

# Air Transport Terrorism: One of the most Feared Types of Asymmetric Security Threat

Radoslav IVANČÍK<sup>\*.1</sup>, Pavel NEČAS<sup>2</sup>

\*Corresponding author

<sup>\*.1</sup>Department of Management and Information Science,  
Academy of the Police Force,  
Sklabinská 1, 835 17 Bratislava, Slovakia,  
radoslav.ivancik@akademiapz.sk

<sup>2</sup>Department of Security Studies,  
Faculty of Political Science and International Relations, Matej Bel University,  
Kuzmányho 1, 974 01 Banská Bystrica, Slovakia,  
pavel.necas@umb.sk

DOI: 10.13111/2066-8201.2020.12.4.21

*Received: 11 September 2020 / Accepted: 23 October 2020 / Published: December 2020*

Copyright © 2020. Published by INCAS. This is an “open access” article under the CC BY-NC-ND license (<http://creativecommons.org/licenses/by-nc-nd/4.0/>)

**Abstract:** *This paper presents the ongoing research and, deals, in the framework of interdisciplinary scientific research, with various military and non-military threats and their negative impact on the security of contemporary human society. In this research, the authors point out the continuous deterioration of the global and regional security environment and the growth of symmetric and asymmetric security threats with focus on the air transport, and the resulting negative consequences for the security of the states and their citizens. In order to contribute to the development of security science, the authors examine the issues of terrorism as an asymmetric security threat, focusing in particular on terrorism and terrorist activities of the air transport and measures taken to eliminate terrorism in the airspace.*

**Key Words:** *air transport, terrorism, security, asymmetric threats*

## 1. INTRODUCTION

Terrorism and international terrorism in particular, is currently one of the most serious security threats to the peaceful and secure coexistence of people throughout the world. It is an asymmetric threat which, despite some decline in the number of attacks and direct victims of terrorist attacks in recent years (Chart 1), poses a danger to millions of people around the world, as it can now threaten almost anyone, anywhere, anytime. This is one of the reasons why growing fears of terrorist attacks in today's modern age force a large number of scientists from several scientific disciplines, academics, but also politicians, soldiers or security experts dealing with terrorism to pose fundamental questions how to define and grasp this complex phenomenon as accurately as possible, and what appropriate measures to take to eliminate it, regardless of the type of terrorism involved.

For the same reason, terrorism is also addressed by the authors of this article, who, using relevant methods of interdisciplinary scientific research, focus their current research not only on the definition of terrorism, its development and history, but, primarily on air transport-

related terrorism, as the aircraft is one of the most widely used means of international terrorism. One may notice that it is a means that, de facto, stood at the birth of modern international terrorism. It is a tool through which terrorists not only hijack large numbers of people, but also carry out sabotage, cause enormous damage, and at the same time the aircraft serves as an effective and efficient weapon for suicide attacks.

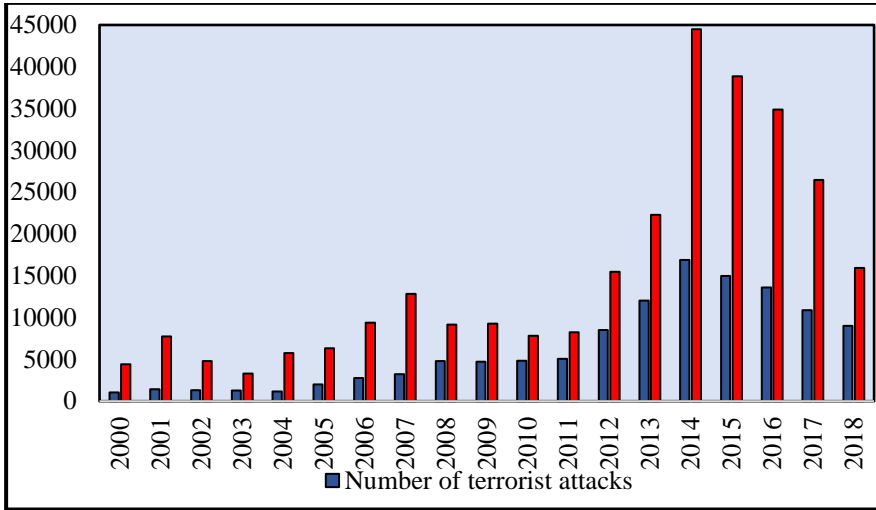


Fig. 1 - Number of terrorist attacks and deaths due to terrorist attacks in the world in the years 2000-2018 [1], [2]

As terrorism is currently one of the most discussed phenomena in the field of theory and practice, the aim of the authors is that such oriented research will contribute both to a better capture and understanding of the phenomenon of terrorism in the international environment, and to make the fight against it more effective. At the same time to contribute to its greatest possible elimination, especially in air transport.

