

## **CHAPTER 5**

# **INTERNATIONAL AND NATIONAL SECURITY THROUGH THE PRISM OF THE CHALLENGES AND THREATS OF GLOBALIZATION: THE PROBLEM OF RECONCEPTUALIZATION STABILITY**

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### **INTRODUCTION**

In the twenty-first century, humanity took the lead in addressing the challenges posed by globalization. Today, the problem of security in a globalized world is becoming global in nature. Global policy emphasizes global security issues in close connection with the problems of personal security, on the analysis of security at the micro level as a state of protection of vital personal interests.

The phenomenon of international terrorism and its variant – global terror – became a symbolic center of global challenges of our time as a set of the most acute global problems facing the world civilization in the XXI century.

Terrorism is a challenge to the sovereignty of nation-states in their monopoly on violence. It is transnational in nature and levels the ability of sovereign States to control cross-border linkages. Terrorism has become a method of imposing its will through the illegal (unauthorized by systemic norms) use of violence, erosion of the monopoly of the modern state on violence, a key component of sovereignty<sup>1</sup>.

Taking into account these tendencies, in the international security studios in the late XX – early XXI centuries there was a rethinking of the concept of security, which led to a noticeable shift of attention from the state as the main object to the individual and his needs, the expansion of the list of threats, their inclusion in the general context of globalization, which was reflected in the works of J. Barnett, B. Buzan, K. But, A. Veiver, R. Kaplan, J. Tikner, R. B. J. Uoker and others.

The most researched domestic science, from the point of view of internal national security, is its information component, in particular the methods of its provision (V. Konakh, Y. Maksimenko), the development of

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<sup>1</sup> Terrorism and Organized Crime: Monograph / S. A. Solodovnikov and others. 2nd ed., Pererab. and add. M.: "UNITY – DANA". Law and Right. 2012. 247 p. (In Russian).

international cooperation in this field (Y. Romanchuk), the role in the context of European integration (D. Dubov) and the fight against terrorism (I. Alekseenko, D. Kislov), the mechanisms of implementation in a particular region (V. Kozubsky) or in the media space (G. Saschuk).

The military aspects of national security have also been analyzed in detail, including from the point of view of the states military might (V. Smolyanyuk), integration with NATO (V. Panasyuk, I. Fanin), threats of intensifying information wars ( V. Petrov), etc.

At the same time, these studies are based on the concept of national security, in which the state plays a leading role, so the focus on the priority of human security in the context of reconceptualization, which took place in the late twentieth century, has not yet been fully reflected in the works of domestic researchers. This is what made this scientific research relevant.

### **5.1. «Human Security»: Essential Characteristics, Support Strategies**

The period of globalization is marked by the emergence of a fundamentally new concept of security – the concept of human security. Among the actors of world and national politics, leaders of non-governmental organizations, academic circles are forming an understanding of changes that have occurred in the very content of security in today's world, in which national security and territorial integrity are no longer a guarantee of real human security. His traditional view of security, focusing on the use of military force to ensure the territorial integrity of sovereign states, and his approach to foreign and global politics, is gradually giving way to a new, broader approach to security, where it is viewed not through the prism of the interests of individual nations, but from a global perspective.

Thus, as early as the early 1990s, the transition from a state centrist concept of national security to a mega-centric concept of common security and a micro-orientated concept of human security as the basis of modern world politics emerged. As early as the mid-1990s, the approach to security was reflected in UN policy documents, and the concept of human security itself focused on the security of human life and personal dignity.

Accordingly, the concept of human security defines its four essential characteristics:

- Its universal character;
- Interdependence of all its components;
- Preventive nature of measures to ensure it;
- Focusing on the interests of people, the individual.

It should be noted that Canada, Norway and Japan became world leaders, the first to incorporate the concept of human security as the basis for the official foreign policy of their countries in the world arena.

There are different interpretations of the concept of human security and its components. The UN has adopted a model of human security that includes seven dimensions of human security (economic, political, social, personal, environmental, nutrition, health, and personal security).

By the end of the 1990s, alternative classifications of components of the human security concept appeared. Thus, J. Neff names five parameters characterizing possible threats to human security from the main structural elements of the global world (ecology and environment, economy, society, politics, culture). J. McLean justifies multi-level conceptual models of human security. It is a concept of individual security that takes into account the characteristics of the immediate environment of the individual, his social connections and the wider environment (external environment). Characteristically, a wide range of indicators specifies the main parameters that include such aspects as the individual's personal safety and protection from violence and harm, protection from criminal acts and terrorism in relation to the individual<sup>2</sup>.

For example, Harvard University Professor H. King puts forward a concept of human security that includes four main strategies for ensuring human security in the global world:

- A risk assessment strategy;
- A strategy for preventive action;
- Protection strategy;
- Compensation strategy.

In the formula: Risk assessment strategy – Preventive action strategy – Protection strategy – Compensation strategy – Risk assessment is key, which involves a process of improving knowledge and on this basis forecasting potential risks and threats to human welfare. Risk assessment is seen as a central component of global human security policy. The task of developing a risk assessment strategy is linked to the need to create an appropriate database and develop risk research methods, including psychological, socio-psychological and other methods to provide adequate forecasts of possible security threats. The Privileged Action Strategy includes the development and implementation of risk reduction tools. The protection strategy includes actions to minimize potential or actual

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<sup>2</sup> Neff J. Human Security and Mutual Vulnerability: The Global Political Economy of Development and Underdevelopment. 2nd ed. Ottawa, 1999. 245 p. (In English).

damage. The compensation strategy includes some efforts to provide financial support to those below the poverty line through insurance, humanitarian assistance and other forms of assistance<sup>3</sup>.

