

The Impact of The Crime of Terrorism on World Security in International Law Perspective

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ABSTRACT

Terrorism is a form of crime that is included in the extraordinary crime which in its legal settlement requires special handling. The crime of terrorism is a crime that is feared by the world community, including Indonesia, because the characteristics of this crime are to create a sense of insecurity and spread terror to society and the victims of this crime of terrorism feel that until now they have not received full justice. The writing of this law is a normative legal research using the literature study method to resolve legal issues related to the impact of terrorism on security in the perspective of international law which is then analyzed using related laws and regulations. The result of writing this law is the need for protection and a sense of justice for victims of criminal acts of terrorism and also the role of law enforcers is needed to uphold justice and the role of the government in terms of being able to provide fair compensation for victims affected by acts of terrorism

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INTRODUCTION

Terrorism is the use of violence or in the form of threats that can cause fear and anxiety at the time of the incident of terrorism, besides that terrorism can cause victims either mass casualties or victims of the perpetrators themselves in committing crimes such as suicide bombings, namely explosives that are deliberately placed in the body and detonated in public places or places that have become targets or can even cause damage to certain objects in the surrounding environment such as public facilities, international facilities. Terrorist movements are activities based on social motives, economic motives, political motives, group interests and other motives.

In 1937 United Nations Convention; Terrorism is any form of crime aimed directly at the state with the intention of creating a form of terror against certain people or groups of people or the general public (Abdul Wahid, 2004).

Terrorism is a criminal act in the form of radicalism with an extraordinary scale group (extra ordinary crime). Crime is an act of crime against fellow human

beings (crimes against humanity). Terrorism is a serious crime and can happen anytime anywhere without a code. In the continuity of the state and nation, terrorism activities seriously threaten human values because they can harm humans, eliminate feelings of comfort in humans, disrupt safety, terrorism is usually carried out in a crowd or deliberately carried out in the center of a country.

The difficulty of tracing terrorism cases makes it difficult to end the problem of terrorism. The many accesses make it easier for individuals and terrorists to travel across national borders, making it difficult for the government to break the chain of development. Countries seek to reduce the number of cases of terrorism through bilateral, regional and international cooperation. Then an international convention was born with the aim of eradicating cases of acts of terrorism, namely: the Asean Convention on the Eradication of Terrorism (Asean Concentration on Counter Terrorism / ACCT).

The United Nations (UN) plays an important role in eradicating terrorism at the international level. The United Nations Security Council has issued a resolution on eradicating terrorism, namely: Resolusi DK PBB Nomor 1373 tahun 2001 tentang negara yang merupakan anggota PBB wajib melakukan perlawanan terhadap tindakan terorisme dan bersedia untuk tidak menyediakan dana bantuan untuk organisasi terorisme.

METHODS

This research is a prescriptive legal study that investigates terrorist crimes in an international perspective that occurred in Indonesia. The legal sources used are primary legal sources, secondary legal sources and tertiary sources, and the approaches used are legal and case approaches. The collection of legal material is carried out in two ways, namely library research and literature research on terrorist crimes and efforts to enforce the law on terrorism in Indonesia.

DISCUSSION AND RESULT

Terrorism is included as a crime with the number of growth always increasing from year to year. In carrying out its acts of terrorism, it is based on groups with various motives that develop such as social motives, political motives, economic motives and many more. Many efforts have been made by the government to reduce the number of growth rates in acts of terrorism, but there are factors that become obstacles and cause acts of terrorism as follows:

1. International Factors

The involvement of outsiders internationally does have quite a big and strong impact in the form of logistical support. With examples of weapons supplies, boom supplies, supplies of dangerous substances, he can even distribute aid funds. In a group has an emotional bond that is intertwined in both.

2. Cultural factors

The narrow understanding that develops in society in translating certain religious values results in perpetrators being influenced by a people with certain teachings to commit acts of terrorism against the surrounding community.

3. Domestic factor

People's lives with poverty and inappropriate education are easy targets for the (leading actors). as a result, with lots of persuasion, such as the promise of heaven and happiness, if he commits a suicide bombing he will get a reward, not infrequently he is brainwashed so that he wants to comply and carry out the

suicide bombing process in a predetermined place. Not infrequently the perpetrators of suicide bombings have less religious education and knowledge.

