

Reflections of Terrorist Acts on Their Victims: A Study in Light of International Law

انعكاسات الأعمال الإرهابية على ضحاياها: دراسة في ظل أحكام القانون الدولي

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Abstract:

The primary objective of terrorists frequently revolves around inflicting harm upon individuals, which can manifest in various ways, encompassing loss of life, physical injuries, property damage, or the taking of hostages. Nevertheless, the requisites or viewpoints of the victims often find themselves neglected or inadequately attended to within the international community. Hence, the purpose of this study is to discern fundamental notions pertaining to victims, with a particular focus on elucidating the essence of terrorism's victims, comprehending their repercussions, and acknowledging their requirements and entitlements under international law.

Keywords: Terrorism; Victims; Effects of Terrorism; Justice; Support and Assistance; Compensation.

ملخص:

عادة ما يكون الهدف الرئيسي للإرهابيين وجود ضحايا، وهذا يمكن أن يأخذ أشكالاً متنوعة كالوفيات والإصابات البدنية، الأضرار المادية، أو حتى احتجاز الأشخاص كرهائن. ومع ذلك، قد يتم إغفال احتياجات الضحايا أو وجهات نظرهم، أو قد لا يُولى لهم الاهتمام الكافي من قبل المجتمع الدولي. لذا، تستهدف هذه الدراسة استقصاء أبرز المفاهيم المرتبطة بالضحايا، بتركيز خاص على تحديد مفهوم ضحايا العمليات الإرهابية وتأثير هذه الجرائم عليهم، بالإضافة إلى فهم احتياجاتهم وحقوقهم في إطار القوانين الدولية.

الكلمات المفتاحية: الإرهاب؛ الضحايا؛ آثار الإرهاب؛ العدالة؛ الدعم والمساعدة؛ التعويض.

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Introduction :

Terrorist acts stand as some of the most perilous crimes, exerting profoundly negative influences on societies worldwide, particularly in their humanitarian dimension. In our contemporary world, their peril has escalated, with terrorism emerging as a global phenomenon that casts its shadow across all facets of life for people across the globe. Terrorism is no longer confined to a specific entity, nation, or state; it impacts everyone, irrespective of its underlying causes, manifestations, objectives, or the identities of its perpetrators.

Acts of this nature result in the tragic loss of life, physical harm, and profound anguish for numerous individuals from various ethnicities, cultures, and religious affiliations annually, transcending borders. Throughout history, those victimized by criminal acts, including terrorism, have often found themselves marginalized within the criminal justice system, with their struggles overlooked. However, recent years have seen an increasing acknowledgment of their rights and contributions within the realm of criminal justice.

Despite progress in this regard, victims of terrorism continue to face obstacles in having their voices heard, their needs met, and their rights respected. They frequently express feelings of being overlooked or abandoned once the initial shock of terrorist incidents fades. As a result, the strategies employed by nations to support these victims vary, evident in practical policies implemented at international, regional, and local levels.

This includes initiatives such as the establishment of the "Victims of Terrorism" group within the United Nations, discussions by human rights organizations regarding compensatory measures endorsed by specific regional bodies, the strengthening of the role of national parliaments in advocating for victims and survivors of terrorist acts, the creation of committees to provide financial compensation to terrorism victims, and the formation of networks comprising civil society organizations, particularly those dedicated to assisting victims of terrorism.

The central focus of this investigation can be encapsulated in the following query:

-What are the effects of terrorist acts on their victims, and what challenges do they face in recovery and rebuilding their lives after such crimes?

In pursuit of an answer to this question, the study employs descriptive and analytical methodologies. The former is utilized to elucidate fundamental concepts and expound upon the impact of these crimes on victims, while the latter is deployed to scrutinize pertinent international documents and reports. The subject matter is structured into three principal sections:

- ⇒ **First: The concept of victims of terrorist acts.**
- ⇒ **Second: The effects of terrorist acts on the victims.**
- ⇒ **Third: The rights of victims of terrorist acts.**

First: The concept of victims of terrorist acts.

In order for national laws and policies designed to support victims of terrorism within the criminal justice system to be effective, it is crucial to clearly define the individuals intended to benefit from such protection and guarantees in both international and national regulations.