Yan Scholt, defining globalization as a process of territorialization, when «social space is no longer determined by the space of territorial scale of territory and territorial boundaries»<sup>4</sup>, also put forward, so far, an imperfect concept of human security, which provides for the creation of global governance structures, redeployment (redistribution) of benefits between the North and the South, a triple alliance of business, the national state and civil society in the implementation of strategies to ensure human security.

The developed network models of security management are based on the assumption that the management of terrorism should be based on the concept of human security in general, which takes into account both behavioral and institutional aspects of the strategy. Michael Dartnella believes that global governance of terrorism is possible through the creation of international networks, legitimately limiting the spread of terrorism at all levels (international, national, social, regional, personal). A nation-state is only one element of a network whose components and elements interact, complement and balance each other, functioning on a legitimate basis, as represented by a system of multilateral agreements and international conventions, and including also subsystems of State law, legal information exchange between States, inter-State cooperation and coordination of relevant actions regarding the threat of terrorism at any level. The institutional component of the network model for countering terrorism is a complex set of agreements aimed at countering specific types of violent behavior; protecting personal security; and controlling the use of life-threatening materials, such as biological and chemical weapons, nuclear materials, explosive materials and toxic weapons.

The distinctive feature of the network model of the concept of human security is its integral character, the combination of the behavioral approach in one conceptual solution (terrorism is considered to be a differentiated form of behavior, by its nature is close to international crime, moreover, closely related to it) and the institutional approach (the system of conventions on counteraction to terrorism is formed as an effective basis for creation of an interethnic network of global restrictions of terrorism in the long run). One cannot but agree that the idea of network connections,

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<sup>3</sup> Definitions of Community Resilience: An Analysis: A CARRI Report. URL: <http://www.resilientus.org/reports.html> (In English).

<sup>4</sup> Scholte J. A. Globalization. A critical Introduction. London: Palgrave. 2000. 216 p. (In English).

which lies at the heart of this model, is more consistent with the network character of the modern global community than the traditional concept of the world order, and the behavioral approach in the conceptualization of the global system of counterterrorism contributes to the development of universal norms and rules of management of politically motivated violence and various forms of behavior, called terrorism today.

The achievement of international consensus and the development of international cooperation in understanding the nature of terrorism is complicated by the difference in values and, consequently, by the differences in assessments and views of various actors in the international community regarding the motives of terrorist groups and organizations, especially if these assessments do not coincide with the Western system of norms and values. In this context, the microbihevrial conceptual line with its focus on human psychology and sociology, its socio-political activity factors, as well as the political-cultural conceptual perspective provide real opportunities to define common, universal principles of the human security system in the global world.

Discussion of the problem of international terrorism within the framework of political-cultural line assumes, as a rule, comprehension of civilization sources of terrorism. Common for the majority of researchers was the appeal to S. Huntington's views on the fundamental sources of conflict in today's changing world<sup>5</sup>, which he connects not so much with ideological differences and economic differences as with civilizational differences. Civilization is understood here as a cultural commonality, a common level of cultural identity. Civilization is conceptualized by S. Huntington as the unity of common objective elements (such as language, history, religion, institutions), as well as subjective elements (self-identification of people, carried out in accordance with the values of a certain culture). In S. Huntington's understanding, identity appears more where there is a psychological basis and then a political one, and is related to a certain general level of identification to which the personality correlates. A person's review of his or her identity takes place in the event of changes in the boundaries, structure and character of civilization. That is why, according to S. Huntington, Western civilization faces a conflict situation if it is opposed by civilization, which protects its historical cultural values, beliefs and institutions. Monolithic civilizational blocks can be destroyed, and this entails significant changes in the nature of

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<sup>5</sup> Huntington C. The collision of civilizations and the reorganization of the world order. Pro et Contra. 1997. № 2. Pp. 131–158. (In Russian).

individual self-identification. In these circumstances, States (although they remain the most influential actors in world politics) are giving way to civilizations as a more general fundamental entity, which are becoming the real drivers of the conflict of civilizations in the global world. Although the work of C. Huntington's work does not contain an analysis of terrorism as a form of conflict of civilizations, but the principles of civilizational conflict analysis are widely used to analyze terrorist forms of conflict. In this regard, M. Taylor and J. Horgan note that within the broader context established by S. Huntington, there is every reason to believe that terrorism will continue to develop and flourish, that is, to fulfill its role in the development of new forms of conflict. It will remain an attractive strategy for any small, disenfranchised group seeking influence that exceeds their real entry points<sup>6</sup>.

