



PARLIAMENTARY ASSEMBLY OF THE MEDITERRANEAN
ASSEMBLEE PARLEMENTAIRE DE LA MEDITERRANEE
الجمعية البرلمانية للبحر الأبيض المتوسط

1st Standing Committee
on Political and Security-Related Cooperation

Reflection Group on the Definition of Terrorism

Co-Rapporteurs: The Hon. Aşkın Asan (Turkey)
and the Hon. Taysir Quba'a (Palestine)

*Resolution endorsed by the 1st Standing Committee
at its 4th meeting on 24 June 2009 in Lisbon **

The Parliamentary Assembly of the Mediterranean:

1. **Convinced** that Terrorism has become one of the biggest threats to security and stability in the Mediterranean, in Europe and throughout the world;
2. **Deeply saddened** by the social and human impact that “terrorist acts” have caused to the peoples living in the Mediterranean region over the years;
3. **Convinced** that Terrorism is in itself a direct attack on human rights and the rule of law;
4. **Condemning** Terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes;
5. **Affirming** that Terrorism has no particular religion, race, nationality or a specific geographic region, and that any attempt to link terrorism with any religion is not only wrong, but also plays into the hands of terrorists;
6. **Stressing** that no cause can justify acts of Terrorism and the killing of innocent people;
7. **Bearing in mind** the United Nations Global Counter-Terrorism Strategy unanimously adopted by the UN General Assembly on 8 September 2006;
8. **Having regards** in particular to UN Security Council Resolution A/RES/1373 (2001);
9. **Aware** that full compliance with the provisions of the international conventions, their protocols and the United Nations Security Council Resolutions concerning Terrorism is crucial for success in countering the threat of Terrorism;

10. **Recalling** Chapter I, article I.2 of the Charter of the United Nations that recognizes the principle of equal rights and self-determination of peoples;
11. **Emphasizes** the right of peoples to resist occupation;
12. **Having regards** to the Geneva and Hague Conventions and their Protocols;
13. **Asserting** that any breaches of the laws of war must be punishable as war crimes or crimes against humanity;
14. **Noting that** individuals, groups of individuals or States carrying out acts of violence outside armed conflicts shall be punishable outside the legal framework of the laws of war for the offence committed;
15. **Noting** the need to combat crimes that might be connected with terrorism, including drug trafficking in all its aspects, illicit arms trade, money-laundering and smuggling of nuclear, chemical, biological and any other potentially deadly materials;
16. **Acknowledging** the need to address the conditions conducive to the spread of terrorism, as well as combating terrorism itself;
17. **Encouraging** all States to adopt a uniform approach for identifying, defining, condemning, isolating and bringing to justice those who are responsible for terrorist acts;
18. **Calling for** increased security and judicial cooperation, including the implementation of the “extradite or prosecute” (*aut dedere aut judicare*) principle, to prevent those responsible for acts of terrorism from finding refuge;
19. **Recognizing** that international cooperation in the fight against terrorism must comply with the principles of international law, with the respect for the territorial integrity and sovereignty of States;
20. **Emphasizing** that the fight against terrorism must be conducted with utmost respect for human rights and the rule of law;
21. **Further emphasizing** that any person in relation to whom proceedings are taken for any “terrorist act” shall be granted fair treatment, including enjoyment of all rights and guarantees provided by domestic or international law in particular international human rights, refugee law and when applicable humanitarian law;
22. **Convinced** that joint effort by parliaments to create an international legal framework and harmonize national legislations is necessary to counter the terrorist threat spread by means of modern information systems and technologies, including the Internet and the electronic mass media;
23. **Having regards** to former UN Secretary-General Kofi Annan’s definition of Terrorism in Paragraph 91 of “In larger Freedom” of 2005 i.e. “ [...] Any action constitutes terrorism if is intended to cause death or serious body harm to civilians or

non-combatants with the purpose of intimidating a population or compelling a government or an international organisation to do or abstain from doing any act”;

24. **Expresses its appreciation** for the annexed report entitled “Definition of Terrorism” and adopts the present resolution :

- a) **Terrorism can be defined as** *“violence or the threat of violence, induced by political, ideological, religious or ethnic motives. Terrorist actions are carried out or designed to achieve maximum publicity, and to produce effects beyond the immediate damage to people, property and the environment. The methods used are extreme, destruction is ruthless, and the behavior is not constrained by the rules of war. The nature of violence is such so as to provoke fear and intimidation.”*

And

- b) **Calls** for acts related to terrorism to be punishable as criminal offences in criminal law as such in all PAM Member States, in particular on the basis of the universal treaties against terrorism.

* With reservations from the French delegation on the understanding of preamble paragraph 14. Cf. Report on the “Definition of Terrorism” for explanation