1. Definition of Terrorism :

Prior to identifying the victims of terrorism, it is essential to establish a clear definition of terrorism. It is pertinent to acknowledge the inherent challenges in defining terrorism within international law, as consensus on its content is lacking and diverse perspectives exist regarding its

nature and essence. Terrorism encompasses a wide spectrum of meanings depending on the context, and its dimensions, causes, and manifestations are difficult to encapsulate.¹

The complexity in defining terrorism has posed obstacles to both domestic and international efforts to combat this phenomenon, as defining specific acts is imperative for the principle of legality, which presents challenges in the context of international terrorism. Nonetheless, this complexity has not hindered the international community from addressing it on various occasions and delineating the actions that constitute terrorism.² While some scholars and international agreements have attempted to provide definitions, achieving universal agreement remains elusive.

Terrorism can be broadly understood as a method of coercion involving the use or threat of violence to instill fear and achieve political or ideological objectives. It encompasses acts of violence or the deliberate threat thereof, orchestrated by a group of individuals or a state, targeting individuals, groups, states, or public and private property, with the intent of instilling fear, terror, and panic among the general populace to achieve specific goals.³

Furthermore, terrorism can be defined as the organized and unlawful use of violence and force by an individual or state against persons, entities, or institutions, or their assets, aimed at influencing authority or civilians.⁴ Such actions aim to propagate terror and fear in pursuit of certain objectives, whether political, economic, or social, and are not motivated by self-defense, religious beliefs, or resistance against aggression and occupation.⁵

In their endeavors to combat and mitigate terrorism, international bodies and states have made attempts to define this phenomenon, as evidenced by various international agreements, with the Geneva Convention for the Prevention and Suppression of Terrorism on November 16, 1937, standing out as a significant milestone⁶. This convention introduced two definitions of terrorism: one descriptive, providing an overview of the phenomenon as a whole, and another focusing on the specific acts constituting terrorism.⁷

If we refer to the Convention of the Organization of the Islamic Conference on Combating International Terrorism, in its 1st article, Terrorism refers to any act of violence or the intimidation of such acts, regardless of their underlying motives or intentions, undertaken to execute either an individual or collaborative criminal scheme. The primary objective is to spread fear among people, threaten them, jeopardize their safety, dignity, freedoms, security, or rights, or pose risks to the environment, public or private assets, facilities, or occupy and seize them. In addition to that, terrorism may involve endangering national resources, international facilities, or undermining the stability, territorial integrity, political unity, or sovereignty of sovereign states.⁸

Although it marked the first convention dedicated explicitly to addressing terrorist crimes, it established an international tribunal to address terrorism and mandated states to pursue and prosecute perpetrators of such crimes. Subsequent to this convention, numerous international agreements have concentrated on distinct forms of terrorist activities, accompanied by heightened regional efforts by states.⁹

In addition to international agreements, and given the absence of a universally agreed-upon terrorism definition, academic researchers, governments, and the global community typically characterize certain activities or behaviors as 'terrorism' based on delineations provided in diverse national legislations, Such as the Iraqi Anti-terrorism law, that defines the terrorism as “any criminal act committed by an individual or an organized group targeting an individual, a group or groups of individuals, or official or unofficial institutions, that causes damage to public or private

property with the aim of undermining security, stability or national unity; provoking terror, fear and panic among the people; or fomenting chaos for terrorist ends”¹⁰

The Egyptian legislator also defines it as any instance involving the application of force, violence, coercion, or intimidation, whether on a local or international scale, aimed at disrupting public order or endangering the safety, welfare, or security of society. This encompasses actions such as causing harm to individuals, instilling fear, threatening lives, liberties, public or private entitlements, or security, and infringing upon constitutional and legal freedoms and rights. Additionally, it extends to actions that undermine national cohesion, societal tranquility, or national security, resulting in harm to the environment, natural resources, historical artifacts, finances, or other possessions, including public or private structures or estates, their occupation or seizure, obstructing or impeding public authorities, institutions, judicial bodies, governmental interests, local entities, religious sites, medical facilities, educational establishments, diplomatic missions, international and regional organizations and bodies in Egypt, impeding their functions, or hindering the execution of any constitutional, legal, or regulatory provisions.

Furthermore, it encompasses any conduct undertaken with the aim of achieving objectives delineated in the preceding paragraph, or planning for them, or instigating them, which may lead to detrimental effects on telecommunications, information systems, financial or banking systems, the national economy, energy reserves, or the secure stockpiling of commodities, foodstuffs, and water, as well as their integrity, or the provision of medical services during times of calamities and crises.¹¹

The concept of terrorist activities underwent a significant evolution following the September 11 attacks in the United States. Consequently, with international developments, numerous terrorist organizations emerged, leading to a concerning escalation in terrorist crimes in recent years.