## **5.2. Modern technologies of diagnostics and terrorism prevention. Profiling method. Role of the Ministry of Internal Affairs in the preparation of professional profilers**

The synthesis of the objective and subjective aspect of terrorism is achievable on the basis of modern micro-orientated research strategies, the experience of which has been accumulated in psychology, sociology, and micro-politics, and conflict ology. The results of such research can be taken into account when developing preventive strategies to prevent and control terrorism. For example, the political-psychological approach justifies the existence of political-psychological factors that deter terrorist behavior at the micro-level. As early as the 1980s, Knutson recalled the «implicit (hidden) rules of the game» that constrain the actions of a terrorist, in particular when it comes to the use of violence. In this case, the terrorist faces a number of dilemmas. One dilemma is the choice of the level of terror (low, medium, high). The minimum level of the terrorist act guarantees the terrorist a lack of response, first and foremost from the public. The maximum level of terror threatens to lose the possibility of pressure on the authorities to implement their demands, so that the response to terror will inevitably be associated with the use of violence<sup>7</sup>.

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<sup>6</sup> Dartnell M. A Legal Inter-Network for Terrorism: Issues of Globalization, Fragmentation and Legitimacy. The Future of Terrorism. M. Taylor and J. Horgan. London. The Macmillan Press. 2001. 298 p. (In English).

<sup>7</sup> Knutson J. The Terrorist' Dilemmas: Some Implicit Rules of the Game. Terrorism: An International Journal. 1980. № 4. P. 192–296. (In English).

Terrorist violence continues to be constrained by restrictions, although its gradual erosion is becoming increasingly evident. Jenkins's assertion<sup>8</sup> of the possible erosion of traditional, largely psychological, restrictions on terrorism makes it legitimate to determine the nature of cases in which these restrictions cease to be in effect and recourse to terrorist tactics of mass destruction.

The political and psychological basis for exceptions to the general rule that terrorists are not inclined to resort to tactics of mass destruction has been analysed, in particular, in the study by J. Knutson. The first group of exceptions is related to cases of mental disorders of an individual who has reduced the ability to plan for them-selves, to develop a plan of action, and to identify promising personal goals. This category of psychotic individuals is prepared and used in operations to perform the blackest work. This case of J. Knutson connects with another psychological dilemma that any terrorist faces in one way or another – self-identification with violence. Murder is alien to human nature, so the corresponding intensive special training on the reutilization of violence is aimed at forming unconditional obedience to orders in such a way that the psychotic personality is under the full control of the terrorist group or regime.

The second group of exceptions to the general rule is attributed by Knutson to irrational behavior and is formed on the basis of introduction of the main components of fanaticism into the human psyche, the so-called «soldier» psychology – the psychological state of the subject's orientation to victory, along with the desire to avoid the psychological impact of acts of general violence<sup>9</sup>. Irrationalism of terrorist behavior is achieved by dehumanizing the image of the enemy, routinizing and professionalizing the performance of destructive acts of violence, giving authority and significance to methods of murder and torture with the help of the ideology of justifying violence and prioritizing goals over means and results. Such behavior is irrational only in terms of conventional morality. It seems to the terrorist himself to be rational, justified, and objective and the only possible. In this sense, the terrorist faces another dilemma – the need to maintain an objective image of his actions. In this case, this is achieved by suppressing the individual's ability to perceive the situation realistically by the group consciousness in such a way that the individual's individual consciousness, morality and values are under pressure from group norms

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<sup>8</sup> Arquilla J., Ronfeldt D. *Networks and Netwars. The Future of Terror. Crime and Militancy*. Santa Monica. 2001. 122 p. (In English).

<sup>9</sup> Knutson J. *The Terrorist' Dilemmas: Some Implicit Rules of the Game*. *Terrorism: An International Journal*. 1980. № 4. P. 192–296. (In English).

and values. To this end, terrorist groups not only conduct, but also divide the policy of isolation from traditional generally accepted values and morality, which are replaced by other values by supporting alternative reality as an isolation within which destructive and violent actions are allowed. For mentally normal people, unlike psychotic individuals, resorting to such unconventional values requires additional stimulation (alcohol, drugs, etc.), which is used to maintain mental and emotional balance. Taking into account these two circumstances, which are related to the ability of terrorists to discard the traditional restrictions on the use of violence and destructive behavior, is considered today as one of the most important conditions for the development of effective counterterrorism strategies and human security systems in the modern world<sup>10</sup>.

The solution to the problem of detecting and preventing terrorist acts with maximum effectiveness depends on the application of a wide range of scientific and practical methods covering various areas of human knowledge. However, the experience with exceptionally high-tech survey techniques does not solve the problem of detecting a potential terrorist. In this regard, in our opinion, one of the leading directions is the use of profiling technology, which allows identifying potentially dangerous citizens at early stages<sup>11</sup>.

Profiling is a collection of psychological methods for evaluating and predicting human behavior based on the characteristics of appearance, analysis of the most informative private characteristics of the individual<sup>12</sup>. The main purpose of profiling is to identify potentially dangerous individuals, and it is based on a visual diagnosis of the psycho-emotional state of a person (observation and a special survey, fixation of psychological behavioral responses in responses – nonverbal and verbal). Profiling uses two basic diagnostic methods: the method of psychological observation (see and find the discrepancy) and the method of questioning (ask and observe the response)<sup>13</sup>.

The concept of profiling is based on the illegal action; training can be detected by analyzing a certain set of physical, psychological, behavioral features that make up the characteristics of suspects from the perspective

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<sup>10</sup> EU terrorist list. URL: <http://www.consilium.europa.policies/fight-againstterrorism/terrorist-list> (In English).

