

Terrorism and the State: Definitional Difficulties

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UK: Patriotic Alternative linked to far-right banner flown over Manchester City football match

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## Monthly Threat Update April 2022

This month:  
**Terrorism and the State:  
Definitional Difficulties**

### Threat Overview

This month, Pool Re Solutions provides an insight into state terrorism and why there remains a debate around its inclusion within terrorism definitions.

We also provide a roundup of significant terrorism-related events across advanced market countries. This includes the use of gaming platforms by far-right groups across the world and the conviction of Ali Harbi Ali, an Islamist terrorist, who murdered Sir David Amess MP in October 2021, among other developments.

Finally, we examine conviction and sentencing data for terrorism charges in Great Britain, comparing figures between February and March.

## Terrorism and the State: Definitional Difficulties

A week after Russian troops began their incursion into Ukraine, President Volodymyr Zelensky called attacks in the city of Kharkiv acts of “state terrorism of the Russian Federation”. Zelensky’s words were likely carefully chosen to vilify Russia’s actions and link its present aggression with past sponsorship of violence.

Over the past decade, numerous states have accused Russia of perpetrating attacks targeting high-profile opposition figures, including the poisonings of Sergei Skripal in 2018 and Alexei Navalny in 2020. These actions, taken outside the context of war, inhabit a definitional grey area. Should acts of violence perpetrated by state operatives or organisations directed by governments be considered acts of terrorism?



Firefighters arrived in force at the residential building in the bombed city center around 11 a.m. by the Russian armed forces in Kharkov, Ukraine on March 14, 2022. Photo by Andrea Carrubba/Anadolu Agency via Getty Images

### Why state or state-sponsored violence might be considered terrorism

Explicit reference to acts of the state have notably been absent from most academic definitions of terrorism. Governments, security officials, international organisations, lawyers, and academics have largely, though not exclusively, taken terrorism to mean acts and threats of violence, conducted in service of political objectives, and perpetrated by non-state actors. This may in part be because terrorism has, at least in modern times, been used as a tactic by groups with limited power and resources.

Definitions of terrorism are undoubtedly debatable and contested in a variety of ways. States do have the right to use violence in certain contexts like “just wars”. However, the use or threat of violence by a state against groups, such as political

## Terrorism and the State: Definitional Difficulties (continued)

opposition, or ethnic or religious minorities, with the intent of intimidating a wider community to achieve a political objective appears no different from terrorism perpetrated by non-state actors.

Looking at incidents such as the poisoning of Sergei Skripal and his daughter Yulia, it is clear that states have the capacity to combine highly complex and difficult to obtain weapons with simple methods of deployment favoured by conventional terrorists. While the Russian state ostensibly targeted Skripal for his work as a double agent, the high-profile attempted assassination undoubtedly served as a warning to other military officials and opposition figures to refrain from challenging the state. It is worth remembering that these tactics are not a new phenomenon. Russian agents also poisoned Alexander Litvinenko with Polonium-210 in 2006.

Alongside states directly perpetrating acts of violence, sponsored sub-state groups or non-state organisations are known to be used to conduct attacks on their behalf. For instance, [Iran has routinely sponsored groups such as Hezbollah and Hamas](#) by supplying weapons and providing operational and logistical support. These actions have led to the US designating Iran as a state sponsor of terrorism, alongside Cuba, Syria, and North Korea.

### **The benefits and difficulties of expanding the conventional interpretation of terrorism**

Incidents of terrorism perpetrated or sponsored by a state are illegitimate attacks and can be indiscriminate. Acknowledging them as acts of terrorism would likely give law-abiding nations further moral and legal standing to condemn and prosecute this violence. It may also prompt politicians to formulate better

responses and punishments when these acts do occur.

There is also the benefit of conceptual clarity when labelling these acts of state or state-sponsored violence as terrorism. It illustrates that terrorism, regardless of its perpetrator, is a strategy of violence to achieve political aims. The methods employed by state and non-state actors are frequently the same – kidnapping, extra-judicial killings, and bombings – and designed to achieve the same ends, namely instilling fear in the immediate target group as well as sending a message to a wider community.