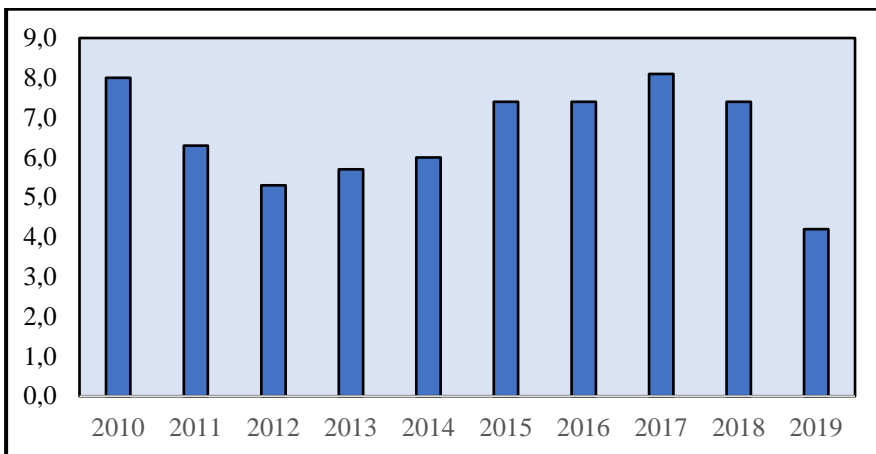


Fig. 2 - Annual growth of air transport over the last ten years (in %) [3]

If we do not take into account the current situation affected by the coronavirus pandemic, air traffic is growing from year to year (Chart 2). It is becoming more modern, faster, denser and is used every year by more and more passengers to travel from one part of the world to another (Chart 3). The aircraft thus becomes one of the most effective means by which

terrorists can easily expand their activities from the national to the international level. An aircraft attack not only causes extensive damage, but also has a much more intense and massive impact on the population of the entire planet, not only on the citizens of the area or state where the terrorist attack took place, as the victims usually come from more countries, which attracts much higher attention of the world public, thus gaining a terrorist attack publicity and importance.

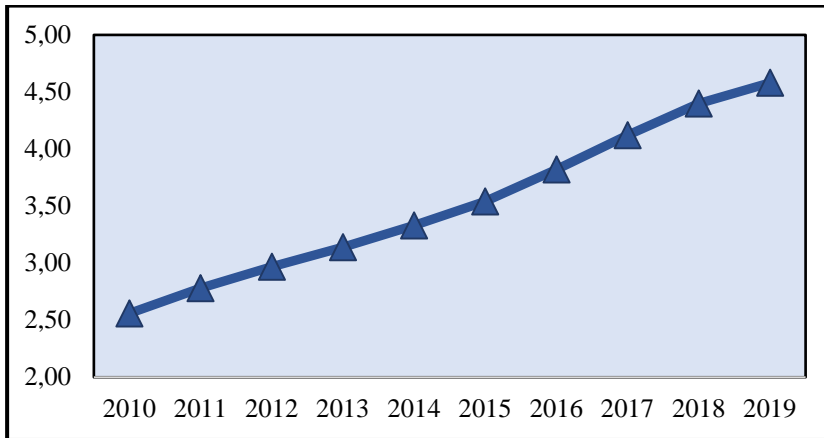


Fig. 3 - Annual growth of passengers in air transport over the last ten years (in mld.) [3]

## 2. BACKGROUND OF OUR RESEARCH

Although the term of terrorism appears quite often in the professional literature today, it is very frequently used especially in politics, journalism, in various reports or comments in the context of information through mass media, but also in ordinary conversations of ordinary people, but the generally accepted and uniform definition does not yet exist. With some insight, it can even be stated that the number of definitions of terrorism corresponds to the number of works dealing with terrorism [4].

This situation is also reflected on a practical level. The definition of terrorism is missing in all current security strategies of states and international organizations. Often, only its types are mentioned (e.g. cyberterrorism, environmental terrorism, political terrorism, religious terrorism, etc.), where it is possible to define at least the object against which terrorism is directed, which leads to the so-called sublimation definition [5]. The complexity and versatility of the issue of defining terrorism is also reflected in the fact that it covers several concepts and is associated with several attributes (e.g. environmental, religious, subversive, repressive, ethnic, criminal, political or pathological terrorism, etc.).

At present, as mentioned above, there are a large number of different definitions of terrorism, but there is no single and comprehensive definition on which the international community agrees, or which is generally accepted. This is despite the enormous efforts of former United Nations Secretary General Kofi Annan, which has escalated, in particular following the terrorist attacks of 11 September 2001.

There are several reasons why the world community has not yet adopted a common, internationally recognized definition of terrorism. According to De la Corte Ibáñez, one of them is, for example, the attitude of Muslim countries whose representatives persistently reject the general definition of terrorism because they do not call terrorists those who use violence in the name of the right for self-determination or as an instrument of resistance to foreign

occupation [6]. Other reasons for not adopting a universal definition include ideological and political reasons. Such a definition could have very significant legal consequences for countries, which is why Golder and Williams liken the search for a definition of terrorism to the search for the Holy Grail [7]. Other authors, such as Zeman, argue that the problem of definition is the same as deciding who is a terrorist and who is already a freedom fighter, that is, a person defending rights that he believes have been stolen from him [8].

The first official definition of terrorism was formulated in 1937 as part of the League of Nations<sup>1</sup> negotiations on the Agreement on the Prevention and Suppression of Terrorism. The agreement was signed by 24 states, but eventually only India ratified it. In particular, the relatively broad definition of terrorism was a problem, as terrorist acts against the state, which aim to provoke terror against certain persons, groups of persons or the public, were also declared terrorist acts [9].

Other, different and more concise definitions of terrorism appeared after the Second World War, in the second half of the 20<sup>th</sup> century, when terrorism was gradually becoming an increasingly important security problem and an increasingly frequent tool for resolving disputes, resp. a tool for promoting policy objectives (interests, requirements) and thus subject of research by experts, especially in the field of security.