<sup>11</sup> Terrorism and Organized Crime: Monograph / S. A. Solodovnikov et al. 2 ed., Pererab. and add. M.: "UNITY – DANA". Law and Right. 2012. 247 p. (In Russian).

<sup>12</sup> Kazantsev S. Ya. Terrorism: Fighting. Problems of counteraction. M.: Higher School of Economics. 2004. 369 p. (In Russian).

<sup>13</sup> Pirogova L. K. Relevance of training of employees of ATS of technology of profiling as a preventive measure of ensuring the safety of citizens, objects and territories . Transport law. 2013. № 2. P. 20–22. (In Russian).



of their potential danger. There are indicators that are critical for classifying a person as a risk group, in particular, terrorists: demonstrative aggression; hidden aggression; excitability; and alienation. Emotional state of a person, which is assessed on the basis of signs of anxiety, fear, anxiety and others, is considered in profiling as an additional factor in the analysis of the identified dominant features. There are key signs of non-verbal and verbal human behavior, which allow the profiler to identify the terrorist in the human flow and categorize as potentially dangerous.

Today profiling is successfully used in a number of airlines to ensuring security at airports in European countries, as well as in Ukraine. This technology has been used for many years by the Israeli airline «El Al», one of the safest in the world. In 1968, it was its staff that developed this method of combating terrorism. In the U.S., there is also a profiling program, in which the search and accumulation of statistical data from suspicious behavioral patterns<sup>14</sup>. The Israeli profiling concept based on the premise that every passenger can be a terrorist and every object an explosive device. Therefore, all activities carried out within the framework of this technology are designed to confirm or disprove this claim.

In this regard, it should be emphasized that the profiling system can serve as a good information base for priority measures to prevent terrorism. Within the framework of this concept, general issues related to modern terrorism, as well as existing extremist organizations and their main trends are thoroughly studied. Such information is invaluable material for replicating the model of terrorist activity, which can be used to predict the occurrence of terrorist acts with a high probability.

Identification of behavioral signs of individuals with destructive intentions in places of mass gathering of people (airports, railway stations, subway, educational institutions, theaters, large shopping centers, discos, clubs, etc.) and timely localization of potential conflict is the main content of the work of a profiler working in public places.

Profilers take into account many psychological peculiarities of terrorists, adapting them to the specifics of their activities. Further work in this direction, in our opinion, should be directed towards the merger of theoretical knowledge and practical skills, since profiling is the area of anti-terrorist activities that allows for the most accurate implementation of this principle.

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<sup>14</sup> Pollack Joshua H., Wood Jason D. Enhancing Public Resilience to Mass-Casualty WMD Terrorism in the United States: Definitions, Challenges, and Recommendations. Defense Threat Reduction Agency, Advanced Systems and Concepts Office, Report Number ASCO 2010 042. Contract Number DTRA01-03-D0010018. URL: <https://fas.org/irp/dod/dtra/resilience.pdf> (In English).

Summarizing, it is possible to note that one of the most important tasks of effective use of the file – programs in the system of national and human security – is the training of specialists designed to implement these programs. A significant advantage of profiling methodology is its flexibility and versatility, which allows it to be used by special services, police and military at any objects of mass gathering of people, as well as in the field of police activities to protect public order, operational and investigative activities, with the counteraction to illegal drug trafficking, etc.

Therefore, one of the most important tasks for the education system of employees of the Ministry of Internal Affairs of Ukraine is to organize training in profiling technology. The effectiveness of profiling technology will largely depend on the level of training and professional experience of the employee. The combination of theoretical training in profiling system with practical experience of employees of the Ministry of Internal Affairs of Ukraine and other law enforcement agencies can become a serious weapon in the fight against terrorism.

### **5.3. The counter-terrorism program is the basis of civilizational stability**

Terrorism, in any form of its manifestation, has become one of the most dangerous in its scale, unpredictability and consequences of socio-political and moral problems. Today, the issue of countering global terrorism has moved from the theoretical stage to the stage of practical cooperation between states that seek to maintain strategic stability and prevent undermining the foundations of functioning of public and civil institutions<sup>15</sup>. This general position would be correct if not for one circumstance: theoretical political-legal and economic problems of terrorism, dialectical ratio of its specific purpose and means of its achievement, its historical and transitional nature, etc., all this is little or no study. In the opinion of a number of researchers, terrorism is a phenomenon that does not have a past on a historical scale.

Only from the 1960s and 1970s, terrorist attacks became widely used as a means of political struggle and methods of influencing political processes taking place in society, and therefore the world community was faced with the need to intensify counteraction to acts of international terrorism. It should be noted that the geographic scope of terrorist activity,

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<sup>15</sup> Kazantsev S. Ya. Terrorism: Fighting. Problems of counteraction. M.: GUSHEE. 2004. 369 p. (In Russian).

which has now spread to almost all regions of the world, has expanded considerably. As a response to this, the cooperation of the states in the fight against terrorism has intensified. However, against the backdrop of the general accumulated experience of legislative and practical work in this area, the need for its synthesis and analysis has sprung up through the prism of possible creative use in the development of international and national concepts of the fight against terrorism.