Nonetheless, there are also difficulties to treating state terrorism similarly to terrorism perpetrated by non-state actors. The process for prosecuting those involved in terrorism normally involves domestic security forces, notably the police. The involvement of another state would

make the prosecution of such violence significantly more difficult, if not impossible, when holding the perpetrators to account.

Conflating the actions of a government with those of a non-state group may also inadvertently raise the status of these illegitimate organisations. For instance, Islamic State (IS) aspired to statehood throughout its short-lived ‘caliphate’, issuing passports and demarcating borders. Treating its actions as the same as acts of violence by a sovereign nation might lead to the unintended consequence of giving false equivalency and credibility to the claims of the IS’ leadership.

States accused of perpetrating or supporting groups who commit acts of terrorism can simply assert that these charges are politicised, and that they are entitled to use violence against their enemies. Moreover, given that state terrorism is not codified under

international law, it would be easy for countries to avoid prosecution in international courts or censure from global organisations.

International law has provisions to condemn and punish extra-judicial killings, indiscriminate torture and violence against civilians, and other human rights violations. As such, conflating state and non-state terrorism may not provide significant value but instead add further analytical confusion.

While there are no easy conclusions to be drawn in this debate, it is important that policymakers and businesses remain aware of the threat of attacks, regardless of the perpetrator. For more information on the threat in Great Britain and risk management strategies, [Pool Re Solutions can provide assistance](#).

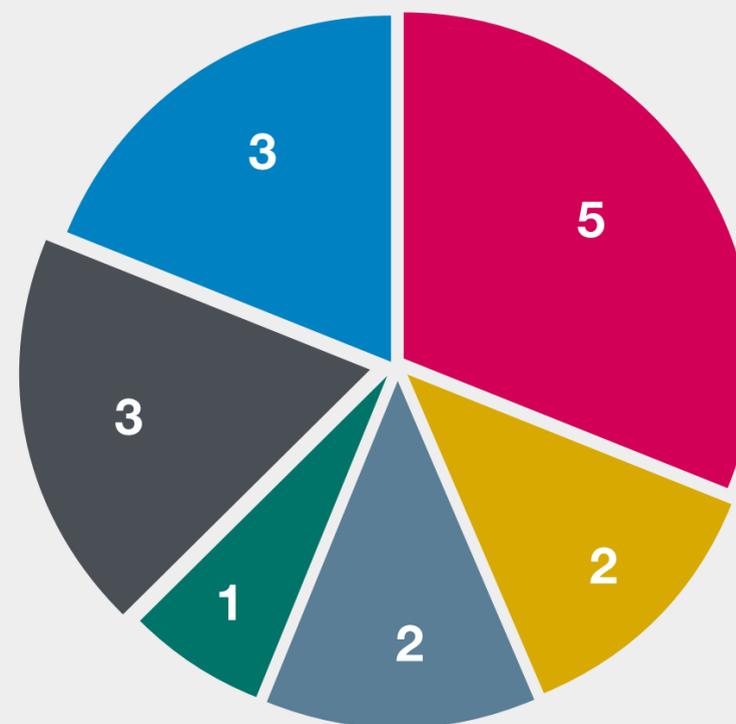
# UK Terrorism Offence Data: April Update

In March 2022, the authorities charged four individuals and convicted four others for terrorism offences. They sentenced another three people in relation to terrorism convictions. This is similar to the rates of arrests, convictions, and offenses last month. In February, the authorities charged five individuals and convicted two others for terrorism offences. They sentenced a further three people in relation to terrorism convictions.