One of the most prominent experts in the field of terrorism research, Paul Wilkinson, whose works *Political Terrorism* and *Terrorism and the Liberal State* are now considered classical works in this field, considered terrorism to be “*a form of secret, undeclared, unconventional war, regardless of any humanitarian restrictions and rules*”. He characterized terrorist activities as “*unlimited, indiscriminate, arbitrary and unpredictable, inhuman and barbaric violence*”. Wilkinson defined terrorism as “*intimidation, murder, destruction (or their threat), systematically used to terrorize individuals, groups, communities or governments in order to obtain recognition of their political demands*” [10].

Another terrorism expert, Walter Laquer, author of the works of *Terrorism, Age of Terrorism, New Terrorism* and *A History of Terrorism*, the first three of which can now also be considered classical works in the field, defined terrorism as “*the systematic use of murder, violence and destruction, or their threats, in order to achieve certain policy objectives*” [11].

Bruce Hoffman, author of *Inside Terrorism*, offers a more recent definition, according to which “*terrorism is a deliberate violence used to achieve specific political, social, or religious goals, by inciting fear in public*” [12]. With regard to Hoffman, it is important to note that he was one of the first experts to reject the naive but comfortable notion, long spread by the US media, that terrorism is the domain of lunatics but, on the contrary, acknowledged the use of terrorism as a method of political struggle and the result of a rational calculation.

A very balanced definition of terrorism is offered by Henner Hess, a German author who understands terrorism as “*a series of preconceived acts of direct physical violence carried out systematically but with unpredictability and discontinuity in order to have a psychological effect on non-direct persons, physically affected victims*” [13].

Oskar Krejčí, in his monograph *International Politics*, speaks on Terrorism as “*the systematic use of physical violence, mainly against civilians*”. To complement it, he states that “*terrorism is essentially a political tool in the armed struggle of the weak against the strong and is in principle a strategy which presupposes a great win at low risk*” [14].

---

<sup>1</sup> The League of Nations was an international organization founded after the end of the First World War based on the results of the Paris Peace Conference. On June 28, 1919, the Treaty of Versailles was signed, which in fact represented the creation of the League of Nations. The organization's role was post-war demilitarization, maintaining world peace and preventing further wars through the principles of collective security and diplomatic bargaining.

Among Slovak authors dealing with security and defence issues, Miroslav Kelemen et al. in their publication *Extremism as a Security Threat to Society and Citizens* define terrorism as “a collection of anti-human methods of gross intimidation of political opponents by the threat of force and the use of various forms of violence” [15]. Pavel Nečas and Jaroslav Ušiak, in their scientific monograph *New Approach to State Security at the Beginning of the 21st Century*, define terrorism as “a way of achieving political goals through gross intimidation and the use of several types and forms of violence aimed at causing fear in society” [16].

Similar definitions of terrorism, the common element of which is politically motivated violent behaviour of certain groups or individuals, can also be found in the works (monographs, textbooks, studies, articles or contributions) of other authors, such as Kulich [17], Škvrnda [18], Jurčák [19], [20] Kazanský [21], [22], Lasicová and Ušiak [23] and other authors and experts dealing with issues of defence, national or international security or crisis management, and within them also the issue of terrorism.

A common feature of most definitions is the political goal that terrorists seek to achieve by violent and intimidating means, which implies that if terrorists kill innocent people or destroy buildings, roads, means of transport, etc., the terrorist act itself is not important, it is crucial that they leave a feeling of fear and horror in the general public, which they can use to pursue their political goals.

### 3. HISTORICAL APECTS AND DEVELOPMENT

Just as it is difficult to find one universal definition of terrorism in its entirety, it is also difficult to find the origins of terrorism in history. Here, too, we can meet a different period for each author, where we should look for the first cases of terrorist acts. Some authors date the beginnings of terrorism to the time of the Roman Empire far before our era, such as Cabel Carr: “Long before deliberate military attacks on civilians as a method of influencing the political behaviour of states and their leaders began to be called terrorism From the time of the Roman Republic until the end of the eighteenth century, for example, there was talk of a devastating war” [24].

However, most scientists dealing with the phenomenon of terrorism agree with the theory that we find the beginning of terrorism at the time of the Great French Bourgeois Revolution. It is strange that the origins of terrorism are linked to an event involving the promotion of equality, liberty and human rights, but it is this equality, combined with Robespierre's reign of terror against all those who wish to call into question French freedom and the equal status of individuals, has become a pure germ of modern terrorism.

From today's point of view, we classify French terror as repressive terrorism, that is, arising from the ruling class. The birth of subversive terrorism, that is, bottom-up terrorism against those in power, can be found in Russia in the last quarter of the 19<sup>th</sup> century. The growing dissatisfaction of the Russian intelligentsia with the absolutist way of the Tsarist government began with isolated protests by individuals and resulted in the class struggle and the world-famous Great October Revolution of 1917. On March 1, 1881, Russian assassins even managed to successfully assassinate Tsar Alexander II himself [25].

Even though Russian anarchists already resembled terrorists in many ways, as we know them today, we must not forget that they are only the forerunners of today's terrorists. Today's terrorists are much stronger than former anarchists [24]. The anarchist notion of terrorist actions soon began to emerge in the Turkish-dominated Balkans. Here, too, later, thanks to the large number of living ethnic groups, separatist terrorism of individual nations, which had previously been forcibly forced to live together in one state, began to form.

The first more modern notion of terrorism, which can be combined with military training, a solid organization and modern terrorist actions aimed not only at major political and governmental actors, but also at the general public, can be found in Ireland. This is also the first time we have encountered urban terrorism.