2. Difference between Terrorism and other terms

- Terrorism and Organized crime:

Although the methods employed by both organized crime syndicates and terrorist organizations have converged to some extent, their ultimate objectives are typically perceived as distinct by most observers. Generally, terrorism is primarily motivated by political and/or ideological aims, while organized crime is primarily motivated by financial gain.¹²

- Terrorism and Violent extremism

Due to a lack of consensus among various stakeholders, neither term has a universally agreed-upon definition, as opinions differ on how to precisely characterize terrorism or extremism. But if they are sometimes related concepts, they have distinct differences. While terrorism entails employing violence, intimidation, or coercion to attain political, religious, or ideological objectives, extremism does not inherently entail violent behavior. However, it may encompass promoting or rationalizing violence to advance ideological aims, fostering conditions conducive to radicalization, and potentially endorsing or instigating terrorist activities.

3. Definition of Terrorism Victims:

While there lacks a universally agreed-upon definition of "victim" globally, many international instruments outline the essential criteria for being considered a "victim," as commonly recognized by the international community. Additionally, criminal laws and specific legislations

pertaining to victims' rights in numerous countries incorporate provisions defining crime victims within the scope of their general criminal law. Often, these legislations embody principles concerning victims' rights as articulated in the Basic Principles of Justice for Victims of Crime and Abuse of Power.

The initial paragraph delineates a victim as individuals or groups who have endured harm, encompassing physical or mental injury, emotional distress, financial losses, or substantial violations of their fundamental rights, due to acts or omissions that contravene the criminal laws applicable in Member States, including statutes prohibiting abuse of power. This definition inherently encompasses all instances where individuals have been victimized by crimes perpetrated by terrorist entities.¹³

Furthermore, victims are defined as individuals or groups who have suffered harm, including physical or mental injury, emotional distress, economic setbacks, or infringements upon their fundamental rights, as a consequence of actions or oversights constituting grave violations of international human rights law and international humanitarian law. Where applicable and in accordance with domestic legislation, the term "victim" also encompasses immediate family members or dependents of the primary victim, along with individuals who have sustained harm while intervening to aid a victim in distress or to avert victimization.¹⁴

The report of the Special Rapporteur (Ben Emmerson) includes the definition of a "victim of terrorism," categorizing the following individuals as such:

- ⇒ **Direct victims of terrorism:** Those who have lost their lives or endured severe physical or psychological harm as a result of a terrorist act;
- ⇒ **Secondary victims of terrorism:** This category encompasses Immediate family members or dependents of the primary victims;
- ⇒ **Indirect victims of terrorism:** Innocent individuals who are indirectly killed or sustain serious injuries as a consequence of a terrorist act;
- ⇒ **Potential future victims of terrorism.** Individuals who may potentially become victims of terrorism in the future.¹⁵

The same definition was provided by the Principles and Guidelines on Human and Peoples' Rights in the Context of Combating Terrorism in Africa.¹⁶

It is essential to note that these definitions characterize "victims" based on the harm they endure rather than solely on the crime committed against them, thereby emphasizing the connection between the inflicted harm and the act itself. Furthermore, this classification encompasses not only direct victims but also indirect and potential future victims.¹⁷

Additionally, some perspectives extend the definition to include migrants and refugees fleeing terrorist violence. Many of these individuals have directly experienced terrorist acts or are escaping the broader repercussions of terrorist activities in their regions, such as heightened insecurity and violence, along with limited or nonexistent opportunities for themselves and their families.¹⁸

Second: The effects of terrorist acts on the victims.

The repercussions of terrorist acts on victims are profound and often align with the primary objectives of terrorists, chiefly the creation of victims. The potential impact of terrorism on victims' manifests in multifaceted and devastating ways, affecting various interconnected levels: individual, collective, and from the victim's perspective. The concept of "personal harm" stemming from terrorism is delineated into three distinct categories based on their proximity to the direct victim:

- ⇒ First-degree or primary harm: Experienced by the person directly affected, whether it be injury, loss, or death.
- ⇒ Secondary or second-degree harm: Abuse experienced by a family member, relative, or friend of the primary victim.
- ⇒ Third-degree or tertiary harm: Suffered by those who witness abuse or are exposed to it through television or radio reports about the abuse, or those who assist and care for the victims.¹⁹

Thus, terrorist crimes leave devastating and tragic effects on victims and the communities they target, the most significant being:

1. Physical effects :

Terrorist acts cause loss of life and result in the death and injury of many people. Victims experience horrific killings or severe physical and emotional wounds, which is contrary to the right to life.

