally accepted definition of what constitutes terrorism, and the terrorism literature abounds with competing definitions and typologies.”

Terrorism is an act of violence that targets civilians in the pursuit of political or ideological aims. (Rights, 2008)

The Exhibit 1.1 shows the figures taken from the GTI 2018.

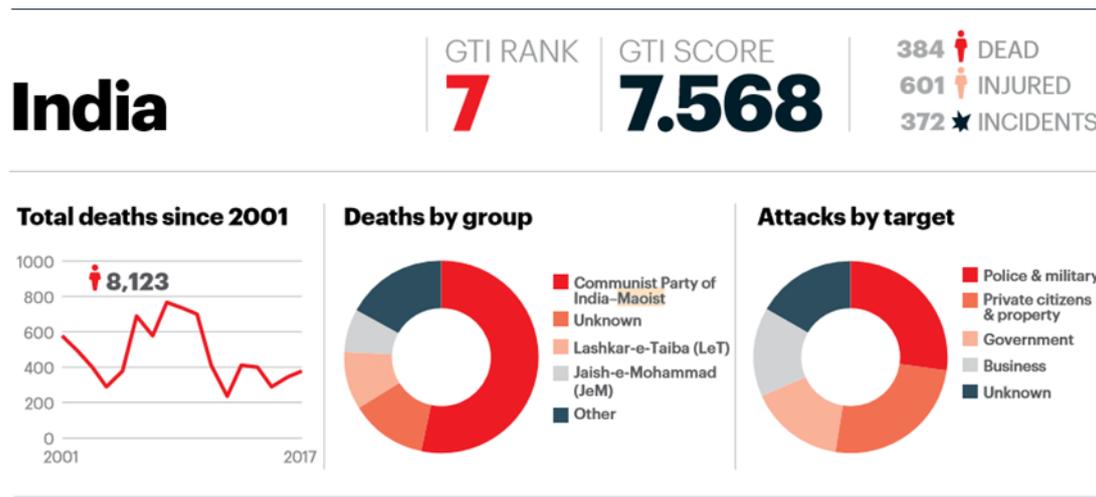


Exhibit 1.1: India Ranked 7th in GTI 2018, reflecting the apportionment of death claims taken by various terrorist groups

The international interactions have not come down to any unanimously accepted definition of terrorism that comprehensively can encompass all sectional, political, ideological or any other kind of issues that create institutionalized and channelized crime and feeling of animosity and hatred towards human race by large. This has led to a varied mannerism in addressing the terror factor, from state sponsored terrorism for vested interest of political institutions or marginalized groups, to cyber terrorism which has no boundaries, no religion, no sect and no face. Different areas of the world have named their local issues pertaining to the human to human crisis with different names like, Maoism in India and Nepal is a framework of ideology affecting the social structure. Global Terrorism Index 2018 that placed India ranking at 7 shows the vast majority of deaths in the Indian subcontinent were a result of Maoist intervention (Peace., 2018)

The exhibit clearly reflects that the presence of separatist groups and the sectional groups is the main cause of terrorism in the region. The report clearly mentions that ‘Conflict’ has remained the primary reason for terrorism in most countries throughout the world. It states that the ten countries that have ranked highest with the impact of terrorism have been engaged in some or the other kind of conflict. These ten countries have accounted for 84% of deaths from terrorism whereby simply accounting the political terror shoots the figure to 99 percent. This political terror is a reflection of extra-judicial killings, torture and imprisonment without trial. (Peace., 2018)

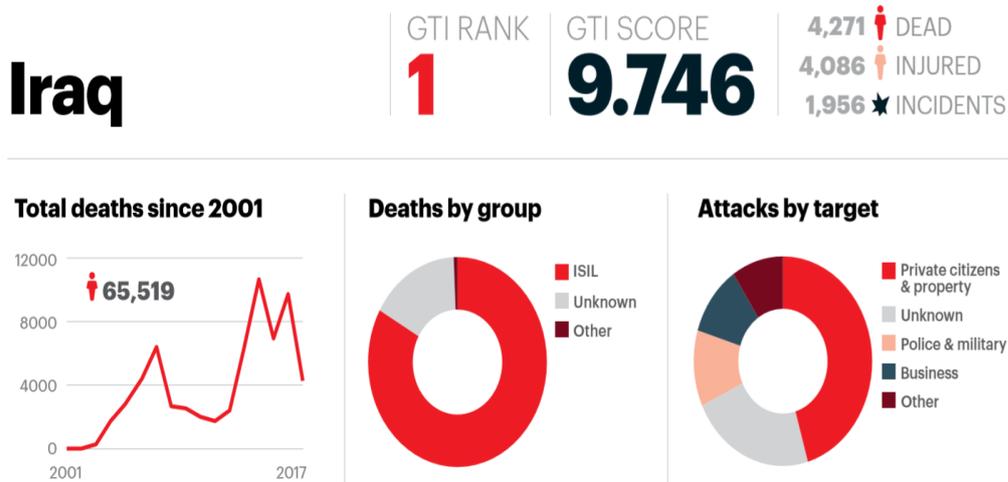


Exhibit 1.2: Iraq Ranked 1st in GTI 2018, reflecting the apportionment of death claims taken by various terrorist groups