Urban terrorism also took hold very massively in many liberation movements in Latin America during the 1960s and 1970s. The South American state of Peru is also the first place in the world where a mail plane was hijacked in February 1931 to promote the terrorist targets of local revolutionaries [26].

Before the Second World War, terrorism arose, which is still a danger to the whole world. In connection with the initial efforts to create a new Jewish state of Israel, the Western world, led by the USA, entered a long “war” with the Islamic world. While most of the Western world was troubled by the question of American-Russian bipolarity, terrorism gradually grew and grew stronger. Many more professional terrorist organizations around the world have grown, and terrorists have devised increasingly sophisticated ways to promote their goals, for which they were willing to lay down their lives. The borders of the states did not restrict terrorists so much, it was important to enforce their own ideological views of the world, which did not correspond in the slightest to their ideas. International terrorism was born.

The golden age of terrorism dates back to the 1960s and 1970s, when, after a long time, US-Russian relations began to focus on other world issues, such as the unrest in the Middle East and Latin America, after some US relations were partially calmed. At that time, we are also encountering a massive expansion of aircraft hijacking techniques. This technique of pursuing terrorist targets on the international stage has proved to be very simple and highly effective.

Every terrorist act causes great suffering to the public, and the closer we get to the present, the terrorist acts we face in the world are much more drastic. However, the terrorist hijacking and the subsequent attack on the New York World Trade Centre on September 11, 2001, which became the scariest global demonstration of what today's terrorists are capable of pursuing, have been hit hardest by the world.

#### **4. STRATEGY AND MEANS OF TERRORISM**

Terrorism usually manifests itself as organized group activity, although a terrorist attack may be planned and carried out by an individual who is not a member of any organization. However, these cases are rather exceptional. The basic strategy of terrorism is to attract the public's attention as much as possible. This attention is intended to help terrorists better promote their goals. Therefore, terrorists in their attacks often focus on symbolic places, such as the World Trade Centre in New York, or on targets that disrupt the normal life of many people, such as power outages or the impossibility of transport on important routes, whether road, rail or on air [27].

To achieve their goals, terrorists use a variety of tactics, which can be distinguished by the type of terrorism into subversive and repressive terrorism. Subversive terrorism uses bombings, hostage-taking or kidnappings, sabotage and, last but not least, threats to engage in any of these activities. Repressive terrorism, on the other hand, exploits torture, imprisonment, the murder of important people and the spread of misinformation and propaganda [28].

In addition to conventional weapons, such as rifles, pistols, knives, and since the late nineteenth century, bombs have been placed not only in busy places in cities but also in vehicles, means of transport, modern terrorists also use things for a completely different purpose, such as airplanes, to attack.

There are more and more cases of terrorists also threatening to use weapons of mass destruction, such as biological, chemical, or nuclear [29]. During the twentieth century, the aircraft became one of the most used targets and means of terrorism. The greatest rise in hijackings in order to take hostages and enforce demands can be seen in the 1970s, mainly from Palestinian radicals. Aircraft are also at this time a very common place of bombings or are used as a weapon. Cases of hijackings to leave a country with a hostile regime have been relatively common in the past. These included hijackings of planes to Cuba after the communist regime was established there. In Central Europe, on the other hand, we have been able to encounter cases of hijackings from communist countries to the West [26].

Many times, the question arises as to whether hijackings for the purpose of fleeing from one state to another with another regime should be classified as terrorist acts. There are two perspectives in answering this question, as is the case with the issue of liberation struggles. The point is that the state to which the kidnapper usually escapes does not consider his act to be terrorist. But the state from which the hijacker hijacked very often sees his act as an attack on his own government, politics and ideology, and describes such behaviour as terrorist. As aircraft are mostly used to transport large numbers of people who can be easily held as a hostage by terrorists, aircraft have become a typical means of subversive terrorist acts at the international level.

In view of the extent of the damage caused by a terrorist operation involving the use of an aircraft, whether it is a hijacking or a bombing, such actions usually fall into meso-terrorism.<sup>2</sup> Hijackings or attacks by aircraft are used by terrorist organizations with different motivations and different goals to advance their interests.

During the twentieth century, air transport became an essential part of the development of global connections around the world. Today, the unlimited possibilities of transporting goods and passengers quickly and efficiently any place in the world that aircraft have made possible will no longer surprise anyone. The advantages of air transport to advance their interests, especially since the 1970s, have also begun to be exploited by terrorists, who have been able to easily attack their enemies at international level with even greater vigour than before.

The possibility of using civilian aircraft for their purposes was quickly mastered by several terrorist groups and used as a fast and well-controlled attack weapon. In general, terrorism knows no borders. This is true of air terrorism many times over. From a theoretical point of view, air terrorism can thus be understood as the use of violence or the threat of the use of violence against the security of civil aviation in order to achieve political, religious or ideological goals.

It is therefore logical that the emergence of aviation also brought many new issues in the legal field, which needed to be legally addressed for the safe and smooth operation of air transport around the world. International law is one of the main elements in the fight against international terrorism. However, it is far from enough to effectively combat this phenomenon, so its combination with other elements of the fight against international terrorism, such as diplomacy, international cooperation, support for the development of third world countries, freezing of financial flows that could serve terrorist purposes is most often used, military action and espionage [31].