The Institute for Economics and Peace (IEP) recently published the ninth edition of the Global Terrorism Index (GTI 2022), which tracks the impact of terrorism across 163 countries, representing 99.7% of the global population. According to the index, there was a decrease in the total number of deaths resulting from terrorism, totaling 7,142 in 2021. This marks a 1.2% decrease from the previous year and a significant 33% decrease since the peak in 2015, when 10,699 individuals lost their lives in terrorist attacks.²⁰

Terrorist acts can lead to various physical effects on victims, including bone fractures, soft tissue injuries, long-term disability, chronic pain, and sensory disorders. Victims may also experience visceral symptoms such as cardiovascular and respiratory difficulties, gastrointestinal and urinary tract issues, reproductive complaints, as well as headaches and back pain. Instances of rape or other forms of sexual violence can result in gynecological and rectal bleeding, internal hemorrhage, and the contraction of sexually transmitted diseases, including HIV/AIDS and other chronic infections. Additionally, there is a risk of pregnancy and miscarriage associated with such traumas.²¹

2. Psychological Effects :

Terrorism inflicts profound and enduring psychological effects on its victims, even long after the cessation of the violent acts. Victims who have experienced or been targeted by acts of terrorism often suffer from post-traumatic stress disorder (PTSD), persistent anxiety, depression, phobias, feelings of insecurity, and instability.²² These psychological disorders significantly impact their daily lives, interpersonal interactions, and integration into society.

The psychological trauma resulting from terrorist acts typically progresses through three stages over time. Initially, victims experience a natural response of stress and fear as they adapt to the violence and unpredictability of the event. During this phase, victims seek reassurance from loved ones about their condition and seek support and comfort. Subsequently, the initial phase gives way to sleep disturbances and signs of anxiety or aggression. Finally, a portion of victims may develop psychological complications, notably PTSD²³ and depressive episodes, as time progresses.²⁴

3. Social Effects :

Victims, whether directly or indirectly impacted, often experience significant social ramifications, leading to changes in their lifestyle as they seek to avoid situations or contexts associated with the crime. These social effects can profoundly disrupt the victim's daily life and potentially hinder their earning capacity. The trauma experienced may also disrupt various roles, such as those of a parent, spouse, employee, employer, or citizen, resulting in declines in social, educational, and professional performance. This deterioration can lead to social withdrawal and isolation, impacting both personal and cultural aspects of identity.²⁵

In post-conflict societies, children born as a result of rape may encounter stigma due to their perceived association with their fathers, leading to social ostracization and psychological harm. Moreover, mothers who have been raped and forcibly impregnated may struggle to form bonds with their children, potentially resulting in neglect and mistreatment. Despite these profound challenges, children are often viewed primarily as evidence of the harm inflicted upon their mothers, rather than as victims in their own right. Additionally, terrorism can trigger civilian displacement and the loss of homes, forcing individuals to abandon their belongings and exacerbating the psychological and social burdens they face.

4. Economic Effects :

Terrorist acts have significant economic repercussions on victims' lives in various ways. Victims may lose their jobs or face employment barriers due to physical injuries or disabilities, resulting in income loss and financial strain for themselves and their families. Additionally, victims often require prolonged medical care and expensive treatment for both physical and psychological injuries, placing a substantial financial burden on them and their families. This burden includes medical expenses, rehabilitation costs, and compensation for permanent disability or loss of earning capacity.

Furthermore, terrorist incidents can disrupt economic sectors, leading to temporary or permanent business closures and commercial disruptions. This can contribute to local economic downturns, reduced income levels, and diminished employment opportunities for affected communities. It's essential to recognize that the impact of terrorism varies depending on the nature of the attack and the affected community.

Therefore, providing necessary psychological and material support to victims and affected communities is crucial for their recovery and rebuilding process. Factors such as combined damages (e.g., material and emotional), individual susceptibility to trauma (e.g., pre-existing disabilities or trauma history), and access to support can significantly influence the extent of the impact on victims.

Third: The rights of victims of terrorist acts.