Exhibit 1.2 reflects the data of Iraq that ranked first in the terrorist activities and the number of deaths due to terrorism.

It can be seen that here the largest contributor to the death toll has been ISIL. ISIL is not a separatist ideology workgroup but a rather conservative sectional group aspiring to hold supremacy over the other communities. The reasons and the approach according to these reasons is highly varied from country to country and region to region.

Human rights and terrorism:

The factsheet of United Nations studies the impact of terrorism on human rights. The factsheet states that the encroachment on human rights by the terrorist acts have been recognized at the highest level of the United Nations, by the Security Council, the General Assembly, the former Commission on Human Rights and the new Human Rights Council (Rights, 2008)

The Factsheet identifies terrorism as an act that;

“Threatens the dignity and security of human beings everywhere, endangers or takes innocent lives, creates an environment that destroys the freedom from fear of the people, jeopardizes fundamental freedoms, and aims at the destruction of human rights;

- Has an adverse effect on the establishment of the rule of law, undermines pluralistic civil society, aims at the destruction of the democratic bases of society, and destabilizes legitimately constituted Governments;
- Has links with transnational organized crime, drug trafficking, money-laundering and trafficking in arms, as well as illegal transfers of nuclear, chemical and biological materials, and is linked to the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, hostage-taking and robbery;
- Has adverse consequences for the economic and social development of States, jeopardizes friendly relations among States, and has a pernicious impact on relations of cooperation among States, including cooperation for development; and

- Threatens the territorial integrity and security of States, constitutes a grave violation of the purpose and principles of the United Nations, is a threat to international peace and security, and must be suppressed as an essential element for the maintenance of international peace and security.”

The United Nations asserts that the states take strict measures against those who infringe the normal enjoyment of the Human Rights and most importantly come in the way of, ‘Right to live’ which is the fundamental to any other Human Right. However, in light of International polity and vested interests of the governments in creating a reign of terrorism it has been a long struggle for human rights.

Youth and terrorism

An online article on the NDTV.com relates to a government data stating, 66 Kashmiri youth joined terror groups in 2015, 88 in 2016, and 126 in 2017. So far in 2018, 45 youth in Kashmir have joined terror groups. Sociology professor teaching in the Kashmir University was merely 32 when he got killed in the Shopian attack in 2018 (Iqbal, 2018) Another young Kashmiri, Nasser Ahmed Pandit, who worked as a police constable suddenly vanishes and turns terrorist (BAWEJA, n.d). These and many more have been the limelight news headlines of almost all leading newspapers. The big common concern is the manipulation of the youth to the purpose of terrorism. Not just this the youth that is educated and well equipped with the technology and eager to be employed.

Shannon C Flowers from Georgetown University proclaims in her study the connection between youth unemployment and terrorism. The study discusses the period from 2000 to 2009 where in the world was hit by the ‘Great Recession’ and the same time an upsurge in technical education and development is seen in and around the world. The study established a connection between the youth unemployment and terrorism suggesting that if youth unemployment could be substantially worked on it can result in a significant decrease in the participation in terrorist activities (Shannon C. Flowers, 2014)

A positive relation is established through some presences of terrorist acts, between higher education and involvement of youth in terrorist activities. The paper discusses, Krueger and Maleckova (Tirone, 2018). who found that education is uncorrelated to participation of youth in, and support for, terrorism and at the same time presents the case of, Azam and Thelen (Tirone, 2018). who elucidate that high education levels discourage participation in terrorist activity.

The paper by Global economy and Development at Brookings by Kritika Bhatia and Hafez Ghanem attempts to bring forth the connection between education levels and terrorism with a special reference to the 8 Arab countries taken in study. It states that lack of adequate employment opportunities for educated individuals is fuelling support for violent extremism among general population. The view is also supported by the analysis of data related to Daesh foreign recruits. A 2016 report released by the Combating Terrorism Centre (CTC), West Point provides an analysis of 4,600 Daesh foreign fighters from the Islamic State’s personnel records. The data reveals that the fighters were relatively well-educated when compared to education levels in their home countries, but most previously held low-skilled positions (Ghanem,2017) The study summarized that, unemployed/underemployed educated individuals were more likely to support violent extremism with unemployed secondary educated people having the highest probability for radicalization followed by tertiary educated unemployed/underemployed.