Systematizing the existing practice of coordinating the efforts of the international community in countering acts of terror, it should be noted that it is based on a number of universal international conventions. Among them: The International Convention for the Suppression of Unlawful Seizure of Aircraft (1970); the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1971); the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (1973); the European Convention against Terrorism (1977); the Convention against the Taking of Hostages (1979); the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988); Convention for the Suppression of Terrorist Bombings (1997); Convention on the Marking of Plastic Explosives for the Purpose of Detection (1999); Convention for the Suppression of the Financing of Terrorism (1999), as well as United Nations Security Council Resolution 1373 on Combating International Terrorism, etc<sup>16</sup>.

Important activities in the framework of international cooperation in combating terrorism are being carried out by international organizations and the main policy outcome documents have been developed. Thus, the Declaration and Program of Action adopted at the United Nations World Conference on Human Rights on 25 June 1993 in Vienna states that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of rights, freedoms and democracy and pose a threat to territorial integrity and security.

At the 49th session of the OAH (1994), the Declaration on Measures to Eliminate International Terrorism was adopted, expressing the conviction that more co-ordination and strengthening of cooperation between States in the fight against terrorism-related crimes, including drug trafficking, illicit arms trade. In the final declaration of the summit, which was attended by heads of 170 states, which became the central event of the jubilee 60th session of the OAH (2005), among the main activities were

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<sup>16</sup> Scholte J. A. Globalization. A critical Introduction. London: Palgrave. 2000. 216 p. (In English).

the fight against poverty, support for peace and security, the fight against terrorism, the observance of rights person, etc.

In turn, at a meeting on combating terrorism (Paris, 30 July 1996), the ministers attending the meeting adopted a document in which they resolved to give priority to combating terrorism and analysis emerging trends in the development of terrorism in the world. One of the recommendations is to «improve the interaction between individual bodies and agencies dealing with different aspects of the problem»<sup>17</sup>.

Particular attention should be paid to identifying and developing methods for identifying and marking explosives and other items that could result in death or injury. The meeting called on all States to take control of non-governmental organizations (humanitarian, cultural or social) that could serve as a front for terrorist activities. The new means of communication used by terrorists to promote their own ideas and communicate with each other should receive close attention. These are primarily private means of encrypting the information transmitted.

The adoption of national laws to better control the production, trade and export of arms and explosives was highlighted in a separate paragraph. The document obliged the signatories to abandon any passive or active support for terrorists and to strengthen legal measures to prosecute terrorist activities; to bring to trial any person accused of committing, preparing or assisting in the commission of terrorist acts. It was also recommended that all States prevent the movement of terrorist groups and their individual members and, to that end, introduce stricter border controls and rules on identity and visa documentation.

The expert group on transnational organized crime, meeting in Paris on 12 April 1996, adopted a number of recommendations, such as: States should review their legislation relating to criminal offences, identify a central authority whose structure should be appropriate to the rapid transmission of requests for acts of terrorism and those under preparation. Criminal acts, methods and practices of terrorism, as well as the expressed determination to act to eradicate them, both bilaterally and through multilateral cooperation, were condemned<sup>18</sup>.

In the summer of 2005, the European Union drew a line under the previous development of the European community and developed a new vision for the continent. The European Commission's particular focus was

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<sup>17</sup> EU terrorist list. URL: <http://www.consilium.europa.policies/fight-againstterrorism/terrorist-list> (In English).

<sup>18</sup> Schori Liang Christina. The Criminal-Jihadist: Insights into Modern Terrorist Financing. Strategic Security Analysis. URL: <http://www.gcsp.ch/download/6084/> (In English).

on the security of European citizens and the fight against terrorism. The European Commission has prepared the link of key security events in Europe. It is called «Improving European industrial capacity in security research». The proposed measures aim at bridging the gap between civil research supported by EU programs and national and interstate security initiatives. These measures are part of the EU's Seventh Framework Program (2007-2013). Among the selected projects are: improved protection of rail and subway passengers; safer European borders; protection of computers connected to networks; airline safety information network and training; faster and more effective crisis management, airline protection; path to safety: intelligence compatibility; crisis management: real-time monitoring of people indoors; safety research information support network; interface standardization in harbors and at border crossings; unmanned aviation: air surveillance devices; innovative technologies for security and protection of privacy and human rights; exchange of classified information<sup>19</sup>.

The world's leading countries have come to realize that the criminal world has come together much earlier than their law enforcement agencies have realized that terrorism can only be defeated through joint efforts. Thus, the Law of Ukraine «On Combating Terrorism» states that terrorism is a common challenge against all countries, requiring a joint response, and today all countries of the world must unite to fight this threat, to defeat this evil<sup>20</sup>.

As for the situation in the post-Soviet republics, it should be noted that the criminal world, in contrast to the political world, with the destruction of the common legal space in the former Soviet Union, quickly consolidated. Deprivation of law enforcement agencies and special services of the former Soviet republics of a single core led to fragmentation of their efforts, which was immediately used by criminals. Recent years have seen an increase in the number of serious crimes of a transnational nature. Various manifestations of terrorism, drug trafficking and smuggling of weapons and military equipment<sup>21</sup> are widespread.

A number of major inter-State instruments have been signed since 1991 to coordinate the efforts of the competent authorities of Commonwealth of Independent States Member States to combat terrorism

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<sup>19</sup> European Union Terrorism Situation and Trend Report (TE-SAT). URL: [https://www.europol.europa.eu/sites/default/files/europol\\_tesat\\_2016.pdf](https://www.europol.europa.eu/sites/default/files/europol_tesat_2016.pdf) (In English).

