Nuclear terrorism as a threat to global security

Aljinović, Nevena

Economic and Social Development

90th International Scientific Conference on Economic and Social Development –
"Building Resilient Society: National and Corporate Security"

Book of Proceedings

Editors:
Robert Kopal, Ante Samodol, Domenico Buccella

LIBERTAS®
sveučilište

UNIVERSITY
NORTH

VŽ/KC   MMI

SVEUČILIŠTE
SJEVER
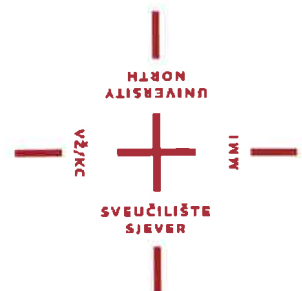
9 771849 753006 >

Zagreb, 16-17 December, 2022

Varazdin Development and Entrepreneurship Agency and Libertas International University
in cooperation with
University North
Faculty of Management University of Warsaw
Faculty of Law, Economics and Social Sciences Sale - Mohammed V University in Rabat
ENCGT - Ecole Nationale de Commerce et de Gestion de Tanger - Abdelmalek Essaadi University
Polytechnic of Medimurje in Cakovec

Editors:
Robert Kopal, Libertas International University, Croatia
Ante Samodol, Libertas International University, Croatia
**Domenico Buccella, Kozminski University in Warsaw, Poland**

Economic and Social Development

90th International Scientific Conference on Economic and Social Development –
"Building Resilient Society: National and Corporate Security"

Book of Proceedings

كلية العلوم القانونية و الاقتصادية و الاجتماعية ـ سلا
Faculté des sciences juridiques
économiques et sociales-salé

ENCGT
المدرسة الوطنية للتجارة والتسيير

Zagreb, 16-17 December, 2022

NUCLEAR TERRORISM AS A THREAT TO GLOBAL SECURITY

Nevena Aljinovic
University Department of Forensic Science,
University of Split, Croatia
nevena.aljinovic@unist.hr

ABSTRACT

Terrorism is a contemporary scourge with deep roots that never ceases to disturb and occupy the scientific and professional public with its ubiquitous unpredictability. The feeling of the potential threat of terrorism causes apprehension and arouses distrust in the ability of states to protect their citizens. A turning point in understanding and a step forward in harmonizing the fight against this phenomenon represents 9/11 as a revolutionary event regarding the scale of terrorist attacks. The period followed was marked by the expansion of legal norms aimed at suppressing terrorist activities. Although there is no unified internationally accepted definition of terrorism, certain elements immanent to terrorism crystallized and were projected into the definitions of the national legislation of individual countries. Nevertheless, despite the fact that the concept of terrorism occupies the scientific and professional public to a considerable extent, the phenomenon of state terrorism remains poorly understood, theoretically insufficiently developed, and on the margins of scholarly interest. Also, contemporary forms of terrorism, especially the threat of nuclear terrorism, evoke consternation in the atmosphere of war turmoil in Eastern Europe and raise the paradox that due to the catastrophic anatomy of the scale of a nuclear war, its use is almost unthinkable. But is it? This paper gives an insight into the fundamental determinants of state and nuclear terrorism as a means of pressure in achieving military-political goals, as well as an assessment of the security situation in Europe in the context of recent research. Considering the different approaches to the fight against terrorism, which on the one hand is based on prevention (EU) and repression (USA), on the other hand, although extensive cooperation in the fight against terrorism, the USA and Europe do not agree on the essential nature of the terrorist threat as nor the best methods of its suppression.
Keywords: national security, terrorism, interstate terrorism, nuclear terrorism

1. INTRODUCTION ON THE TERM OF TERRORISM

The word terrorism is derived from the Latin verb "terrere," meaning to frighten, tremble, or cause fear. However, the words terrorism, terrorist, and terrorize mainly remained silent until the equivalent French words came into use during the revolutionary period between 1783 and 1798, where they were used to denote revolutionaries who sought to achieve their goals through the systematic use of terror or impose their views (Atai, Ita, 2021, p. 624). Thus, the word terror traces its roots back to the reign of terror instigated by Maximilien Robespierre in 1793 after the French Revolution, implying that terrorism is not a product of modern times but is as old as the human willingness to use violence to achieve political goals or force government to act in the desired way (Ibidem). In the absence of a unified definition of terrorism, numerous authors tried to conceptualize this term, so *Lacqueur* (2001, p. 79) postulates terrorism as "the use of covert violence by a group for a political end" or *Townshend* (2002, p. 5) for whom terrorism is "the calculated use or threat of violence for instilling fear, with the intent to coerce or intimidate governments or societies." For *Cooper* (2001, p. 883), terrorism is "the intentional generation of massive fear by human beings for the purpose of securing or maintaining control over other human beings" through a number of tactics that include assassinations, kidnappings, car bombs, or suicide bombings. For *Yacubu* (2005), terrorism is an evoked emotional response (victims' suffering) to a deliberate act of violence to promote a political or social agenda. *Michael* (2007, p. 37) notes that terrorism is "a public disturbance, a wave of agitation, a protest