---

<sup>2</sup> Meso-terrorism is a type of terrorism in which the intensity of the attacks is medium, there is significant damage to property and loss of life, but not more than a few dozen people. Micro-terrorism is a type of terrorism in which the intensity of attacks is low and causes only partial damage to property or minor injuries; in macro-terrorism, the intensity of attacks is high, there is damage to property and infrastructure that seriously damages the socio-economic stability of states or regions and large loss of life, in the order of hundreds and more [30].

## 5. AIR TRANSPORT TERRORISM

At present, the fight against terrorism in air transport focuses mainly on prevention, especially because the hijacking or attack of aircraft does not do without major loss of life or the destruction of important buildings and infrastructure, and in many cases both. Aircraft serve as a means for terrorists to achieve their targets, carry out attacks or hijackings, and then publicize them. Terrorist actions associated with aerial sabotage and attacks are one of the most destructive terrorist strikes, and they give them the opportunity to carry out their plans anywhere in the world.

To better understand and illustrate this issue, we will list some well-known terrorist acts in air transport. Terrorists from the Popular Front for the Liberation of Palestine (PFLP) hijacked an aircraft of Israeli company El Al in July 1968 because they believed that Ariel Sharon was on board, making the organization the founder of international terrorism [32].

Two years later, on February 21, 1970, Palestinian terrorists carried out another sabotage when they placed an explosive in the back of a Swiss plane flying from Zurich to Tel Aviv that exploded about ten minutes after takeoff and plane crashed into a forest near the airport. None of the 47 people on board survived. The perpetrators of this act were never caught. However, it is believed that it was retaliation for the conviction of three Palestinian terrorists by a Swiss court two months earlier. Following the attack, the Swiss government introduced strict visas for all Arabs, and some European airlines temporarily stopped flying to Israel. The event also required stricter passenger handling at all major airports.

In the six days from September 6 to 12, 1970, the PFLP hijacked five jets on transatlantic routes. The first plane was hijacked on the route from Brussels to New York, the second on the route Frankfurt am Main - New York at the same time was taken over by two other terrorists. The third plane was hijacked on the route from Zurich to New York and the fourth was headed from Mumbai to London. Terrorists boarded the last plane at its stopover in Beirut and flew it to Cairo, where they planned to blow up the plane. Fortunately, this did not happen until after the emergency evacuation of all persons on board and no one was injured. The remaining four planes landed in the Jordanian desert, where they were destroyed by explosives after a few days. All the hostages were eventually released, a total of almost five hundred people. The terrorists planned to hijack another El Al aircraft during the operation, but the hijackers in this aircraft were detained by crew members and the aircraft landed safely at Heathrow Airport [26].

An example of such a terrorist attack, which proves how devastating air sabotage can be, is the hijacking of a Boeing 747 on June 23, 1985, which is still considered the biggest air disaster over the sea. The bomb attack involved an Air India plane flying from Montreal to London, which exploded in the air about 175 kilometres east of the Irish coast near city of Cork. All 329 people on board died. The investigation showed that the plane had already disintegrated in the air, which led investigators to conclude that the aircraft had been the target of sabotage. Further investigation of the Boeing 747 case revealed that the disaster was linked to an explosion at Tokyo's Narita International Airport, which took place on the same day and two airport workers were killed and four people were injured. A group of Sikhs called the "Dashme Regiment" [26] - a militant group that is part of the movement for the creation of a Sikh homeland called Khalistan through armed struggle - joined the attacks.

One of the best-known cases of terrorist activities in air transport is the case known as "Lockerbie". This was the case of aerial sabotage, which took place on 21 December 1988 on the Pan American Airways route on a flight from Frankfurt am Main to New York, when an explosion occurred at the rear of the aircraft over Scotland, tearing the aircraft into several



pieces, which subsequently collapsed directly into the residential area of the Scottish town of Lockerbie. The disaster killed all 259 people on board the plane and another 11 residents of the city. 5 people were seriously injured in the accident and 20 houses from the crash area were destroyed. Investigators of the case initially believed that it was a retaliatory action for the unintentional shooting down of an Airbus A300 by Iran Air by a US warship. The action was allegedly funded by the Iranian government and carried out by members of the PFLP. However, in 1991, it was discovered that two Libyan intelligence agents were behind the sabotage - Abdelbaset Ali Mohmed al-Megrahi and his assistant Al Amin Khalifa Fhimah.

The investigation revealed that it was revenge for the American bombing in the Libyan city of Tripoli [33].

By far the most well-known terrorist acts in the field of air transport are the attacks that took place on September 11, 2001 in the USA, when a group of terrorists hijacked four United Airlines and American Airlines planes in the morning. With planes number 175 from Boston to Los Angeles and number 11 on the same route, terrorist hijackers crashed into the buildings of the World Trade Centre in New York, which shortly fell to the ground and buried most of the people who worked inside.

Another hijacked plane on Route 77 from Washington to Los Angeles struck the Pentagon headquarters building a few minutes later. The last hijacked machine did not reach the target of the suicide attack of terrorists. After the hijacked passenger of this aircraft managed to regain control of the aircraft, the machine suddenly crashed into the fields of Pennsylvania. None of the passengers survived. The terrorist organization Al-Qaeda, led by Osama bin Laden, claimed responsibility for the attacks.

The immediate emotions evoked by this terrorist act forced US President George W. Bush to speech in which he “declared war on terror”. A few days later, the UN Security Council issued Resolutions 1368 and 1373, condemning the 9/11 terrorist attacks as a threat to international peace and security and calling on all states to work together to quickly catch all perpetrators, organizers and sponsors of these terrorist acts [34].