The Special Rapporteur Ben Emmerson underscored his commitment to addressing the rights of victims of terrorism in his inaugural report to the Human Rights Council in 2012, titled "Framework principles for securing the human rights of victims of terrorism" (A/HRC/20/14). In this report, the Special Rapporteur delineates the legally binding and internationally recognized human rights of victims of terrorism, along with outlining the corresponding international obligations of states to safeguard these rights. Key among these obligations is the state's duty to protect the right to life, the imperative for independent and impartial investigations, the entitlement of victims to form representative organizations, and the responsibility of states to provide compensation to victims of terrorism.

The report advocates for the integration of these rights and obligations into a dedicated international instrument.²⁶ Fundamental rights afforded to victims of crime, including victims of terrorist acts, encompass:

- ⇒ Access to information concerning their rights and the progress of their case.
- ⇒ The right to comprehension and communication, irrespective of language or other circumstances.
- ⇒ Participation in the judicial process.
- ⇒ Provision of various forms of protection during and following the judicial proceedings.
- ⇒ The ability to seek compensation from both the perpetrator and the state.
- ⇒ Recourse to authorities in the event of rights violations.

While victims of terrorist crimes are entitled to the same rights as victims of other offenses, they require immediate support for as long as necessary. These rights, applicable to all victims of crime without discrimination and even in cases where the perpetrator's identity remains unknown, include:

- ⇒ Adequate medical treatment.
- ⇒ Psychological and emotional support, tailored to trauma-related needs and aligned with the national healthcare system.
- ⇒ Consultation and guidance on relevant legal, practical, or economic matters.
- ⇒ Assistance in pursuing compensation claims within the jurisdiction where the crime occurred.
- ⇒ Implementation of protective measures for victims and their families.

Grounded in the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, and informed by guidelines for the protection of victims of terrorist acts and their suffering, the paramount rights of victims of terrorism can be summarized as follows:

1. Access to justice and fair treatment for the victim, achieved through:

- Treating victims with compassion and upholding their dignity. Victims possess the right to avail themselves of justice mechanisms and secure timely redress as prescribed by national legislation concerning the harm they have endured.
- Establishing and enhancing judicial and administrative frameworks, as deemed suitable, to enable victims to seek redress through procedures that are prompt, fair, cost-effective, and easily accessible. Victims should be informed of their entitlement to pursue redress through these mechanisms.²⁷
- Facilitating the responsiveness of judicial and administrative procedures to the needs of victims. This entails informing victims of their role, the procedures' scope, timing, and progress, particularly in cases of serious crimes and upon their request. Victims should also be provided with opportunities to express their views and concerns, which should be duly considered at appropriate stages of the judicial proceedings, safeguarding the interests of victims while adhering to the principles of the relevant national criminal justice system. Additionally, victims should receive adequate assistance throughout legal proceedings, with measures in place to

minimize inconvenience, protect privacy, ensure safety for victims, their families, and witnesses against intimidation or retaliation, and prevent undue delays in case resolution and the execution of orders or judgments awarding compensation to victims.

- Utilizing informal dispute resolution mechanisms, such as mediation, arbitration, customary justice practices, or local traditions, as applicable, to facilitate victim satisfaction and fairness.²⁸

2. Assistance to Victims of Terrorist Acts:

The United Nations Declaration, particularly in paragraphs 14 and 15, underscores the importance of providing victims with essential material, medical, psychological, and social assistance through governmental, voluntary, community, and local channels. It emphasizes the necessity of informing victims about the availability of health, social, and related support services, ensuring their accessibility.

The level of support required typically corresponds to the type and severity of harm suffered, necessitating detailed assessments tailored to victims' individual needs, with services for crime victims ideally offered free of charge.

Governments are tasked with delivering services to victims through various channels such as the police, hospitals, criminal justice systems, courts, and social services. However, professionals in these domains, including police officers, doctors, social workers, lawyers, psychologists, and teachers, should receive specialized training in victim issues to better serve victims effectively.²⁹

The United Nations Office on Drugs and Crime (UNODC) provides specialized tools and training on victim rights and needs within the criminal justice process for relevant professionals through avenues such as direct training workshops and online platforms like the Counter-Terrorism Learning Platform.³⁰

Non-governmental organizations (NGOs) specializing in victim support often complement governmental services by addressing gaps in assistance needed for victims to recover from their negative experiences. These NGOs, often founded by volunteers, including survivors or family members of victims, provide vital support services.