against the government, damage to public and private property to attract the attention of the authorities." *Hoffman* (2008, p. 41) believes terrorism is "the deliberate creation and exploitation of fear through violence or the threat of violence in the search for political change." The lack of definitional consensus is primarily a reflection of the very political nature of terrorism, which can be summed up by the slogan "one man's terrorist is another man's freedom fighter" or "what is terrorism to some is heroism to others." (Martinez, 2002, p. 9; Ganor, 2011, p. 19). As *Cohen* (2012, p. 229) noted, the diversity of definitions of terrorism coincides with the number of people who have tried to offer them. Still, despite this diversity, most definitions of terrorism rely on several key elements in mutual correlation (Tiefenbrun, 2003, pp. 360-361; Martinez, 2002, p. 9; Bales, 2009, p. 180). The first constitutive element is the use or threat of violence. The second element is non-selectivity in the way that the targets to aim at are not the primary goal to be achieved. The third element is the deliberate targeting of civilians. Precisely for *Stohl* (2006, p. 6), what distinguishes terrorism from other acts of violence is its instrumentality and its targets. The fourth is the purpose of violence, which manifests through coercion to force people to undertake or omit certain behavior.[1] The causes of terrorism are deep-rooted and diverse. Modern-day terrorism, with its unpredictability, creates an atmosphere of public fear and undermines citizens' trust in the government. On the other hand, contemporary living conditions have contributed to the (maximum) effectiveness of terrorist operations. Mass urbanization and conglomeration of people in office buildings, shopping centers, sports competitions, churches, or markets contributed to the mass of victims committing terrorist attacks. Also, the mass development of the media enabled the easy dissemination of information and the quick availability of news about a potential terrorist act, which contributes to the spread of panic and creates pressure on governments to enter into negotiations with terrorists and agree to their demands (Atai, Ita, 2021, p. 626).

2. STATE TERRORISM

In most cases, state terrorism is aimed at short-term intimidation of the population in order to ensure long-term continuous political control. States often use terrorism when they lack the normative political means to ensure control (Gibbs, 1989, pp. 338-339). Although the field of terrorism is an inexhaustible and well-written topic, the literature on state terrorism is quite scarce compared to the thousands of publications devoted to non-state terrorism. Whiles scarce, there is an essential corps of research on state terrorism.[2] There are a number of introductory texts in which state terrorism is analyzed within a separate chapter[3] but without original research (Jackson, 2008, p. 380). *Silke* (2004, p. 206) found that less than two percent of papers from 1990 to 1999 in the basic journals for the study of terrorism focused on state terrorism. Much of the literature is devoted to analyzing and describing those states that are considered major sponsors of terrorism, groups that support terrorists, and the type of aid they provide. It is commonly argued that weak, totalitarian, or so-called 'rogue states' are predisposed to favoring and sponsoring terrorists (Martin, 2003, p. 90). *Conn* (2007, pp. 94-95) offers a typology of state terrorism by distinguishing "three distinct categories of state action": state terror, state involvement in terror, and state sponsorship of terror. *Blakeley* (2009, p. 35) further

---

[1] *Wilkinson* identifies five main characteristics: it is premeditated to cause extreme fear or terror; it is aimed at a wider audience than the immediate victims of violence; it inherently involves attacks on random and symbolic targets, including civilians; committed violent acts represent a violation of social norms; terrorism is used to try to influence political behavior. (Wilkinson, 1992, pp. 228-229).

[2] See Sluka, J.A. (2000). *Death Squad: The Anthropology of State Terror*. Philadelphia, PA: University of Pennsylvania Press; Gareau, F.H. (2004). *State Terrorism and the United States: From Counterinsurgency to the War on Terrorism*. London; Stohl, M. (2006). *The State as Terrorist: Insights and Implications*. Democracy and Security, 2 (1): 1-25; Blakeley, R. (2009). *State Terrorism and Neoliberalism: The North in the South*; Routledge