<sup>20</sup> Law of Ukraine "On Combating Terrorism" of March 20, 2003, No. 638. Information from the Verkhovna Rada of Ukraine. 2003. No. 25. Art. 180 (In Ukrainian).

<sup>21</sup> Meeting of the Council of Heads of State of the CIS. URL: <http://kremlin.ru/events/president/news/50515> (In Russian).

and other dangerous crimes. Among them: The Agreement on the Concept of Military Security of the Member States of the Commonwealth of Independent States is a set of agreed and officially accepted views on the protection of the CIS Member States from external threats, ensuring territorial integrity and political stability, as well as an agreement on cooperation in the field of prevention and elimination of consequences of natural and man-made disasters. In 1995-1996, the Concept of Formation of the Information Space of the Commonwealth of Independent States was adopted, and included a set of measures and conditions of mutually beneficial development of interstate information exchanges in the interests of cooperation of the CIS member states in these areas of activity and in accordance with international principles of information dissemination, as well as the Concept of Collective Security of the Collective Security Treaty states, which recognized the most important stage in the codification of the activity was the adoption in 2000 of the Concept of Collective Security of the States Parties to the Collective Security Treaty. The Council of Heads of State of the Joint Action Program to Combat Crime for the period up to 2002.

However, it should be noted that the provisions referred to in the international instruments discussed above are usually not sufficiently specific, which significantly slows down their use by law enforcement and intelligence agencies of States for specific practical purposes.

If we look at the legislation of the United States, Italy, the United Kingdom, France and other countries, then its analysis allows us to identify certain regularities in the fight against terrorism:

- Codification of legislative norms in the field of combating terrorism contributes to its more effective implementation;

- Domestic law should respond in a timely manner to changes in international treaty practice in this regard, consistently reflecting all its positive aspects;

- Despite the trend towards democratization of their legislation in the developed world, States provide for a higher degree of responsibility and punishment for terrorist acts and participation in terrorist activities;

- When preparing and adopting legislative and other normative acts regulating the fight against terrorism, it is advisable to proceed from the peculiarities of the complex socio-political and criminogenic situation in

the country or region, rather than to adhere to the so-called principle of modeling<sup>22</sup>.

Thus, according to the author, it is obvious that in order to combat this common threat it is necessary to unite the efforts of all state and public structures, branches of government, mass media. A strategy to combat terrorism is needed.

Today, international terrorism creates additional challenges for national and international security, requires the improvement of anti-terrorist policy measures and the fight against terrorism at both the national and international levels. The efforts of many countries are aimed at strengthening protection against the terrorist threat. From the current trends of counterterrorism, we can highlight the following:

1. International cooperation and information exchange between countries on counter-terrorism issues. This was the subject of discussion at the meeting of the United Nations Security Council on 12 December 2016, when resolution No. 2322 (co-authored by Ukraine) was adopted calling on States to strengthen and expand inter-State cooperation and mutual assistance in the field of combating terrorism, exchange of information on terrorist organizations and terrorist fighters, including their biometric and biographical data. Emphasis is placed on the importance of judicial and law enforcement cooperation in the investigation of terrorism-related offences<sup>23</sup>.

In this context, we can highlight as an example of the long-term cooperation on counterterrorism the U.S. interaction with the European Union (primarily France, Germany and the United Kingdom), which has been expanding since 2001, when the administration of George W. Bush signed a key agreement with the EU Police Service (Europol). This enabled the exchange of strategic and technical information on counterterrorism, money laundering, and illicit trafficking in drugs, nuclear, radiological substances and human beings. Supplementary agreement concluded in 2002 Europol and the US authorities have allowed for the exchange of personal data of suspects and have also introduced the institution of liaison officers. Cooperation between the EU and the U.S. has since expanded to include counterterrorism financing, illegal migration and foreign terrorist fighters. Extradition procedures have been simplified and legal cooperation has been strengthened (for example, joint investigation

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<sup>22</sup> Gunaratna Rohan. *After Nice: The Threat Within Europe*. URL: <https://www.rsis.edu.sg/wp-content/uploads/2016/07/CO16183.pdf> (In English).

<sup>23</sup> *Positive-Peace-Report 2016*. The Institute for Economics and Peace and University of Maryland. URL: <http://economicsandpeace.org/wp-content/2016/09/Positive-Peace-Report2016.pdf> (In English).

teams or videoconferences on specific criminal proceedings have been introduced)<sup>24</sup>.

Two new agreements with Europol on countering illegal migration and foreign fighters were signed by the relevant U.S. agencies in February 2015, providing a platform for information exchange regarding individuals who facilitate the recruitment, transfer and financing of foreign fighters<sup>25</sup>.

2. At the national level, strengthen cooperation and exchange of information on counter-terrorism issues among the competent authorities. A number of measures have been taken by EU Member States, primarily to improve the efficiency of interaction and information exchange between national intelligence and police services, as well as to strengthen border control. Based on information provided by the Anti-Terrorist Group (The Hague), in 2016, a single database was created, in which more than 20 European intelligence services have access in real time. It is planned to implement a pilot project on automated data exchange between law enforcement agencies of the EU member states regarding persons with criminal records. Also, the work on the introduction of the European Travel Authorization Information System is being intensified.