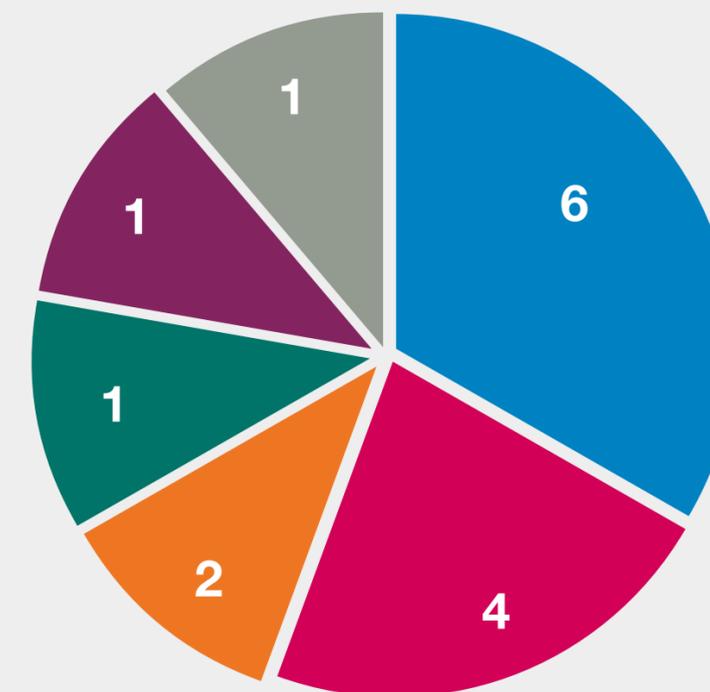
The number of individuals charged, convicted, or sentenced with relation to terrorism offences in March did not change significantly in comparison to February. The total number of offences this month appears higher mostly due to one case, which resulted in 18 offences. The case saw four individuals charged with terrorism related offences related to far-right extremism and their manufacture of a 3D printed weapon.

This data indicates there has not been a significant change in the rates of terrorism charges or convictions in 2022 so far. This conviction activity is similar to that seen over the previous six months indicating that rates are reasonably stable.

No. persons charged, convicted or sentenced for terrorism offences in March 2022



No. persons charged, convicted or sentenced for terrorism offences in February 2022



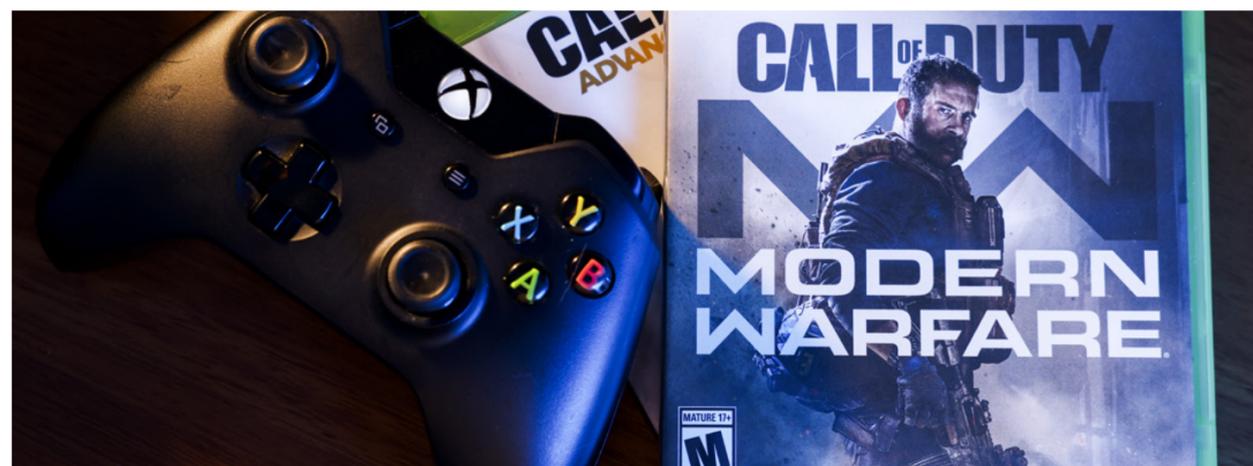
- Possession of an article for terrorist purposes
- Dissemination of a terrorist publication
- Preparation of Terrorist Acts
- Encouragement of Terrorism
- Membership of a proscribed organisation
- Collection of information useful for an act of terrorism
- Entering fundraising arrangement for terrorism
- Fundraising for terrorism
- Possession of an article connected with an act of terrorism

## News Roundup

### Global: Gaming platforms become targets for far-right extremists

This month, terrorism experts have again warned that right-wing extremists are using gaming

more opportunities for these groups to target young people online.



platforms to recruit supporters, spread far-right messages and propaganda and to learn about firearms and their capabilities.