[3] See Barker, J. (2002). *The no-nonsense guide to terrorism*. Oxford: New Internationalist; Townsend, C. (2002). *Terrorism: a very short introduction*. Oxford: Oxford University Press; Martin, G. (2003). *Understanding terrorism: challenges, perspectives, and issues*. Thousand Oaks, CA: Sage; Goodin, R. (2006). *What's wrong with terrorism?* Cambridge: Polity

distinguishes state sponsorship of terrorism from state perpetration of terrorism. In the latter context, he separates "limited state terrorism" aimed at a specific, narrow audience from "generalized" state terrorism, where entire populations are targeted. For *Raphael* (2010, p. 165), state terrorism is a deliberate act of violence against individuals whom the state is obligated to protect or the threat of such an act, and an atmosphere of fear has already been established through previous acts of state violence. Nevertheless, the phenomenon of state terrorism remains poorly understood and theoretically underdeveloped, with insufficient empirical data needed to improve knowledge (Jackson, Murphy and Poynting, 2010, p. 2). Although it is (was) undoubtedly present,[4] for a mixture of political and academic reasons, state terrorism has been marginalized in international terrorism studies (Jackson, 2008, p. 380, Ekmekci, 2011, p. 126).

3. CONTEMPORARY FORMS OF TERRORISM AS A THREAT TO NATIONAL SECURITY - NUCLEAR TERRORISM

In recent times, nuclear terrorism is increasingly occupying the scientific and professional public and positioning the threat of nuclear terrorism in a prominent place in international politics. International treaties against the proliferation of nuclear weapons were adopted in early 1960s. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) entered into force in 1970 and represents the only binding obligation in the multilateral treaty towards the goal of disarmament of states possessing nuclear weapons. Also, numerous conventions have been crucial to developing the international response and prevention of nuclear terrorism,[5] although only a few directly address nuclear security and related threats (Grenier, 2022, p. 26). Given that nuclear terrorism requires knowledge and the ability to handle and apply modern technology, until the end of the 20th century, this form of terrorism was somewhat on the margins of scientific and public interest. However, the easy availability of nuclear material further alarms that what used to be the only problem in producing a nuclear bomb (obtaining nuclear material) is no longer the case today (Šaljić, Đorđević, 2011, p. 5). Nuclear terrorism can take several forms, such as the forcible takeover of a nuclear facility by a terrorist, the targeting of a country's nuclear power facilities by terrorists or (terrorist) states using conventional or nuclear weapons or commercial aircraft, the deliberate detonation of a nuclear weapon by a terrorist organization or states, or the use of devices for radiological dispersal or exposure (Gale Armitage, 2019, p. 1246). Accordingly, *Šaljić and Đorđević* (2011, pp. 3-5) state three key aspects of nuclear terrorism: the use of a nuclear explosive device (nuclear explosion), attack or sabotage on existing nuclear facilities, and the use of the so-called "dirty" bombs (radioactive material is combined with conventional explosives and after the explosion, the radioactive material is dispersed into the environment). The most crucial aspect of nuclear terrorism is undoubtedly the attack and takeover of nuclear facilities (power plants, reactors), aiming to blackmail, threats, instilling fear, and gaining publicity. Thus, the danger of a nuclear attack influenced the EU to become more cautious in improving the energy security protection system, especially regarding global nuclear security (Bjelajac, Matijašević, 2013, p. 417).

---

[4] For example, the nuclear bombing of Hiroshima and Nagasaki by the United States (Waldron, J. (2004). *Terrorism and the Uses of Terror*. The Journal of Ethics, 8 (1), p. 18); Indonesia's campaign of violence in East Timor between 1975-1999 (see Tanter, R., Ball, D. Van Klinken, G. (2005). *Masters of Terror: Indonesia's Military and Violence in East Timor*. Lanham, MD: Rowman & Littlefield Publishers) or the "dirty war" in Chile during the Pinochet regime (Dinges, J. (2004). *The Condor Years: How Pinochet and His Allies Brought Terrorism to Three Continents*. New York, NY: The New Press)

[5] Convention on Prevention and Punishments of Crimes against Internationally Protected Persons of 1973; Hostage Convention of 1979); Terrorist Bombing Convention of 1997; The Convention for the Suppression of the Financing of Terrorism of 1999; Convention on the Physical Protection of Nuclear Material and its 2005 amendment; International Convention on the Suppression of Acts of Nuclear Terrorism - ICSANT.