Of the many literatures that have discussed the causes of acts of terrorism, there are also two factors that also have a role in the emergence of these acts of terrorism which have been neatly arranged in a structured and chronological manner. These factors are further divided into 4, namely:

1. Structural factors

This factor is due to the absence of balance in the transitional era of society, globalization and the existence of very rapid modernization which can trigger individualism in society, this is triggered by class or caste differences.

2. Facilitator factor

Modernization in the mass media, as well as sophistication in technology can trigger acts of terrorism which can be used as an attractive option, although not the main factors that make this act of terrorism. This creates a weak control in each country.

3. Motivational factor

This factor is caused by each individual having the goal of committing acts of terrorism so that there is dissatisfaction experienced by each individual which can motivate them to act to harm society.

4. Triggers

The trigger factor is caused by the provocative nature of each individual or a certain group which causes a reaction so that it is influenced to commit acts of terrorism.

Thus it can be said that the factors in this act of terrorism are very complex with the various reasons that this action can be carried out. Therefore we need to understand various aspects and theories of the causes of acts of radicalism or acts of terrorism.

Disasters can happen anytime and anywhere that we cannot predict when the disaster will come. Disasters cannot be avoided or run away from them. Disasters have a huge social impact, both communities, companies, the economy, and government. Disasters do not only come from nature, but disasters can also come from human actions themselves, for example acts of terrorism which can cause various losses such as loss of life and material.

Terrorism can be said as a disaster that results in political and security instability in the region. Terrorism can be in the form of coordinated attacks with the aim of terrorizing a group of people. The many impacts and consequences of these acts of terrorism make us optimistic in strengthening high solidarity with a sense of care and full vigilance in acts of terrorism and radicalism. The following are some of the impacts arising from acts of terrorism:

1. Impact on fatalities / lives

Acts of terrorism can take many lives. This has become a target for terrorists to create chaos and loss of life. This act of terrorism is dominantly aimed at innocent people.

2. Psychological impact

The psychological impact of these acts of terrorism will create a sense of worry, anxiety and fear for the people, because they feel that their area is no longer safe. The existence of this act of terrorism can cause trauma for a long time for victims who experience this disaster. As well as the existence of a sense of public distrust

of the government for credibility which is unable to fight, quell terrorism and secure its own region.

3. Impact on property

Acts of terrorism cause material losses that are quite large, such as the number of buildings destroyed, educational facilities, shopping centers, and entertainment venues.

4. Economic impact

Acts of terrorism do not only have a bad influence on the national economy, but also the international economy. Acts of terrorism can cause a decrease in the amount of money that has been received by sectors, resulting in many layoffs (PHK). This can also harm business activities, for example the Bali Bombing terrorist act which has an impact on losses in the field of entertainment venues or tourists so that the world of tourism begins to be disrupted and insecurity arises. This act of terrorism can make investors hesitate in doing business, because acts of terrorism have occurred in that area.

5. Impact on the state and society

This impact raises people's distrust of their own country and can also reduce the credibility of the government. Impact on the state and society This impact raises people's distrust of their own country and can also reduce the credibility of the government.

6. Impact on culture

As a result of acts of terrorism can reduce its cultural values which have been known as a friendly, safe and comfortable country

7. Impact on religion

As a result of this act of terrorism can lead to distrust between people of different religions. This is referred to as defending the weak, defending the religion or sect that is adhered to by showing that the action is included in the right path. So that this act can raise suspicion of certain religions, for example to Islam.

Until now the United Nations has completed and combined several legal conventions on terrorism that occur in the world as follows:

- 1) Convention on Offense and Certain Acts Committed on Board Aircraft (1963)
Is a convention regarding the forms of violations and actions committed in aircraft
- 2) Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (1971)
Convention with the content of eradicating unlawful acts with the security of civil aviation.
- 3) Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (1988)
Contains a convention on the eradication of unlawful acts in the safety of maritime navigation
- 4) Convention on the Marking of Plastic Explosives for the Purpose of Detection (1993)
is the Convention on the Marking of Plastic Explosives as a detector
- 5) International Convention on the Suppression of Acts of Nuclear Terrorism (2005)
is an International Convention on the Combating of Nuclear Terrorism Crimes

In the crime of terrorism, the United Nations has taken steps and provided assistance to victims, especially in the context of ratification and a number of legal studies in the hope of reducing terrorism crimes. Actions internationally that can be taken to prevent terrorism are as follows:

1. International cooperation

The responsibility of citizens is the responsibility of the state, with the existence of cooperation between countries it is hoped that it can reduce and prevent acts of terrorism.

