

**OBREGÓN FERNÁNDEZ, Aritz, *Noción de terrorismo internacional. Estudio del marco jurídico vigente y una propuesta de definición con vocación omnicompreensiva*, (Aranzadi, Pamplona, 2023, pp. 236)**

Terrorism, an age-old phenomenon, has persisted throughout history, adapting to the changing dynamics of society. While its roots trace back centuries, the legal definition of terrorism has long eluded a universally accepted framework. The evolving nature of the threat, coupled with its diverse manifestations, has made it challenging to devise a comprehensive and universally applicable definition. Only in recent times have concerted efforts been made to legally delineate terrorism, recognizing its multi-faceted nature and global impact. The lack of a precise legal framework until now has posed considerable challenges for international cooperation and the pursuit of justice. As nations grapple with the complexities of this persistent menace, the ongoing quest for a standardized legal definition reflects the imperative to address terrorism comprehensively and collaboratively on a global scale.

To address these issues, Aritz Obregón Fernández, Doctor in International Law from the University of the Basque Country/Euskal Herriko Unibertsitatea, dedicates his work to the product of his doctoral thesis. Faced with the discouragement caused by the blockage of the general agreement project and allegedly irreconcilable positions hindering consensus on a definition of the phenomenon, the author meticulously examines the universal and regional legal frameworks for the prevention and repression of international terrorism, jurisprudential contributions to the matter, state positions regarding the general agreement project, and the most credible doctrinal contributions. The goal is to identify the elements characterizing international terrorism, analyze its content, and determine their general acceptance.

The work is structured into four parts: a brief introduction, two chapters, and conclusions. The first chapter provides a conceptual approach to the international terrorism phenomenon, emphasizing three aspects: the origin of the phenomenon, its different phases, and the role of state actors. Obregón Fernández rightly highlights that international terrorism, as a global phenomenon, requires a global response. It constitutes a permanent and multidimensional threat to peace, democracy, and human rights, recognized by the United Nations Security Council as a threat to international peace and security. Unfortunately, global terrorism is on the rise and expanding, a daily reality in many countries despite not constantly receiving the same level of attention in the media and social networks – a testament to the international community's double standards. Its devastating consequences in terms of lives and material damage are considerable, causing waves of migration and displacement with catastrophic impacts.

The second section of this chapter reviews the existing limits and difficulties in defining international terrorism, emphasizing the “lack of a legally comprehensive definition” and advocating for a legal definition. The author analyzes the general agreement project against international terrorism and the customary definition proposed by the Special Tribunal for Lebanon. Additionally, the author addresses what he terms

the “sectorial solution,” seeking to elucidate how states have managed the lack of a general definition by producing universal and regional legal frameworks for preventing and repressing international terrorism. This involves the adoption of international sectoral treaties to ensure the prosecution of those responsible, the establishment of norms and sanction regimes to prevent funding or movements across countries, the promotion of international cooperation in various sectors, and, in the most severe cases, military operations against terrorist groups to reduce their threat level. This response has taken place without a legal definition of international terrorism.

The absence of a definition is one of the factors promoting terrorism and facilitating violations of international law. Conversely, a legal definition would have multiple benefits, including the more coherent development and application of obligations related to the prevention and repression of the phenomenon. Therefore, in Chapter II, through the joint analysis of universal and regional legal frameworks for preventing and repressing international terrorism, international jurisprudence, international legal doctrine, and studies on terrorism, the author breaks down the phenomenon into seven possible elements. These include strategic objectives, ideological factors, the terrorist act itself, the authors of terrorist acts (including the possibility of states committing them), the victims of violence, the communicative dimension of the phenomenon, and its “internationality,” with varied normative manifestations and doctrinal contributions. The degree of general acceptance of each of these elements is also examined.

For decades, various attempts have been made for the prevention and repression of international terrorism without a generally accepted legal definition. Totalitarian regimes label those fighting against the system as terrorists, while those attempting to overthrow such regimes self-identify as “freedom fighters.” Therefore, this work represents a significant step toward a legal definition of international terrorism. In the second section of this chapter, using the elements mentioned earlier, the author believes that, through the sectorial approach, an “accumulated set of elements capable of forming part of a legally comprehensive definition” has been created. Consequently, two definition proposals are offered: a) a “comprehensive” definition composed of elements currently enjoying general support among states and international organizations, and b) another “holistic” definition aimed at contributing to a comprehensive understanding of the phenomenon, taking into account other relevant elements that have not yet received the same degree of recognition. This approach reconciles the search for a definition identifying the central elements of international terrorism, garnering general support with a holistic understanding of this type of violence.

The work contains a significant bibliography, citing key sources such as international treaties, jurisprudence, acts of international organizations, and some primary state sources. It would have been desirable for the coverage of these national sources to be more extensive, including some countries in Latin America, Asia, and Africa.

The acts of terrorism carried out by Hamas on October 7, 2023, underscore the present significance of combating terrorism on a global scale. Such incidents serve as stark reminders of the ongoing threat posed by extremist groups and the need for international collaboration to address this menace. The fight against terrorism is not only a matter of national security but also a collective responsibility to safeguard the lives and well-being of innocent civilians worldwide. The international community must

remain vigilant, united, and committed to eradicating the roots of terrorism to ensure a safer and more secure future for all. Legally defining international terrorism will contribute to this aim.

This is an outstanding book that reveals the intricate nature of different conceptions surrounding international terrorism. Its conclusions represent a valuable advancement towards legally defining this phenomenon. The book robustly contributes to this goal, and I highly recommend reading it.

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