Additionally, self-help groups for victims, drawing on their firsthand experience and expertise in dealing with trauma, can empower victims significantly. While some NGOs receive funding from lotteries, foundations, or government grants, many rely on volunteers to offer comprehensive services exceeding basic support.³¹

Paragraph 17 of the United Nations Declaration emphasizes the importance of paying special attention to victims with specific needs due to the nature of harm suffered or discrimination faced, such as discrimination based on various factors like race, gender, age, or disability.³²

Indeed, there exist protective factors that can reduce an individual's vulnerability to trauma, stemming from both internal and external elements. These factors are characterized by resilience, which denotes an individual's capacity to withstand adverse and stressful events and effectively cope with them.³³ Often, individuals may not recognize these coping skills until they encounter challenging experiences. Constructive coping strategies play a pivotal role in mitigating the impact of trauma resulting from crime, and they include:

- ⇒ Acknowledging one's suffering and recognizing the need for assistance.
- ⇒ Actively seeking help from support networks or professional resources.
- ⇒ Expressing feelings of tragedy and grief in a healthy and constructive manner.

It is imperative that victims, along with their relatives, friends, and professionals interacting with them, refrain from pressuring the victim to suppress or deny their reactions to trauma or harm. Instead, victims should be encouraged to express their emotions as a means of fostering a positive support system.

Moreover, when deemed necessary, victims should be directed towards professional help and support, encompassing medical and psychological assistance as appropriate. Professionals providing such assistance should ideally specialize in trauma-informed care, ensuring that victims receive the most effective and empathetic support possible.

3. Compensation for Victims of Terrorist Acts

Compensating victims of terrorism presents a nuanced and intricate challenge, characterized by diverse practices across different jurisdictions. Nevertheless, principles centered on preserving memory, dignity, justice, and truth for these victims should serve as the bedrock of all endeavors concerning compensation.

In the framework principles report, the Special Rapporteur delineated five distinct categories of reparations as outlined in the United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law. These encompass restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition.³⁴

While member states typically possess mechanisms to provide compensation, situations where full compensation is unattainable from criminal or other sources necessitate alternative approaches:

- ⇒ States should strive to offer financial compensation to victims who have endured significant physical or mental harm due to serious crimes, along with families of deceased or incapacitated individuals, particularly those who were dependent on them.
- ⇒ Efforts should be directed towards establishing, enhancing, and expanding national funds dedicated to compensating victims. Additional funds may be instituted, particularly in cases where the victim's home state lacks the means to provide compensation for incurred harm.³⁵
- ⇒ States should consider providing forms of indirect financial assistance to victims, such as free or subsidized education, medical care, housing assistance, vocational training, employment opportunities, and tax reductions.

Finally, the United Nations offers several resources to aid states in refining their national approaches to supporting and safeguarding victims of terrorist acts. These resources aim to identify relevant international rules, standards, and national legislations, thereby bolstering efforts to protect victims of terrorism. These resources include:

- ⇒ The United Nations Office on Drugs and Crime (2012) publication titled "Criminal Justice Measures to Support Victims of Acts of Terrorism," providing guidance on measures within the criminal justice system aimed at assisting victims of terrorism.

- ⇒ In response to General Assembly resolution 66/178, the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime released "Good Practices in Supporting Victims of Terrorism within the Criminal Justice Framework" in 2015. This document outlines a set of good practices aimed at enhancing national legislations and institutions concerning victims of terrorism, particularly during criminal justice proceedings.
- ⇒ The United Nations General Assembly's (2017) "Report of the Secretary-General on the activities of the United Nations Voluntary Fund for Victims of Torture" (August 3, A/72/278), which highlights the fund's efforts in providing assistance to victims of torture.
- ⇒ Additionally, the European Commission's Migration and Home Affairs webpage on victims serves as a valuable resource for information and support.³⁶

However, critiques persist regarding significant weaknesses in the current international framework, notably the absence of a cohesive or comprehensive international treaty specifically addressing issues related to victims of terrorist acts. One explanation for this deficiency may lie in the lack of a global consensus on defining terrorism, which has led to hesitancy among states to create a binding instrument on "victims of terrorism." Debates continue on whether a specific treaty is necessary and whether victims' needs are adequately addressed under existing international treaties.

Moreover, human rights mechanisms exhibit several shortcomings concerning victims, including the absence of enforcement measures for proven state failures and the lack of an investigative body within the state capable of providing necessary responses. These challenges underscore ongoing complexities in effectively addressing the needs of victims within the international legal framework.

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Conclusion:

Terrorist acts inflict not only immediate pain and destruction but also enduring and profound impacts on their victims. These effects, both physical and psychological, resonate throughout victims' lives, extending to their families and communities. The full extent of the suffering endured by victims can be challenging to quantify, yet it is undeniable.