Based on the previous lines, it might seem that 2001 brought the most deaths because of terrorist acts in air transport in the third millennium, but this is not the case. As Chart 4 shows, in some years, such as 2000, 2002 and 2005, more than a thousand people die each year in the clouds in civil air transport.

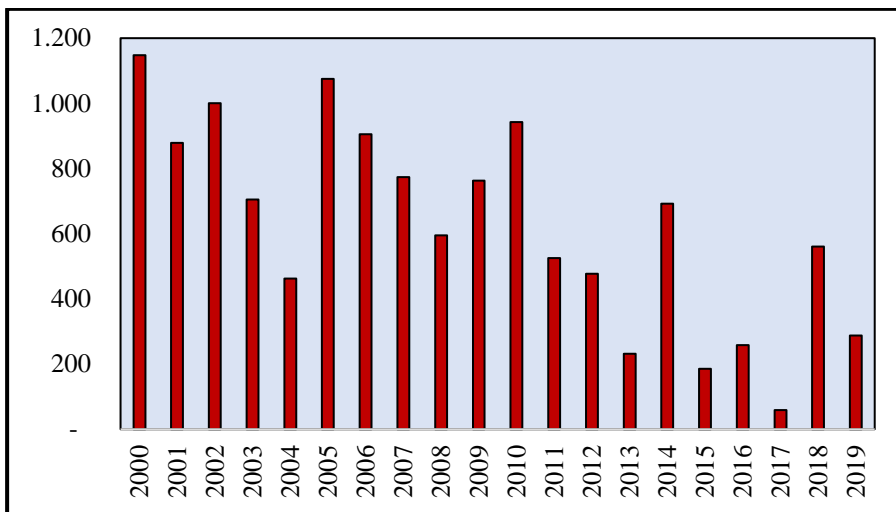


Fig. 4 - Number of deaths in civil air transport in the years 2000-2019 [35]

## 6. CONCLUSIONS

Terrorism in air transport has been and is considered one of the most dangerous manifestations of terrorist activities, as the perpetrators of such acts can unexpectedly attack almost anywhere, anytime, and anyone in the world with a plane. The aircraft has become almost an ideal means of conducting terrorist acts at the international level, which has brought with it many unresolved issues in the fight against this phenomenon.

As indicated above, we meet with the first action of international aviation terrorism in July 1968, when the Palestinian terrorist organization PFLP hijacked an Israeli company El Al. This successful act by terrorists has provoked a growing number of cases of air terrorism, which has begun to worry the leaders of countries around the world. This concern led to the creation of several international conventions specializing in manifestations of air terrorism, also known as air piracy, at the United Nations and the International Civil Aviation Organization (ICAO) in the 1960s and 1980s. These treaties represented significant progress at the time in the fight against international air terrorism. However, over time, it has become clear that even in these treaties, there are gradually gaps that lead, in specific cases, to difficult situations which international law must deal with.

The Tokyo Convention of 1963<sup>3</sup> proved to be insufficient as early as 1970 in connection with the hijacking of five planes organized by members of the PFLP. In this context, however, the Convention has proved to be such a universal document that would oblige the ratifying states to cooperate more closely in the fight against air terrorism.

The shortcomings of the 1970 Hague<sup>4</sup> and 1971 Montreal<sup>5</sup> Conventions, which already set out specific groups of aviation offenses as well as the rules for cooperation between Contracting States, were demonstrated in the Lockerbie case. In addition, none of the above-mentioned treaties (conventions) mentions the issue of preventive measures, which should

---

<sup>3</sup> The Tokyo Convention is applicable to offences against penal law and to any acts jeopardising the safety of persons or property on board civilian aircraft while in-flight and engaged in international air navigation. Coverage includes the commission of or the intention to commit offences and certain other acts on board aircraft registered in a Contracting State in-flight over the high seas and any other areas beyond the territory of any State in addition to the airspace belonging to any Contracting State. Criminal jurisdiction may be exercised by Contracting States other than the State of Registry under limited conditions, viz, when the exercise of jurisdiction is required under multilateral international obligations, in the interest of national security, and so forth. The Convention, for the first time in the history of international aviation law, recognises certain powers and immunities of the aircraft commander who on international flights may restrain any person(s) he has reasonable cause to believe is committing or is about to commit an offence liable to interfere with the safety of persons or property on board or who is jeopardising good order and discipline [36].

<sup>4</sup> The Hague Hijacking Convention (formally the Convention for the Suppression of Unlawful Seizure of Aircraft) is a multilateral treaty by which states agree to prohibit and punish aircraft hijacking. The convention does not apply to customs, law enforcement or military aircraft, thus it applies exclusively to civilian aircraft. The convention only addresses situations in which an aircraft takes off or lands in a place different from its country of registration [37]