In 1984, *Meyer* (1984, p. 41) tried to measure the ability of a state to produce nuclear weapons by itself using ten different parameters.[6] He compiled a "list of nations with latent capabilities to produce nuclear weapons." Unable to directly measure the quantity or quality of the government's nuclear experts, *Meyer* relied on two indicators: research reactor activity in the past three years (equivalent to expertise in nuclear engineering) and manufacturing or assembly of automobiles, radios, and television sets (equivalent to expertise in explosives and electronics) (Sagan, 2011, pp. 228-229). Based on this data set, *Meyer* found that 34 countries had a latent capability to develop nuclear weapons in 1982. In the mid-1990s, *Stoll* (1996) updated Meyer's data set by assuming that all states have access to nuclear materials given its easy availability on the global market. Based on the resulting data set, *Stoll* claimed that 48 states had a latent nuclear weapons capability in 1992. Despite the shortcomings in both studies, these studies served proliferation experts as a starting point for the creation of modern methodology and coding rules. Also, it is essential to make a distinction between civilian nuclear energy[7] and nuclear weapons.[8] Most scientists have examined the types of nuclear facilities of individual countries, trying to discern whether a government is building only a civilian energy capability or is secretly seeking to develop a latent or breakthrough nuclear weapons capability. Therefore, scientists often write about "nuclear ambiguity" (does the government seek weapons or not?) or "nuclear opacity" (does the government hide nuclear facilities to conceal its intentions?) (Sagan, 2011, p. 234). *Hymans* (2006, p. 12), for example, starts from the premise that very few states want nuclear weapons because decision-makers cannot know whether such a strategic effect will increase or undermine national security. Therefore, in his view, nuclear proliferation is rare. *Betts* (2010, p. 2) uses the term "nuclear blackmail," which aims to achieve an outcome but without detonating the weapon. The organization that uses the threat is nuclear-capable and articulates the specific conditions that will trigger an attack, which gives it advantages in negotiations (McIntosh and Storey, 2018, p. 292). For example, an organization may threaten that a nuclear attack will follow if the target state does not remove its troops by a certain date or does not comply with other required conditions.[9] Before realizing the threat of a nuclear attack, a terrorist organization (state) will potentially measure three parameters. First, it will assess the loss caused by a simple detonation of the weapon since the possibility of further negotiations is lost because the threat of nuclear weapons is possible only until its realization. Second, a nuclear attack would produce a global reaction far wider than the borders of the attacked target/state. Third, it is necessary to comprehensively assess all the indirect effects that the attack would produce on the future strategy of the terrorist organization (Ibidem, p. 295). Also, the realization of a nuclear attack has double repercussions for the continued existence of the terrorist organization itself: internal threats of disintegration and external threats to work further and exist. However, the consequences for society would be immediate and irreversible. Although *McIntosh and Storey* (2018, p. 298) state that "the detonation of nuclear weapons generally appears to be the least strategically advantageous option for non-state groups," the question arises, what about (inter)state nuclear terrorism?

---

[6] The indicators for the independent production of nuclear weapons were: national mining activity, indigenous uranium deposits, metallurgists, steel production, construction work force, chemical engineers, nitric acid production, electrical production capacity, nuclear engineers, physicists, chemists, and explosives and electronics specialists.

[7] Today, thirty-two countries in the world produce electricity in nuclear power plants. Countries with nuclear reactors are: Argentina (2 nuclear reactors), Armenia (1), Belgium (7), Brazil (2), Bulgaria (2), Czech Republic (6). , Finland (4), France (58), Croatia (1), India (20), Iran (1), Japan (55), South Korea (21), South Africa (2), Canada (18), China (13), Hungary (4), Mexico (2), Netherlands (1), Germany (9), Pakistan (3), Romania (2), Russia (32), Slovakia (4), Slovenia (1), Spain (8), Sweden (10), Switzerland (5), Taiwan (6), United Kingdom (19), Ukraine (15), United States (104)

[8] Today, seven countries are declared nuclear powers: United States, Soviet Union, United Kingdom, France, China, India, and Pakistan.

[9] In the history of armed conflicts, there have been only two enemy detonations of nuclear weapons carried out by the United States in an armed conflict over the Japanese cities of Hiroshima and Nagasaki on August 6 and 9, 1945. Between 129,000 and 226,000 people, mostly civilians, were killed.