Exhibit 1.3 has been taken from the same study that shows the graphical representation of the youth in terrorism.

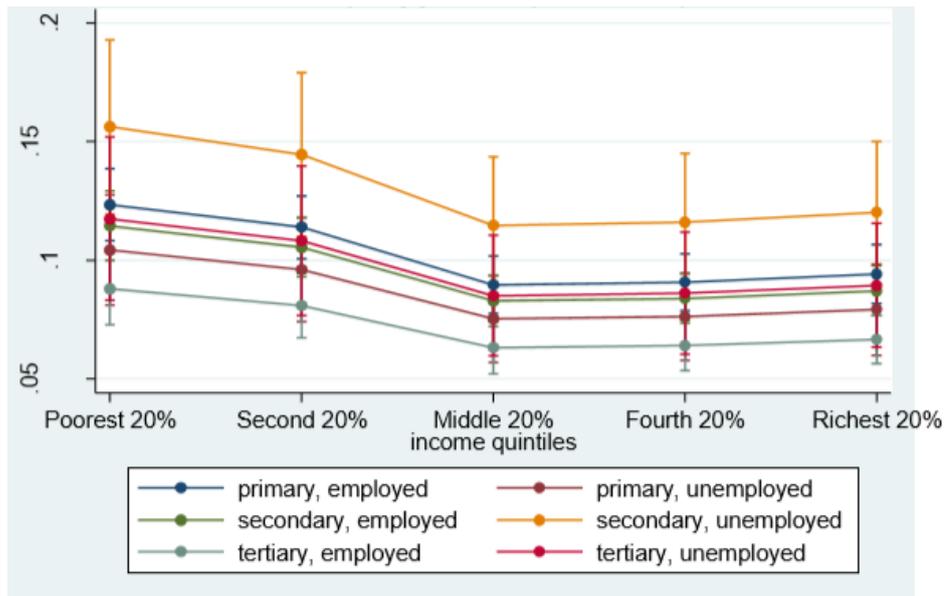


Exhibit 1.3: Figure 7 from the Brookings study report on Predicted probability for different income groups

A working paper on Global economy and Development, 2017, presented a grim fact, that the studies prior to this had failed to address. Report titled, ‘How do education and unemployment affect support for Violent Extremism?’, discusses that, among all terrorist attackers the factor that is common is their support for violent extremism or radical militant ideas. Hence preventing ‘radicalization’ rather than ‘terrorism’ can be an effective first step towards combating terrorism. Further the report states that, the literature on factors influencing radicalization have brought forth a number of factors, with one of the recent reports citing ‘frustrated expectations of individuals for economic improvement and social mobility’ as a key driver. It refers to an element of ‘relative deprivation’– the absence of opportunities relative to expectations.

Dark web and Terrorism

With the technological advancements an added feature of internet has become a part and parcel of man’s routine life. While this widely talked about world wide web has attractive features of the surface web there is a huge component of deep net which is expected to be more than 400-500 times massive compared to the surface web. Though the internet and its components became useful from 1990 the aspects of Deep net are a recent development. Not only does this Dark net provide an extra space to those who intentionally wish to be a part of secret code or maintain anonymity of their actions, it also propagates a malicious zone of interactivity for the terrorism to flourish. Dark net has been associated closely with the episodes of Wikileaks and concepts of Bitcoin. British intelligence organization Government Communications Headquarters’ (popularly known as GCHQ) former Head Robert Hannigan had spoken extensively, about how ISIS terrorists in Syria had “embraced the web”, explaining how terrorists had used the encryption tools to hide their identities. These encryption tools initially were exclusively available to government agencies (Keshav Patel, 2018). The report by Wilson Centre reveals that the National Security Agency intercepted encrypted communication between two important leaders of Al-Qaeda and that the two had been in this form of communication for over a decade. (WEIMANN). The terrorist organisations have made use of the dark net for the following purposes:

1. A place to hide: As the supervision of the surface web by the social media sites have become more stringent and the content that is found objectionable to any social, political or otherwise human interest is removed instantaneously. Considering this, the terrorist organizations worldwide have started using dark web extensively

for the purpose of radicalization and creating propaganda while their actual identity is not surfaced. The planning and executing of the world wide attacks becomes much easier when done through the dark web.