Furthermore, victims often bear social and economic burdens that can shatter their livelihoods. Loss of employment due to injuries or psychological trauma exacerbates financial strain, while societal marginalization compounds feelings of isolation and exclusion.

It is imperative that communities and governments take decisive and holistic action to support victims and provide essential care and assistance. This assistance should encompass psychological and therapeutic support, social services, and financial compensation for victims and their families.

International solidarity is crucial in this endeavor, aligning with the principles of the United Nations Global Counter-Terrorism Strategy. Priorities within this strategy include fostering solidarity with victims, amplifying their voices in countering violent extremism, and bolstering the capacities of member states and civil society organizations to support victims of terrorism.

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In this perspective, we suggest some recommendations.

- Advocate for the integration of victim-focused approaches into counter-terrorism tactics to cater to the unique requirements and susceptibilities of victims.
- Support the establishment of holistic victim support programs for those affected by terrorism, encompassing psychological counseling, financial aid, and legal support.
- Enhance mechanisms for victim identification and enrollment to guarantee that all individuals impacted by terrorist activities receive adequate assistance and backing.
- Foster cooperation among governmental entities, Non-Governmental Organizations, and international organizations to bolster cross-border victim recognition, aid, and recovery endeavors.

By prioritizing the needs of victims and recognizing their dignity and resilience, we can work towards healing the wounds inflicted by terrorism and fostering a more compassionate and supportive global community.

¹¹ Nadia Shrariya: The Problem of Defining Terrorism in International Law, *Communication Magazine in Humanities and Social Sciences*, Volume 19, Issue 2, 2013, Pages 152-166, p. 152.

² Mohamed Hassan Mohamed Ali Hussein, *International Terrorism Crimes*, without edition, without country of publication, Establishment of Knowledge, 2013, p. 57.

³ In contemporary law, terrorist violence is distinguished from "ordinary" violence by the "classic terrorist triangle": "A" attacks "B" to persuade or force "C" to change their stance on certain actions or policies desired by "A." Violence is unexpectedly directed against innocent victims, which in turn exerts pressure on third parties such as the government to change its policy or position. Contemporary terrorists use various forms of violence and target civilians, military facilities, government officials, and so on, without discrimination.

⁴ Osama Hussein Muhyiddin, *Terrorism Crimes at the International and Local Level*, without edition, Alexandria, Egypt, Modern Arab Office for Writing, 2009, p. 102.

⁵ Jamal Zaid Hilal Abu Ain: *Terrorism and the Provisions of International Law*, First Edition, 2009, The Modern World of Books for Publishing and Distribution, Irbid, p. 37.

⁶ This treaty represents the first international attempt to regulate acts of terrorism. It was drafted by 24 countries, with only one country, India, having ratified it.

⁷ Osama Hussein Muhyiddin: Previous reference, p. 60.

⁸ Convention of the Organization of the Islamic Conference on Combating International Terrorism, adopted by the Conference of Foreign Ministers of the OIC countries held in Ouagadougou, held during the period from June 28 to July 1, 1999.

⁹ There were several agreements that preceded it, which mentioned crimes of terrorism, such as the International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications in 1910, the First Congress for the Unification of Criminal Law in Warsaw in 1927, the Third Congress for the Unification of Criminal Law in Brussels in 1920, the Fourth Congress for the Unification of Criminal Law in Paris in 1931, the Fifth Congress for the Unification of Criminal Law in Madrid in 1933, and the Sixth Congress for the Unification of Criminal Law in Copenhagen in 1935, among others.

¹⁰ Article 1 of Iraqi Anti-terrorism law No. 13, dated on November, 7th, 2005.

¹¹ Article 2 of the Egyptian Anti-Terrorism Law No. 94 of 2015

¹² Gregory F. Treverton and others, *Film Piracy, Organized Crime, and Terrorism*, Published by: RAND Corporation, 2009, page 15. <https://www.jstor.org/stable/10.7249/mg742mpa>

¹³ The Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, adopted and disseminated under United Nations General Assembly resolution 40/34 on November 29, 1985, <https://www.ohchr.org/>

¹⁴ Paragraphs 8 from the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, General Assembly resolution 60/147, Human Rights Committee resolution 2005/35. <https://www.ohchr.org/>

¹⁵ Paragraph 16 from the Special Rapporteur's report on the promotion and protection of human rights and fundamental freedoms while countering terrorism: Framework Principles for Securing the Human Rights of Victims of Terrorism A/HRC/20/14. <https://documents-dds-ny.un.org/>

¹⁶ Principles and Guidelines on Human and Peoples' Rights while Countering Terrorism in Africa, African Commission on Human and Peoples' Rights, 2015, page 35.