4. ASSESSMENT OF THE SECURITY SITUATION IN EUROPE

In 2010, the European Council on Foreign Relations (ECFR) published a report entitled "The specter of a multipolar Europe," which provides an assessment of the security situation in Europe. ECFR surveyed the field of the foreign policy of 27 EU member states. The study included over 250 interviews and the analysis of national security documents. Ten categories were crystallized under security threats: (1) weapons of mass destruction/Iran, (2) terrorism, (3) fragile states (incl. instability in Afghanistan and Pakistan), (4) energy depletion/competition for resources, (5) climate change, (6) Russia, (7) China (incl. economic threat), (8) economic crisis, (9) uncontrolled migration and (10) other (Krastev and Leonard, 2010, p. 25). The research produced three key changes in the EU's thinking about security. First, "most European policymakers have realized that Washington prefers to treat Russia as a global and not a European power. As a result, most EU member states realize that on issues of regional importance, they are left to deal with Russia on their own" (Ibidem, p. 30). Second, many European countries "have lost faith in NATO's ability to act as the main institutional framework for European security." Thirdly, it is clear that the EU must play a more significant role in dealing with security challenges on the European continent, but the US and NATO remain irreplaceable as a fundamental guarantee against a potential (big) war in Europe. (Ibidem, p. 32). The EU and NATO must deepen their strategic partnership for better cooperation in crisis management (Council of the European Union, 2009, p. 9). A recent study on the issue of national security and terrorism conducted by Wagnsson, Olsson, and Nilsen (2020) in Sweden showed that men are more prone than women to worry about populism and Russia. The focus on Russia suggests that men are more likely to imagine an antagonistic threat, a traditional "enemy" with a "face." One older male respondent explicitly focused on Russia, saying that "the Russians represent the biggest (security) threat" (Wagnsson, Olsson and Nilsen, 2020, p. 799). The research conducted produced five (biggest) threats to national security: (1) unreliable heads of state (like Trump, Putin, and Erdogan), (2) Russian foreign policy, (3) armed conflicts outside Europe that cause instability, for example, the influx of refugees, (4) weapons profiling and (5) conflicts between great powers (Ibidem). Young people were generally significantly less concerned about Russia as a security threat than older people, possibly because they were too young to have had personal experiences of the Cold War when the Soviet Union was generally considered a major threat to global security (Ibidem, pp. 811-812).

5. INTERNATIONAL DOCUMENTS FOR COMBATING TERRORISM

The International Convention for the Suppression of the Financing of Terrorism from 1999 in Art. 2, para. 1 (b) provided the first general definition of terrorism. Namely, by prescribing behavior whose financing is prohibited, which refers to "any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population or to compel a government or an international organization to do or to abstain from doing any act" the essence of terrorism was described secondarily. The relevant definition contains the *actus reus* of a terrorist act, i.e., causing death or physical injury to civilians or persons not directly participating in hostilities. It also deals with special *mens rea*, which refers to the intent to intimidate or coerce behavior in the desired manner. Since the provision in question does not deal with the perpetrator's identity, it is clear that it applies both to state and non-state actors and individuals. Given that the vast majority of countries joined the convention only after the 9/11 terrorist attack (because Resolution 1373 of the United Nations Security Council required it from them),[10] it is possible to claim that 9/11 was a turning

---

[10] With Resolution 1373 (2001), the Security Council gave a new, comprehensive dimension to the fight against terrorism by imposing on states a wide range of obligations aimed at the general prevention and suppression of acts of terrorism regardless of state borders and with a de facto unlimited duration. See Rusan Novokmet, 2019, p. 636.

point in the understanding and treatment of most countries of the world towards terrorism (Cohen, 2012, p. 235). In the last decade, numerous multilateral conventions related to terrorism were adopted, while several conventions on combating terrorism were also adopted at the regional level.[11] Shortly after the 9/11 attacks, the UN Security Council took a bold new step in mandating national anti-terrorism legislation worldwide, despite the seemingly obvious problem that the UN had not adopted a comprehensive definition of terrorism (Setty, 2011, p. 3). The primary obligation established by the international treaties against terrorism was the incorporation of the criminal acts stipulated by the international treaty into the domestic criminal legislation with adequately deterred punishments commensurate with the gravity of the criminal act. Also, the signatory states of international treaties against terrorism have committed to participate in the construction of "universal criminal jurisdiction" based on the principle of territoriality (O'Donnell, 2006, pp. 856-857). Finally, they accepted the obligation to extradite all suspected criminals found on their territory or initiate criminal proceedings following the principle of *aut dedere aut judicare*. International treaties always stipulate that terrorist offenses shall not be considered political offenses, which are not extraditable under most extradition treaties to facilitate extradition. One of the few international treaties that defined nuclear terrorism in international law after 2001 is the United Nations International Convention on the Suppression of Acts of Nuclear Terrorism of April 13, 2005. Thus, nuclear terrorism is considered any illegal and intentional possession of radioactive material or the use of radioactive material with the intent to cause death or serious bodily injury or cause significant damage to property or the environment, or to force a natural or legal person, international organization or state to do something or refrain from doing something (Art. 2. para.1.).