Right-wing use of gaming platforms is not new. Anders Breivik said Call of Duty was part of how he trained himself for his 2011 attack in Norway. However, the use of gaming platforms soared during lockdowns and isolation created

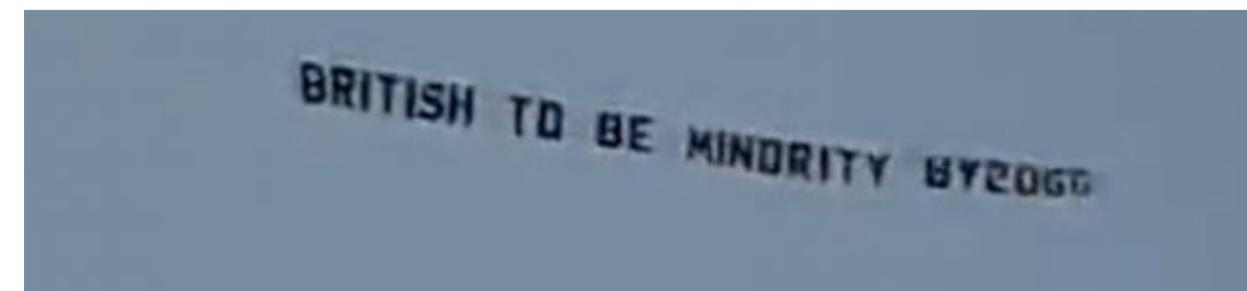
According to Alex Newhouse, deputy director of the Middlebury Institute's Centre on Terrorism, Extremism and Counterterrorism, California, an increasing number of extremists have recently moved to acting on platforms such as Steam, an all-purpose online gaming platform, and Discord, a group chat app popular with online gamers.

The number of extremists active on these gaming sites, such as Discord and Steam, increased in the last few years as mainstream social media sites have begun improving their security measures to tackle online extremism. These security measures are constantly being improved as a result of public backlash, journalistic scrutiny, and harsher legislation.

Resultantly, gaming platforms have expanded their features, including integrating chat functions to their platforms, but do not appear to have increased their online security. Given the lack of controls, the presence of many young people, and moves to add more functions, these gaming platforms are ripe for exploitation by far-right groups.

Terrorist use of social media and online platforms has increased in recent years, something we have begun to look at in more detail in our social media series, looking first at the process of [online radicalisation](#).

### UK: Patriotic Alternative linked to far-right banner flown over Manchester City football match



On 10 April, unidentified individuals flew a banner printed with the phrase 'British to be minority by 2066' over the Etihad stadium in Manchester. The incident took place during a football match between Manchester City and Liverpool.

While no group has claimed responsibility for the incident, media reports indicate that a Neo-Nazi group called Patriotic Alternative (PA) was responsible. The group shared a similar message on its website, which features a countdown to this

apparent demographic 'imbalance' in 2066. PA also shared a similar message on Twitter and posted leaflets through the letterboxes of residents in and around Manchester.

PA is a British neo-Nazi group led by Mark Collett. Collett formed the organisation in 2019. They have been linked to other neo-Nazi groups, including now proscribed National Action, and have actively been trying to recruit teenagers and young adults through gaming sites and YouTube.

## News Roundup

### **UK:** Ali Harbi Ali found guilty of murder and terrorism

On 13 April, a UK court found Ali Harbi Ali guilty of the murder of MP Sir David Amess in October 2021. The authorities gave Ali a whole life sentence for stabbing and killing Amess during his constituency surgery. Ali had assumed he would be shot by police and would die a ‘martyr’ for his cause.