3. Prevention of terrorism, including counteraction to radicalization. Today, specialized programs have been introduced and are being implemented in many countries to prevent the spread of extremist views in society, to prevent young people from being drawn into terrorist organizations, and to apply procedures for granting amnesty to individuals who have participated in terrorist activities and adapting them to peaceful life. Thus, a new OSCE Special Representative has been appointed to coordinate the exchange of experience gained through the implementation of such programs by the 57 member countries of the organization. Governments have drawn attention to the possibility of radicalizing people in places of detention. In order to prevent this threat, the PRC is now considering isolating convicted terrorists from other prisoners<sup>26</sup>.

4. Introduction of new technologies to combat terrorism by state authorities. The establishment of the European Centre for Combating Terrorism and Radicalization on the Internet is planned to promote and recruit new followers, given the active use of the Internet and social

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<sup>24</sup> Pirogov L. K. The relevance of training employees of ATS technology profiling as a preventive measure to ensure the safety of citizens, objects and territories. *Transport Law*. 2013. № 2. P. 20–22. (In Russian).

<sup>25</sup> The Global Terrorism Index 2015. The Institute for Economics and Peace and University of Maryland. C. 45–48. URL: <http://economicsandpeace.org/wp-content/uploads/2015/11/Global-Terrorism-Index2015.pdf> (In English).

<sup>26</sup> Foreign Terrorist Organizations. Bureau of Counter terrorism. URL: <https://www.state.gov/j/ct/rls/other/des/123085.htm> (In English).



networks by terrorist organizations. This will be part of the Europol Internet reference office. In the Czech Republic, the Centre for Combating Terrorism and Hybrid Threats has recently been established within the Czech Ministry of the Interior, focusing on Internet content analysis and response. In the U.S., another area of interest is the fight against terrorism, given the specifics of the 2016 terrorist attack in Nice, France, when the attacker used a truck.

For example, in the United States alone, some 250 million vehicles will be connected to the Internet of Things by 2020, which can be managed through the World Wide Web, enabling terrorists to intercept the management of such assets and carry out terrorist attacks remotely, even without crossing the national border.

Therefore, in the U.S.A. Department of Justice, in view of such a potential threat, a separate group that deals solely with Internet matters has begun to function.

5. It is necessary to specify the sources and determinants of terrorist manifestations, which may include: a sharp drop in living standards of the population, reduction or lack of social protection, strengthening of social injustice, exacerbation of political struggle, growth of nationalism and separatism, imperfection of legislation, decline in the authority of the authorities and its representatives' ill-considered decisions<sup>27</sup>.

Analyzing the state of the fight against terrorism in Ukraine, it should be noted that currently the Concept of the fight against terrorism (hereinafter – the Concept), adopted by the Decree of the President of Ukraine on April 23, 2013 No. 230/2013, according to which the main threat to Ukraine is the activity of international terrorist organizations. Thus, it states: «Currently, due to the effective implementation of domestic and foreign policy of Ukraine, it does not apply to states with a high probability of terrorist acts or terrorist attacks on their territories by international terrorist organizations against their representations abroad. In Ukraine, there are no internal prerequisites for the emergence of organizations that have used terrorist methods as a means of achieving political goals or drawing public attention to their ideological or other views».

It is clear that such an assessment of the terrorist threat is no longer true. However, it is difficult to disagree with the Concept's definition of a number of external and internal factors that may become the basis for

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<sup>27</sup> Definitions of Community Resilience: An Analysis: A CARRI Report. URL: <http://www.resilientus.org/reports.html> (In English).

increasing the level of the terrorist threat in the country. Analysis of the activities of international terrorist organizations and the conduct of ATU in Ukraine in recent years allows us to expand the list of such impacts. This document identifies eight main directions of implementation of measures and five priorities of the state policy in the field of combating terrorism, based on a comprehensive systemic approach to solving the problem and covers all generally recognized components of the process of countering terrorism, including: prevention of terrorist activities, detection and cessation of such activities, elimination and minimization of its consequences, as well as information, scientific and other support for the fight against terrorism, international cooperation in combating terrorism<sup>28</sup>.

Thus, it is advisable to identify the priorities of the state policy in the field of counterterrorism, including the following:

- Prevention and elimination of threats to the life and security of citizens, the interests of society and the State, which arose as a result of the Russian Federation's aggression against Ukraine, and had an armed conflict on the territory of Donetsk and Luhansk oblasts;

- Ensuring the necessary level of anti-terrorist protection after returning to the control of certain areas of the Donetsk and Luhansk regions;

- predicting and suppressing possible terrorist manifestations in the rest of Ukraine as a result of Russia's hybrid aggression;

- Updating the effectiveness of the unified state system of prevention, response and termination of terrorist acts and minimizing their consequences.

We can agree with the idea of domestic researchers that the main tasks in the field of improving the state system of counterterrorism in Ukraine are:

- Regulation of the procedure of interaction between the subjects of the fight against terrorism in various situations;

- The procedure for interaction between the State and citizens and society in the implementation of the main objectives of State policy in the relevant area (ensuring public awareness of the danger and the scale of response to the threat, including):

- Prevention (avoidance of involvement in terrorist activities);

- Prosecution (cessation of terrorist attacks and investigations);

Strategic context;

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<sup>28</sup> Law of Ukraine "On Combating Terrorism" of March 20, 2003, No. 638. Information from the Verkhovna Rada of Ukraine. 2003. No. 25. Art. 180 (In Ukrainian).