6. CRIMINAL (PREVENTIVE) APPROACH V. MILITARIZED (REPRESSIVE) APPROACH IN COMBATING TERRORISM

The European Union's anti-terrorist strategy is based on the strategic operational principle of combating terrorism "on a global level with respect for human rights, to make Europe safer, allowing its citizens to live in an area of freedom, security, and justice" (Council of the European Union, 2005, p. 6). Thus, the EU's response to the fight against terrorism is based on the law enforcement model. Legislation and policy to combat international terrorism in the EU explicitly include a criminal law approach guided by a normative legal framework based on the principle of the rule of law, especially the principle of fair trial procedure and respect for human rights. Perpetrators of terrorist acts, as defined in international legal documents against terrorism, are perpetrators of criminal acts who are subject to criminal prosecution, which is the most appropriate and fair mechanism for ensuring fairness and protecting the rights of the accused (UNDOC, 2009, p. 3; Astrada, 2018, p. 205). On the other hand, the US response to international terrorism is based on a strong repressive reaction, placing national security in the first place of state interests. After the 9/11 attacks, then-President Bush declared that terrorists had declared war and that the US was entering a war in which it "will make not distinguish between the terrorists who committed the attack and those who harbor them."[12] The US perceived the threat to national security as " foreign" and therefore relied on predominantly military tactics in the "global war on terror" (Laurence, 2010, p. 3). Adopting a top-down approach to the fight against terrorism, it views it as a matter of national security and subordinates the security of the international community to its own security interests. Transparency, human rights, and dignity have played a minimal role in America's war on terrorism.

---

[11] For the list of multilateral conventions with regard to terrorism as well as conventions on suppressing terrorism adopted at the regional level see Gagro and Škorić, 2014, p. 421.
[12] George W. Bush, Statement by the President in His Address to the Nation, THE WHITE HOUSE (Sept. 11, 2001, 8:30 PM), available at: https://georgewbush whitehouse.archives.gov/news/releases/2001/09/20010911-16.html

Despite extensive counter-terrorism cooperation, the US and Europe disagree on "the precise nature of the terrorist threat, the best methods for managing this threat, and the root causes of terrorism," and moreover, they fail to "understand or accept each other's positions" (Laurence, 2010, p. 3). Furthermore, *Laurence* notes that "despite the 'remarkably similar' connotations of the national security threat in the 2002 US National Security Strategy and the 2003 European Union Security Strategy, including an emphasis on international terrorism," differences in counter-terrorism approaches hinder the harmonization of cooperation (Ibidem, p. 6). Unlike the USA, the EU actively strives to "strike a balance between the protection of human rights and the protection of citizens from terrorists," (Astrada, 2018, p. 207) looking at international terrorism as a matter of law enforcement and not as a matter of national security." The law enforcement model is "grounded on international criminal law and existing core anti-terrorism conventions" (Kielsgard, 2006, p. 253). So, although the fight against terrorism is a top priority for the EU, human rights and dignity go beyond the fight against terrorism. The Council of the European Union explicitly stated that respect for states' sovereignty, independence, and territorial integrity and the peaceful resolution of disputes cannot and is not subject to negotiation. "Territorial issues cannot be allowed to be resolved by the threat or use of military force - anywhere" (Council of the European Union, 2009, p. 9). Given that in June 2022, Ukraine was granted the status of a candidate country for EU membership, does this mean that Ukraine's accession to the EU the Russian-Ukrainian war will become a European-Russian war?

7. CONCLUSION

There is an intrinsic distinction between terrorist crimes and other forms of transnational crimes, which is reflected precisely through the political connotation of striving to achieve certain goals. There is a very close and mutual connection between terrorism and national security. Terrorism is the diametrically opposite pole of security because it consumes insecurities in an atmosphere of fear, resulting in citizens' lack of confidence in the state's ability to provide basic social needs inherent in human nature. The continuously progressive advancement of technology has articulated new forms of terrorism, especially nuclear terrorism. The latter recently, in the wake of the war in Eastern Europe, especially occupies the scientific and professional public, causes consternation and evokes fear of far-reaching consequences for the entire humanity. Until recently, numerous authors wrote about the slight possibility of committing a nuclear attack, referring to the paradox that precisely the far-reaching consequences diminish the possibility of its application. However, this statement becomes shaky in the context of the recent military-political turmoil in direct correlation with the war in Ukraine. There remains trust in the rational judgment of decision-makers despite the flagrant differences regarding the (realization) of the political aspirations of the superpowers that possess nuclear weapons and are breathing down Europe's neck. What is inherent in the war against terrorism is that it is a security problem, which raises the issue of human rights to the pedestal of contemporary aspirations. In the context of the above, different approaches to the fight against terrorism of the EU, on the one hand, and the USA, on the other, is evident. While the EU, in the fight against international terrorism, embraced the rule of law and individual freedom and the rights of citizens postulated fundamental social values in democratic societies based on the rule of law, the US found its answer to the fight against terrorism in a repressive model, especially the war for national security, where it does not hesitate to limit the freedoms of its citizens. In the atmosphere of a real threat to international security, the threat of nuclear war, the EU and the USA must strive to harmonize their diametrically opposed approaches to combating interstate (nuclear) terrorism.