2. For recruitment: Surface web provides an initial place to identify the right candidate and to initiate an interaction. The details of the further processes are however, shared through the use of Dark Net. End-to-end encryption apps designed for confidentiality in data transmission are a handy tool for the terrorist who provide instructions on the use of the Dark Net sites and content to the recruits from a great distance.

3. For propaganda: The extremist and the terrorist literature and content once removed from the Surface Net find place in the Dark Net where the ideas of extremism and radicalization are profusely circulated. This ensures that the identity of the terrorist organization's is maintained and that their ideals find place for propagation.

4. Financing: Virtual currencies like Bitcoin are used for fundraising. Dark Net provides an easy way to conceal the transactions of cryptocurrency that maintains the anonymity of transaction.

The Wilson Center Report mentions of a Terrorism Research and Analysis Consortium's Report that a huge number of terrorist's organizations inclusive of Al-Qaeda and ISIS make extensive use of Telegram app and the same has been accepted by the CEO of the company Pavel Durov in 2015. In the present light of affairs, it is not just the communication part that is worrisome but a much larger issue of the virtual currencies that are being transacted in the Dark Net.

Intelligence

With the security and intelligence getting a large dependency on the technology deciphering and decoding the encryptions is a mundane affair of a security personnel involved in intelligence. The key to ciphering that is concerning is that, 'the power of ciphers protects citizens when they read, bank and shop online – and the power of ciphers protects foreign spies, terrorists and criminals when they pry, plot and steal' (Rid, 2016). With the historic episodes of intelligence failure, Pearl Harbor or 9/11, all have been pointing to a big rhetoric question of huge damages and compromised security.

Globalization of Intelligence is a subject still in discussion. The Mumbai 26/11 terrorist attack claiming the lives of many is an example of mishandled Intelligence. It has been established that the Indian intelligence officials received prior warnings both from their own sources and from the United States that a major attack was probable, but lack of specificity and uncertainty about the threat windows seemed to have prevented specific responses. The research 'Lessons of Mumbai' published by Rand Corporation studies the aspects of the 26/11 Mumbai blasts for which the conspirers took a sea route (Angel Rabasa, 2009).. The planning and precision with which the attack was placed reflects thorough mental and physical preparation posing serious questions on the role of intelligence. The Lessons of Mumbai states, "There appears to have been little coordination between the central security agencies—the Research and Analysis Wing (R&AW) and the Intelligence Bureau (IB)—and the local police in Bombay. Although the former is known to have intercepted "chatter" about a possible LeT seaborne attack on Mumbai, it is not clear whether the Mumbai police (or the Indian coast guard) received the information. At any rate, they did not act upon it. This issue highlights the universal problem of rapidly disseminating covert intelligence for actionable purposes."

Similar instances have been reported where the discord between the intelligence and the decision makers is the grey area entreated by the terrorists for their profane acts. Recent terrorist attack in Sri Lanka is another example of failure of Intelligence, 359 people reportedly lost lives and yet another 500 wounded despite the warning from the Indian Intelligence about the planning of the attack about a month before the blasts. The episode reflects sheer negligence on the part of a country's intelligence in considering the value of lives of its citizens.

Limitations

The research presents a conceptual analysis of the theoretical data available of relative researches. The paper therefore is limited to the interpretations based on the secondary data and has attempted to connect the concept in a unique light of the modern-day circumstance. The paper does not deal in one region or one case for a detailed case presentation but brings about a global picture whereby the concept can be detailed in a wider sense through inter-region researches done parallel to each other. The funds and resources to be involved in this process are one of the greatest barriers along with the visible fact that the subject is dynamic and is changing at a very fast pace.

Conclusion

The developments that have contributed to the milestones that human race has achieved have not come without their darker sides. The technology of automation that has created growth in science has created unemployment, As observed with the data in light the instances in terrorism are fostered to a great deal by the developments in communication sciences. While it safeguards the interests of few it presents a big chunk of population at risk by presenting a wide array of details in the dark web. Communication Sciences with their cutting-edge techniques in maintaining end-to-ended encryption have not just facilitated the citizens of the world but to those too who planning to end it. Intelligence failures are those spaces that allow the technically advanced youth participating in the terrorist activities today to find a place for radicalized purposes. The purposes that have in a way shaped their dreams of employment and can accommodate the skills of high education. The subject of terrorism has, therefore, not to be dealt in seclusion, but, with intelligence, priority to human rights and the sociology of terrorism in completeness. The policy makers should treat every episode of terrorist activity with great learning and should be able to come to consensus on prioritizing the human rights to 'live' above all political, sectorial or otherwise interests if the generations of tomorrow are to see a terrorism free world.

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