<sup>5</sup> The Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (sometimes referred to as the Sabotage Convention or the Montreal Convention) is a multilateral treaty by which states agree to prohibit and punish behaviour which may threaten the safety of civil aviation. The Convention does not apply to customs, law enforcement or military aircraft, thus it applies exclusively to civilian aircraft. The Convention criminalises the following behaviour: 1. committing an act of violence against a person on board an aircraft in flight if it is likely to endanger the safety of the aircraft; 2. destroying an aircraft being serviced or damaging such an aircraft in such a way that renders it incapable of flight or which is likely to endanger its safety in flight; 3. placing or causing to be placed on an aircraft a device or substance which is likely to destroy or cause damage to an aircraft; 4. destroying or damaging air navigation facilities or interfering with their operation if it is likely to endanger the safety of aircraft; 5. communicating information which is known to be false, thereby endangering the safety of an aircraft in flight; 6. attempting any of 1–5; and 7. being an accomplice to any of 1–6. [38]

possibly prevent terrorists from carrying out the acts at all. This problem was highlighted, for example, by the 1985 bombing of a Boeing 747, which sparked a debate about the need for better security not only for aircraft but also for airports, which would prevent terrorists from committing other similar acts. In 1988, therefore, an amendment to the Montreal Convention - the Protocol to Combat Illegal Acts of Violence at Airports Serving International Civil Aviation - was adopted.<sup>6</sup>

The terrorist attack on the World Trade Centre in New York on September 11, 2001, highlighted another serious gap in international law concerning the relationship between terrorism and war, which has not yet been addressed in international law in its counter-terrorism treaties.

This is where the right space is offered to link international law with scientific research, which could in many ways help to increase the effectiveness of the fight against terrorism, and not just in air transport. Based on the conclusions of our research, it would be appropriate to finally agree, develop and implement in legislation a universal definition of terrorism, which is currently one of the most important criteria for making the fight against terrorism more effective in international law. Without this definition, it is not possible to further address which crimes to include in terrorism and which not, as well as how best to resolve the issue of jurisdiction in terrorist crimes in the future.

The biggest problems and differences arise from different perceptions of terrorism by state officials, mass media, academia, the public, armed and police forces, intelligence services, as well as from different interpretations and understandings of terrorism in individual states, whether due to cultural or value differences or reasons for the different perception of the threat of terrorism, it means whether countries are directly threatened by terrorism or not, and if so, how great a threat terrorism poses to society in a given country. Unfortunately, this is one of the reasons why it can be assumed that there will most likely be no consensus in the near future on the search for a uniform, universal and internationally generally accepted definition of terrorism.

In any case, it must be concluded, regardless of whether an agreement on the definition of terrorism is reached sooner or later, that terrorism, all its types and forms, including aerial terrorism, are very negative and undesirable for human society, which they are able to significantly disrupt the functioning of the whole society, whether in terms of political, economic, social or security, and cause enormous damage to it as a whole and to people as individuals, both physical and mental. That is why terrorism is today considered one of the most pressing problems of mankind and at the same time one of the most serious current non-military asymmetric security threats. Therefore, it requires broad cooperation not only at the practical level in the adoption and implementation of specific measures and tasks in the fight against it, but also at the academic level in the search for theoretical approaches to its elimination.

### **ACKNOWLEDGEMENT**

This scientific paper was prepared within the framework of VEGA project no. 1/0149/19 "Security Aspects of Failed States", the grant was provided by the Ministry of Education, Science, Research and Sport of the Slovak Republic.

---

<sup>6</sup> Protocol for the Suppression of Unlawful Acts of Violence at Airports serving International Civil Aviation was signed as a supplement to the Convention. The Protocol makes it an offence to commit similarly violent, dangerous, or damaging acts in airports that serve civil aviation. [39]