LITERATURE:

1. Atai, A.J., Ita, V.E. (2021). *Terrorism and Global Security: An Analysis of Regional and Socio-Economic Effects on National Security*. International Journal of Research and Innovation in Social Science (IJRISS), 5(2), pp. 623-631.
2. Astrada, M.L. (2018) *Security, Law & Public policy - Assessing the efficacy of a national security vs. Law enforcement model to combat terrorism*, St. Thomas Law Review 30(2), pp. 180-218.
3. Bales, E. (2009). *Torturing the Rome Statute: The Attempt to Bring Guantanamo's Detainees within the Jurisdiction of the International Criminal Court*, Tulsa Journal of Comparative and International Law, 16(2), pp. 173-191.
4. Barker, J. (2002). *The no-nonsense guide to terrorism*. Oxford: New Internationalist
5. Betts, R.K. (2010). *Nuclear Blackmail and Nuclear Balance*, Washington DC: Brookings
6. Bjelajac, Ž.; Matijašević, J. (2013). *The Potential Threat to Energy Security Expansion of Modern Forms of Terrorism*, in: Antevski, M., Vesić, D. (ed.) Energy Security of Europe: The Position of Serbia. Beograd, pp. 413-430.
7. Blakeley, R. (2009). *State Terrorism and Neoliberalism: The North in the South*. Abingdon: Routledge
8. Cohen, A. (2012*). Prosecuting Terrorists at the International Criminal Court: Reevaluating an Unused Legal Tool to Combat Terrorism*. Michigan State International Law Review, 20(2), pp. 219-257.
9. Cooper, H.H.A. (2001). *Terrorism: The Problem of Definition Revisited*. American Behavioural Scientists, 44(6), pp. 881-893.
10. Conn, J.B. (2007). *When Democracy Gives the Purple Finger: An Examination of the Proper International Legal Response When a Citizenry Elects a Terrorist Organization to Lead Its Government and Seeks International Aid*. The Journal of Law & Politics 23(1), pp. 89-114.
11. Council of the European Union (2005). *The European Union Counter-Terrorism Strategy*, Brussels
12. Council of the European Union (2009). *European Security Strategy: A Secure Europe in a Better World*, Belgium
13. Dinges, J. (2004). *The Condor Years: How Pinochet and His Allies Brought Terrorism to Three Continents*. New York, NY: The New Press
14. Ekmekci, F. (2011). *Terrorism as war by other means: national security and state support for terrorism*. Rev. Bras. Polít. Int. 54(1), pp. 125-141.
15. Gagro, S. F., Škorić, M. (2014). *Fight Against Terrorism Within the Rules of International Law and Croatian Legislative Respons*. 12th International Academic Conference, Prague, pp. 413-437.
16. Gale, R.P., Armitage, J.O. (2019). *Are We Prepared for Nuclear Terrorism?*, The New England Journal of Medicine, 378(13), pp. 1246-1254.
17. Ganor, B. (2011). *Trends in Modern International Terrorism*, in: Weisburd, D., Feucht, et. al.(ed.), To Protect and Serve, Policing in an Age of Terrorism, pp. 11-41.
18. Gareau, F.H. (2004). *State Terrorism and the United States: From Counterinsurgency to the War on Terrorism*. London
19. Gibbs, J. (1989). *Conceptualization of terrorism*. American Sociological Review, 54(3), pp. 329-340.
20. Goodin, R. (2006). *What's wrong with terrorism?* Cambridge: Polity
21. Grenier, M. (2022). *Countering nuclear terrorism through formal and informal international regimes: analysis of the ICSANT and the NTI*, master's thesis, University of Calgary, Calgary, AB.
22. Hoffman, B. (2008). *Inside Terrorism*. New York: Columbia University Press.

23. Hymans, J.E.C. (2006). *The Psychology of Nuclear Proliferation: Identity, Emotions and Foreign Policy*. Cambridge, UK: Cambridge Univ. Press

24. Jackson, R. (2008). *The Ghost of State Terror: Knowledge, Politics, and Terrorism Studies*. Critical Studies on Terrorism, 1(3), pp. 377-392.