¹⁷ United Nations Office on Drugs and Crime: University Module Series: Counter-Terrorism. <https://www.unodc.org/>

¹⁸ The former UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism called for an effective counter-terrorism policy to include a comprehensive migration policy respecting human rights, justice, accountability, human dignity, equality, and non-discrimination, providing the protection that victims of terrorism deserve (General Assembly Report 71/384, paragraphs 54-55).

¹⁹ Edna Erez (2006). "Protracted War, Terrorism and Mass Victimization: Exploring Victimological/Criminological Concepts and Theories to Address Victimization in Israel." In Uwe Ewald and Ksenija Turkovic, eds. Large-Scale Victimization as a Potential Source of Terrorist Activities. Amsterdam: IOS Press, pp. 89-103. <https://books.google.dz/>

²⁰ The Global Terrorism Index for the year 2022 (GTI 2022) relies on the database of the "Terrorism Tracker" website. This means that the recorded terrorist incidents in the index may differ from those recorded in other databases. The GTI excludes certain violent activities, such as acts of war, whether conventional or unconventional, as well as criminal violence aimed solely at profit, even if it resembles terrorist acts, such as kidnapping, murder, and car bombings. It also excludes civil disturbances, isolated acts of individual violence, and anti-social violent behavior. The index measures the impact of terrorism based on the number of attacks, fatalities, injuries, hostages, and incidents, using a 5-year assessment system to determine the impact level for a specific year. This allows for continuous monitoring of the ongoing impact of terrorism on countries themselves. For more information, you can refer to the report from the Islamic Military Counter Terrorism Coalition (IMCTC), titled "Global Terrorism Index 2022 - Measuring the Impact of Terrorism," published in May 2022, on their website, page 4. <https://www.imctc.org/>

²¹ Cassandra Clifford (2008). "Rape as a Weapon of War and its Long-term Effects on Victims and Society." Conference paper, 7th Global Conference on Violence and the Contexts of Hostility. Budapest, 5 - 7 May. <http://www.peacewomen.org/node/89658>

²² Terrorist crimes encompass various acts, including attacks on individuals, assaults on property, and disruptions of the public order with its diverse components. This creates a sense of fear and insecurity among the general population and particularly among the victims. It leads to individuals feeling unsafe about their lives, well-being, and possessions. Ultimately, it hinders the achievement of public security in its comprehensive sense.

²³ Post-traumatic stress disorder (PTSD) is what happens when extremely distressing memories of an event continue to invade thoughts repeatedly. This can persist for more than a month and can last much longer. These memories can be very frightening, realistic, and disturbing.

²⁴ Pierre-Nicolas Carron, Philippe Reigner, Bertrand Yersin, Stefan Vetter, Psychological Individual and Community Consequences of Terrorism, *Medicine and Terrorism*, Swiss Medical Review, October 2008, Pages: 2115-2119, P: 2115.

²⁵ United Nations Office on Drugs and Crime: University Module Series: Counter-Terrorism. <https://www.unodc.org/>

²⁶ Special Rapporteur's report on the promotion and protection of human rights and fundamental freedoms while countering terrorism: Framework Principles for Securing the Human Rights of Victims of Terrorism A/HRC/20/14. <https://documents-dds-ny.un.org/>

²⁷ Paragraphs 4 and 5 from the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.

²⁸ Paragraphs 6 and 7 from the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.

²⁹ Paragraph 16 from the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.

³⁰ United Nations Office on Drugs and Crime: Good Practice on Supporting Victims of Terrorism in the Criminal Justice Framework, New York, 2016, p. 27.

³¹ United Nations Office on Drugs and Crime: University Module Series: Crime Prevention and Criminal Justice. <https://www.unodc.org/>

³² Paragraph 3 from the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.

³³ Elizabeth Christiansen and William Evans (2005). Adolescent victimization: Testing models of resiliency by gender. *Journal of Early Adolescence*, vol. 25, 298-316.

³⁴ United Nations Conference Report on Human Rights for Victims of Terrorism, February 11, 2016, United Nations Center for Combating Terrorism, Office of the Task Force on the Implementation of Counter-Terrorism, New York.

³⁵ Paragraphs 12 and 13 from the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.

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