2. Be firm

By taking a firm stand against acts of terrorism in all its forms and always being alert to a threat because it could become a serious threat and lead to terrorism

3. Each country is responsible

Each member country is responsible for implementing the global counter-terrorism strategy by continuing to make improvements at the United Nations and coordinating with international organizations.

4. There is awareness and encouragement from civil society

As a society which is a non-governmental organization, it can also be seen in efforts to prevent terrorism with awareness and not joining terrorism, so it also plays a role in maintaining national peace.

CONCLUSION

Based on the explanation above, it can be concluded that terrorism in international crimes is a form of violence in the form of threats that can cause fear and anxiety, besides that terrorism can also cause victims. The impact on loss of life or lives caused by this act of terrorism is dominantly aimed at innocent people and which is very large for companies, the economy, religion, and government. Terrorism is a crime with a growing number always increasing from year to year. In carrying out its acts of terrorism, it is based on groups with various motives that develop such as social motives, political motives, economic motives and many more.

The many impacts and consequences of acts of terrorism make us optimistic in strengthening high solidarity with a sense of care and full vigilance in acts of terrorism and radicalism. Many efforts have also been made by the government to reduce the number of growth rates in acts of terrorism, but there are factors that become obstacles and cause acts of terrorism. The factor in this act of terrorism is very complex with various reasons that this action can be carried out. Therefore we need to understand various aspects and theories of the causes of acts of radicalism or acts of terrorism. At the end of this writing, we try to provide suggestions regarding this problem, namely:

1. Countries in the world should have totality to eradicate terrorism from its roots even though it has been resolved by national law where the incident occurred.

Because terrorism cannot just stop when it is destroyed but can grow again if the ideology of terrorism is not destroyed. Therefore the role of the state is to provide understanding to the people about peace which has been turned upside down by the terrorists.

2. Law enforcers are required to always anticipate and prepare for acts of terror prior to the occurrence of acts of terror by means of early detection of acts of terrorism.

3. Law enforcers are required to always strengthen coordination and cooperation between agencies by strengthening operations and always increasing security for public areas and strategic areas which are the targets of acts of terrorism.
4. There is socialization regarding the addition of content in the Law regarding regulations on the prevention and countermeasures of terrorism.

REFERENCES

- Gede, I., Eka, P., & Sh, W. (2016). *Bahan Ajar Hukum Internasional Pengaturan Tentang Terorisme Dalam Hukum Internasional Dan Hukum Nasional*. https://simdos.unud.ac.id/uploads/file_pendidikan_1_dir/14b5ee551f8ff9066b72c4d72b8f3e4b.pdf
- Hasanah, N. (2018). Upaya Pemerintah Indonesia Dalam Mengatasi Terorisme Pada Masa Pemerintahan Joko Widodo Tahun 2014 -2019. *EJournal Ilmu Hubungan Internasional*, 6(3), 2477-2615. [https://ejournal.hi.fisip-unmul.ac.id/site/wp-content/uploads/2018/07/1.%201302045061%20-%20Nur%20Hasanah%20\(07-15-18-01-11-48\).pdf](https://ejournal.hi.fisip-unmul.ac.id/site/wp-content/uploads/2018/07/1.%201302045061%20-%20Nur%20Hasanah%20(07-15-18-01-11-48).pdf)
- Indonesia Dan Upaya Penanggulangan Terorisme | Portal Kementerian Luar Negeri Republik Indonesia. (2019, April 7). Kemlu.go.id. https://kemlu.go.id/portal/id/read/95/halaman_list_lainnya/indonesi-a-dan-upaya-penanggulangan-terorisme
- Komariah, M. (2017). Kajian Tindak Pidana Terorisme Dalam Perspektif Hukum Pidana Internasional. *Jurnal Ilmiah Galuh Justisi*, 5(1), 97. <https://doi.org/10.25157/jigj.v5i1.281>
- RFQ. (2016, July 20). 3 Penyebab Suburnya Aksi Terorisme di Indonesia. Hukumonline.com. <https://www.hukumonline.com/berita/a/3-penyebab-suburnya-aksi-terorisme-di-indonesia-lt578f482649832>
- Zaidan, M. A. (2017). Pemberantasan Tindak Pidana Terorisme (Pendekatan Kebijakan Kriminal). *Law Research Review Quarterly*, 3(2), 149-180. <https://doi.org/10.15294/snh.v3i1.20932>