25. Jackson, R., Murphy, E., Poynting, S. (2010). *Contemporary State Terrorism: Theory and Practice*. London: Routlege

26. Kielsgard, M.D. (2006). *A Human Rights Approach to Counter-Terrorism*, CWILJ 36(2), pp. 249-302.

27. Krastev, I., Leonard, M. (2010). *The Spectre of a Multipolar Europe*, European Council on Foreign Relations (ECFR). London

28. Lacqueur, W. (2001). *A History of Terrorism*. New Jersey: Transaction Publishers

29. Laurence, J. (2010). *The US-EU Counter-Terrorism Conversation: Acknowledging a Two-Way Threat*. US – Europe Analysis Series, Number 44, pp. 1-11.

30. Martin, G. (2003). *Understanding terrorism: challenges, perspectives, and issues*. Thousand Oaks, CA: Sage

31. Martinez, L. (2002). *Prosecuting Terrorists at the International Criminal Court: Possibilities and Problems*, Rutgers Law Journal, 34(1), pp. 1-62.

32. McIntosh, C., Storey, I. (2018). *Between Acquisition and Use: Assessing the Likelihood of Nuclear Terrorism*, International Studies Quarterly, 62(2), pp. 289-300.

33. Meyer, S.M. (1984). *The Dynamics of Nuclear Proliferation*, Chicago: University of Chicago Press.

34. Michael, S. (2007). *Terrorism: A Socio-economic and Political Phenomenon with Special Reference to Pakistan*. Journal of Management and Social Sciences, 3(1), pp. 35-46.

35. O'Donnell, D. (2006). *International Treaties against Terrorism and the Use of Terrorism during Armed Conflict and by Armed Forces*, International Review of the Red Cross, 88(864), pp. 853-880.

36. Rusan Novokmet, R. (2019). *Utjecaj sankcija Vijeća sigurnosti UN-a na zaštitu temeljnih ljudskih* prava, Zbornik Pravnog fakulteta Sveučilišta u Rijeci, 40(2), pp. 627-653.

37. Raphael, S. (2010). *Paramilitarism and State Terror in Colombia*. in: Jackson, R., Murphy, E. and Poynting S. (ed.) Contemporary State Terrorism:Theory and Practice. London: Routledge, pp. 163-180.

38. Sagan, S. (2011). *The Causes of Nuclear Weapons Proliferation*, Annu. Rev. Polit. Sci.. 14(1), pp. 225-244.

39. Setty, S. (2011). *What's in a name? How nations define terrorism ten years after 9/11*. Western New England University School of Law Legal Studies Research Paper Series, 33(1), pp. 1-61.

40. Silke, A. (2004). *Research on terrorism: trends, achievements and failures*. London: Frank Cass

41. Sluka, J.A. (2000). Death Squad: The Anthropology of State Terror. Philadelphia, PA: University of Pennsylvania Press

42. Stohl, M. (2006). *The State as Terrorist: Insights and Implications*. Democracy and Security 2(1), pp. 1-25.

43. Stoll, J. R. (1996). *World production of latent nuclear capacity*, Rice University

44. Šaljić, E., Đorđević, Z. (2011). *Modern form of terroisim– environmental terrorisim*

45. Tanter, R., Ball, D. Van Klinken, G. (2005). *Masters of Terror: Indonesia's Military and Violence in East Timor*. Lanham, MD: Rowman & Littlefield Publishers, Inc.

46. Tiefenbrun, S. (2003). *A Semiotic Approach to a Legal Definition of Terrorism*, ILSA Journal of International & Comparative Law, 9(357), pp. 357-390.

47. Townshend, C. (2002). *Terrorism: A Very Short Introduction*. Oxford: Oxford University Press

48. UNDOC, *Handbook on Criminal Justice Responses to Terrorism*, New York 2009

49. Wagnsson, C., Olsson, E.-K., Nilsen, I. (2020). *Gendered Views in a Feminist State: Swedish Opinions on Crime, Terrorism, and National Security*, Gender & Society, 34(5), pp. 790-817.

50. Waldron, J. (1992). *Terrorism and the Uses of Terror*. The Journal of Ethics, 8(1), pp. 5-35.

51. Wilkinson, P. (1992). *International Terrorism: New Risks to World Order*, in: Baylis, J., Rengger, N. (ed.) Dilemmas of World Politics: International Issues in a Changing World London: Clarenden Press, pp. 228-257.

52. Yacubu, J.G. (2005). *Cooperation among Armed Forces and Security Forces in Combating the Proliferation of Small Arms*. in: Ayissi, A., Sall, I.(ed.) Combating the Proliferation of Small Arms and Light Weapons in West Africa: Handbook for the Training of Armed and Security Forces, Geneva: United Nations Institute for Disarmament Research (UNIDR).