## REFERENCES

- [1] \* \* \* GTD. Global Terrorism Database, available at:  
<<https://www.start.umd.edu/gtd/search/Results.aspx?search=&sa.x=54&sa.y=3>>
- [2] \* \* \* IEP, Global Terrorism Index 2019, Measuring the Impact of terrorism, available at:  
<<https://reliefweb.int/sites/reliefweb.int/files/resources/GTI-2019-briefingweb.pdf>>
- [3] ICAO. Statistics of International Civil Aviation Organization, available at:  
<<https://www.icao.int/Search/pages/results.aspx?k=statistics>>
- [4] T. Meisels, Defining Terrorism – a typology, In *Critical Review of International Social and Political Philosophy*, Vol. 12, No. 3, pp. 331-351, ISSN 1369-8230, 2009.
- [5] P. D. Williams, M. McDonald, *Security Studies. An Introduction*. Routledge, London, 666 p., ISBN 978-0-41578-490-0, 2018.
- [6] D. L. Corte Ibáñez, *The logic of terrorism*, Academia, Prague, 322 p., ISBN 978-80-2001-724-6, 2009.
- [7] B. Golder and G. Williams, What is Terrorism? Problems of Legal Definition, In *University of New South Wales Law Journal*, Vol. 27, No. 2, pp. 270-295, ISSN 0313-0096, 2004.
- [8] J. Zeman, *Terorismus: historicko-psychologická studie*, Triton, Prague, 168, ISBN 978-80-7254-305-2, 2002.
- [9] M. Strmiska, *Terorismus a demokracie: pojetí a typologie subverzívního teroristického násilí v soudobých demokraciích*. Masaryk University, Brno, 103 p., ISBN 978-80-2102-755-8, 2001.
- [10] P. Wilkinson, *Political Terrorism*, Macmillan, London, 154 p., ISBN 978-1-34915-550-7, 1974.
- [11] W. Laquer, *A History of Terrorism*, Transaction Publishers, New Brunswick, 277 p., ISBN 978-0-7658-0799-1, 2001.
- [12] B. Hoffman, *Inside Terrorism*, Columbia University Press, New York, 432 p., ISBN 978-0-2311-2699-1, 1999.
- [13] H. Hess, Terrorismus und globale Staatsbildung, In *Kritische Justiz*, Vol. 35, No. 4, pp. 450-467, ISSN 0023-4834, 2002.
- [14] O. Krejčí, *Mezinárodní politika*, Ekopress, Praha, 710 p., ISBN 978-80-86119-45-9, 2010.
- [15] M. Kelemen, P. Havaj, and V. Porada, *Extrémizmus ako bezpečnostná hrozba spoločnosti a občanov*. Vysoká škola Karlovy Vary, 124 p., ISBN 978-80-8723-607-9, 2011.
- [16] L. Rýsová, P. Čajka, R. Kazanský, Europe 2020 strategy and its implementation in the Slovak Republic, In *Journal of Security and Sustainability Issues*, 9(3), 961-975, [https://doi.org/10.9770/jssi.2020.9.3\(21\)](https://doi.org/10.9770/jssi.2020.9.3(21)), 2020.
- [17] M. Kulich, *Terorizmus – destabilizujúci fenomén súčasnosti a boj proti nemu*, Ministry of Defense of the Slovak Republic - Institute of Defense and Security, Bratislava, 125 p, 2002.
- [18] F. Škvrdna, *Terorizmus – najvýznamnejšia nevojenská bezpečnostná hrozba súčasnosti*. General Staff of the Armed Forces of the Slovak Republic, Bratislava, 130 p., ISBN 80-968855-2-9, 2002.
- [19] V. Jurčák, *Organizácie medzinárodného krízového manažmentu*, Armed Forces Academy of gen. M. R. Štefánik, Liptovský Mikuláš, 235 p., ISBN 978-80-8040-436-9, 2009.
- [20] V. Jurčák, Asymetrické hrozby v bezpečnostnom prostredí 21. storočia, In *Security Forum 2013: Conference Proceedings of VI. International Scientific Conference*, Matej Bel University, Banská Bystrica, pp. 614-623, ISBN 978-80-557-0497-5, 2013.
- [21] R. Kazanský, *Bezpečnostná politika – Teória konfliktov*, Matej Bel University, Banská Bystrica, 108 p., ISBN 978-80-557-0250-6, 2011.
- [22] R. Kazanský, *Súčasný problémy výskumu medzinárodných konfliktov a kríz a ich riešenia*. Belianum, Banská Bystrica, 215 p., ISBN 978-80-557-0573-6, 2013.
- [23] J. Lasicová and J. Ušiak, *Bezpečnosť ako kategória*. Veda, Bratislava, 263 p., ISBN 978-80-2241-284-1, 2012.
- [24] C. Carr, *The Lessons of Terror*, Práh, Prague, 183 p., ISBN 80-7252-063-6, 2002.
- [25] L. Bonanate, *Terrorismo internazionale*, Columbus, Prague, 190 p., ISBN 80-85928-45-0, 1994.
- [26] D. Gero, *Flights of Terror: Aerial Hijack and Sabotage Since 1930*, Jan Vašut, Prague, 176 p., ISBN 80-7236-082-5, 1999.
- [27] L. Pařízková, Motivace k terorismu a východiska boje s ním, In *Obrana a Strategie*, Vol. 5, No. 1, pp. 43-54, ISSN 1214-6463.
- [28] M. Brzobohatý, *Terorismus I*, Police history, Prague, 254 p., ISBN 80-902670-1-7, 1999.
- [29] J. Lutz and B. Lutz, *Global Terrorism*, Routledge, London, 2013. 392 p. ISBN 978-1-13673-042-9.
- [30] R. Ivančík, Terrorism - the most serious security threat today, In *National and International Security 2013: Proceedings of the International Scientific Conference*, Liptovský Mikuláš : Armed Forces Academy of gen. M. R. Štefánik, pp. 236-243, ISBN 978-80-8040-475-8, 2013.
- [31] Š. Waisová, *Současné otázky mezinárodní bezpečnosti*, Aleš Čeněk, Plzeň, 160 p., ISBN 978-80-7380-194-6, 1999.
- [32] M. Čejka, *Izrael a Palestina*. Centre of Strategic Studies, Brno, 305 p. ISBN 978-80-9033-339-7, 2005.

- [33] S. Emerson, B. Duffy, *The Fall of Pan Am 103: Inside the Lockerbie Investigation*, Putnam, New York, 304 p., ISBN 978-0-3991-3521-7, 1990.
- [34] P. Šturma, J. Nováková, and V. Bílková, *Mezinárodní a evropské instrumenty proti terorismu a organizovanému zločinu*, C. H. Beck, Praha, 362 p., ISBN 978-80-7179-305-1.
- [35] \* \* \* ASN. Aviation Safety Network Statistics, available at: <<https://aviation-safety.net/statistics/period/stats.php?cat=A1>>
- [36] \* \* \* *Convention on offences and certain other acts committed on board aircraft*, available at: <<https://treaties.un.org/doc/db/terrorism/conv1-english.pdf>>
- [37] \* \* \* *Convention for the Suppression of Unlawful Seizure of Aircraft*, available at: <<https://treaties.un.org/doc/db/Terrorism/Conv2-english.pdf>>
- [38] \* \* \* *The Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation*, available at: <<https://web.archive.org/web/20131017100023/http://treaties.un.org/untc//Pages//doc/Publication/UNTS/Volume%20974/volume-974-I-14118-English.pdf>>
- [39] \* \* \* *Protocol for the Suppression of Unlawful Acts of Violence at Airports serving International Civil Aviation*, available at: <<https://www.refworld.org/docid/3ddcac634.html>>