- Protection (improving the security of suspending terrorist attacks);
- Preparedness (minimizing the consequences of an attack and early recovery);
- the actions of a foreign country<sup>29</sup>

Besides, the following questions require special study: terrorism is generated by growing contradictions between the West and the East, the North and the South, it is not one of the causes of terrorism «hybrid» and local wars, which are sometimes waged by reactionary forces of so-called «civilized» states against «uncivilized» peoples, what is the role of arms and drug trafficking in the emergence of terrorism?

## CONCLUSIONS

The world policy is focused today on the search for effective solutions to security problems and sees them in the creation of a global system to counter modern threats and challenges of globalization. The system is designed to ensure international stability and sustainable development in the long term, primarily through political regulation of global processes. The international anti-terrorist coalition, as well as the network of mechanisms and agreements created by its participants to ensure security in the world in response to the challenges of terrorism, is considered as the prototype of the system, which is based on a strategy of coercion for short-term prevention of terrorism. At the same time, it is increasingly clear that a strategy of coercion and deterrence of extremism cannot guarantee long-term security in a globalized world. Global politics is faced with the need to set new priorities for global security policy, opportunities and means of political regulation in the global sphere.

The fight against and elimination of terrorism is a long-term process that involves the creation of the necessary objective and subjective conditions to achieve this goal. At the same time, it is impossible to destroy terrorism by force alone: violence inevitably generates new violence.

The most important prerequisite for eradicating terrorism is the stabilization of the economic and political situation in countries and the strengthening of democratic principles in public and political life. It is necessary to form a society in which the social base of terrorism will be sharply reduced. It is especially important that stable democratic political

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<sup>29</sup> Law of Ukraine "On Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction" dated October 14, 2014, No. 1702-IV. Information from the Verkhovna Rada of Ukraine. 2014. No. 50-51. Art. 2057. (In Ukrainian).

systems, mechanisms of civilized political dialogue and rotation of power are formed in the states. To supplant terrorism from life, a high level of political and legal culture in society is needed, as well as a clear establishment of legal sanctions for terrorist actions.

It is necessary to create favorable conditions for the normal even development of different ethnic groups and ensure the realization of their interests in order to prevent conflicts on the national basis. The task of the states is to form the self-awareness of all ethnic groups living in the given country, at which the feeling of belonging to the state would be a priority before the factor of ethnicity in the process of self-identification of citizens.

In addition, there is a need to strengthen the efforts of State bodies in carrying out preventive activities. Necessary measures to strengthen border protection, increase control over the activities of foreign organizations to minimize the possibility of importing extremism from other countries. Measures aimed at reducing unemployment and solving urgent social and economic problems can reduce social tension in society and neutralize the main source of potential social excesses.

Meetings and agreements at the highest level alone are not sufficient to eradicate terrorism. An effective response to international terrorism requires the development and implementation of a comprehensive program that includes political, social, economic, legal, ideological, special and other aspects. It must take into account the interests of the population, the problems and the conflict-generating potential of terrorism around the world. There is also a need for interaction and coordination of all forces of society interested in solving this topical problem.

One of the most important areas of activity of the heads of state should be joint cooperation to prevent, localize and stop regional outbursts of extremism, as some conflicts caused by terrorists may cause destabilization in other states. The tragic results of terrorism, which characterize modern politics, should serve as an important warning to all political forces that attempts to solve political, economic and other problems with the help of violence do not contribute to the solution of the set tasks, but, on the contrary, lead to the increase and growth of contradictions in society.

## **SUMMARY**

One of the main features of international political and legal development is the unresolved problem of national security of the state and international security.

This is particularly relevant in the current globalized environment, when the economy, informatization and democratization of international relations create unprecedented opportunities for development, but at the same time increase the vulnerability of the system to terrorism, the use of weapons of mass destruction, etc. Scientists of our time are faced with urgent tasks, the solution of which allows the study of the problems of state creation, especially such important determinants of this process as legal regulation in the field of national and international security of the state in the context of globalization. Proceeding from this, scientific researches in this context, in which the basic principles of organization of national and international security are systematically revealed, are expedient and timely.

The author investigates the range of issues related to the policy of reconceptualization of security of international systems, concepts of national security of international participants, as well as mechanisms of their origin, formation and adaptation in the modern globalized world. The value of the work is, first of all, the fact that it presents an informatively rich factual material analysis of the state and prospects of the state and sovereignty in the context of threats of globalization, national and international security policy.

Thanks to the implementation of the chosen research algorithm, scientific provisions have been developed and new scientifically grounded results have been obtained, which together solve an important scientific problem – the reconceptualization of the problem of national security of the state in the context of globalization and the development of ways to improve its regulatory and legal framework.

Due to the implementation of the chosen research algorithm, scientific provisions have been developed and new scientifically grounded results have been obtained, which together solve an important scientific problem – the reconceptualization of the problem of national security of the state in the context of globalization and the creation of ways to improve its regulatory and legal framework.

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