Information disclosed during the trial highlighted that Ali researched at least 250 different MPs, including senior Cabinet Minister Michel Gove. Ali stated that he had intended to kill Gove as well.

Counter-terrorism experts have also used the trial to highlight the weaknesses and apparent failings of the government’s counter-terrorism programme, Prevent. According to British media outlets, police were aware of Ali due to his time in the programme.

In recent years, perpetrators of attacks such as a stabbing in a park in Reading in June 2020 and along a street in Streatham, London in February 2019, had been referred to Prevent but no follow up action appeared to have been taken by the authorities. Collectively, these intelligence lapses have prompted Priti Patel, the Home Secretary, to signal the government would support a comprehensive review of the programme.

More about Ali’s attack against Amess can be found here in [Pool Re’s post incident report](#).

### **Germany:** Authorities arrest four in right-wing terrorism investigation

On 14 April, German police arrested four far-right extremists following revelations of a plot to kidnap the country’s health minister. The authorities are also investigating 12 individuals linked to chat group called United Patriots on the encrypted messaging platform, Telegram.

The United Patriots group is popular among far-right extremists. In addition to the kidnapping plots, the group declared their intention to destroy Germany’s electricity facilities to cause a blackout.

These arrests followed a series of raids by German police earlier this month. Police officers in 11 of the country’s 16 federal states staged raids targeting far-right groups, searching the residences of 50 suspected terrorists. The raids focussed on three

of Germany’s most prominent right-wing extremist groups: Atomwaffen Division, Combat 18, and Knockout 51. The majority of those arrested belonged to Knockout 51.

These raids and arrests come as a number of countries, including Germany and the UK, have highlighted the rise of right-wing terrorism in recent years. These actions taken by German police highlight the persistence of the threat from these groups, particularly as the country resumes normal activities following the end of the Covid-19 pandemic.

### **Global:** Islamic State calls on followers to take advantage of Ukraine conflict

Islamic State (IS) has encouraged its followers to take advantage of the ongoing conflict in Ukraine. A spokesman for the group said in an audio statement released on 17 April that European supporters should use “the available opportunity” as the “crusaders” [referring to Western nations] are distracted as they are “fighting each other”.

Attacks by the group in Western Europe have fallen in recent years as IS’ so-called caliphate collapsed in 2017. The number of terrorist attacks in the region fell further in 2020 and 2021 due to the Covid-19 pandemic, which left few opportunities for IS or other organisations to conduct attacks in public spaces. This call to action is therefore significant as it is likely to motivate supporters to resume planning and staging attacks.



# POOL<sup>Re</sup> SOLUTIONS

 **Risk Awareness**

 **Risk Modelling**

 **Risk Management**

## Understanding risk, enabling resilience

Whilst the human cost of terrorism is devastating, the financial impact an incident can have on communities, businesses and economies is generally greater than most realise.

At Pool Re we understand that terrorism is a significant multi-faceted peril that can expose businesses in a complex way. Like many other catastrophic perils, terrorism is a challenge which requires a collaborative approach.

We have been the UK's leading terrorism reinsurer for over a quarter of a century. During this time

our *SOLUTIONS* division have developed a specialist team of experts who can work with you to help you and your Policyholders understand and manage the terrorism threat.

We believe all organisations and businesses can benefit from a better understanding of the terrorism risk solutions available.

To find out more about Pool Re *SOLUTIONS* and how your organisation can take advantage of this service please contact us at: **solutions@poolre.co.uk**

## Threat level

	<b>Critical:</b> an attack is highly likely in the near future	<b>Severe:</b> an attack is highly likely	<b>Substantial:</b> an attack is likely	<b>Moderate:</b> an attack is possible but not likely	<b>Low:</b> an attack is highly unlikely
<b>Threat from terrorism to the UK:</b>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Threat from Northern Ireland related terrorism to Northern Ireland:</b>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Government advice

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