



**The fight against terrorist  
recidivism in Russia and  
China in the global context**

## THE FIGHT AGAINST TERRORIST RECIDIVISM IN RUSSIA AND CHINA IN THE GLOBAL CONTEXT

### LA LUCHA CONTRA LA REINCIDENCIA DEL TERRORISMO EN RUSIA Y CHINA EN EL CONTEXTO GLOBAL.

#### ABSTRACT

In the modern world, the prevention of terrorist attacks is one of the most complicated and relevant challenges facing society. International organizations (NATO, the UN, the Council of Europe, and the Shanghai Cooperation Organization) are actively fighting against terrorism. This study analyzes the fight against terrorism in Russia and China, with regard to global trends. The study involves a comparative analysis of the criminal laws of Russia and China in the field of counterterrorism. The criminal laws of Russia and China do not provide a clear definition of the concept of a terrorist crime. However, this gap is bridged by explanations provided by appropriate authorities and agencies. The study investigates the peculiarities of the establishment of recidivism and special recidivism based on the Criminal Law of the People's Republic of China and the Criminal Code of the Russian Federation. The study focuses on the understanding terrorist crimes and figuring out the range of concrete actions that are classified as terrorist crimes. The study analyzes changes made to the criminal laws of Russia and China, which enhance responsibility for committing second terrorist offenses.

**KEYWORDS:** terrorism, terrorist crimes, counterterrorism, general recidivism, special recidivism.

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#### RESUMEN

En el mundo moderno, la prevención de ataques terroristas es uno de los desafíos más complicados y relevantes que enfrenta la sociedad. Las organizaciones internacionales (la OTAN, la ONU, el Consejo de Europa y la Organización de Cooperación de Shanghai) están luchando activamente contra el terrorismo. Este estudio analiza la lucha contra el terrorismo en Rusia y China, con respecto a las tendencias globales. El estudio implica un análisis comparativo de las leyes penales de Rusia y China en el campo del contraterrorismo. Las leyes penales de Rusia y China no proporcionan una definición clara del concepto de crimen terrorista. Sin embargo, esta brecha se supera con las explicaciones proporcionadas por las autoridades y agencias apropiadas. El estudio investiga las peculiaridades del establecimiento de la reincidencia y la reincidencia especial basadas en la Ley Penal de la República Popular China y el Código Penal de la Federación Rusa. El estudio se centra en comprender los delitos terroristas y en determinar el rango de acciones concretas que se clasifican como delitos terroristas. El estudio analiza los cambios realizados en las leyes penales de Rusia y China, que aumentan la responsabilidad de cometer un segundo delito terrorista.

**PALABRAS CLAVE:** terrorismo, delitos terroristas, contraterrorismo, reincidencia general, reincidencia especial.

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NATALYA N. KOROTKIKH



Far Eastern Federal University, Russian Federation



esfehni.mohamad3@gmail.com



IVAN I. LITVINOV



Far Eastern State Transport University, Russian Federation

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## INTRODUCTION

Terrorism is one of the most dangerous and difficult to predict phenomena, which poses a threat to the security of each individual country and humankind in general. Various manifestations of terrorism are an inevitable evil that is inherent in the life of the modern society, including Russia and China. However, while Russia holds the ninth spot out of 158 countries in terms of terrorism levels, this phenomenon has been considered rare in China until recently and has never been executed out of political motivation [2]. The explosion at the Beijing airport in 2011, blasts in front of the Communist Party of China offices in Taiyuan (November of 2013), the tragedy that occurred on the Tiananmen Square in Beijing (October of 2013), attacks of armed men in March of 2014 at the Kunming railway station (29 dead and more than 130 injured) [3], as well as a series of other events are indicative of a new trend in the Chinese society.

Chinese authorities, officials responsible for counterterrorism, and researchers consider terrorism a growing threat that requires specific and large-scale countermeasures [22].

The prevention of terrorist attacks and terrorist crimes is one of the most complicated and relevant challenges in the modern world. A key issue in the world and national science in terms of counterterrorism is the elaboration and specification of the categorical framework.

The overlapping activities of militarist parties, terrorist groups, and criminal organizations in contexts of state weakness are becoming an increasingly common phenomenon in contemporary armed conflicts [21]. In order to prevent terrorist acts, it is necessary to enhance countermeasures to various illegal activities performed by groups of people.

The purpose of this study is to improve the legislation of the Russian Federation and the People's Republic of China in the field of counterterrorism.

The objectives of the study, considering its purpose, are as follows:

1. To analyze the world experience of counterterrorism.
2. To analyze the legislation of Russia and China in the field of counterterrorism.
3. To give recommendations as to how to improve the legislation of Russia and China in the field of counterterrorism.

## ANALYSIS OF THE WORLD EXPERIENCE IN COUNTERTERRORISM

Criminal terrorist activities take place and manifest worldwide. They are a current global problem that concerns both developed and developing countries. Despite multiple counterterrorism programs, this phenomenon manifests even in the European Union and the USA. Over the last years, more than 200 people have been killed and hundreds have been injured in terrorist acts that took place across EU member-states [9]. Only several terrorist acts have been prevented at that.

Terrorist acts took place in Paris, Tunisia, Egypt, Libya, Yemen, Turkey, California, Saudi Arabia, Indonesia, Bangladesh, Lebanon, Pennsylvania, Kuwait, Texas, Afghanistan, Denmark, New York, Algeria, Iraq, and Syria. They were organized by radical Islamic religious fanatical groups. Nowadays, one of the most active organizations is the self-declared Islamic State. Members of this terrorist organization spread radical ideas through mediators, printed materials and pamphlets, videos, radio, and television in territories under their control [14]. They use various methods of psychological influence on the population in general and certain persons in particular.

Terrorist acts took place in Australia, too, which introduced extensive changes to its legislation as a direct result of that. New regulations and amendments to pieces of legislation in effect banned multiple terrorist crimes. Furthermore, appropriate corrections have been made to the safety and security arrangements, including a considerable increase in the personnel size and funding of a number of

governmental organizations [10]. In addition, Australia practices cooperation between the police and the general public, especially with the Arab Muslim communities. Members of Muslim communities can help detect radical Muslims that are suspected of preparing illegal actions. However, the police should keep communication with community members legal, for instance, refrain from unreasonable or illegal questionings or searches [11].

Researchers express the opinion that democratic states are more susceptible to terrorism, since their respect for human rights impedes their ability to fully eliminate terrorist groups. Another opinion is that the effectiveness of counterterrorist programs in democratic states is significantly higher. Their programs were better thought through, better

organized, and provided with sufficient resources, unlike similar programs in developing and less democratic countries [12]. In is necessary to draw attention to new forms of terrorism. For example, the incorporation of terrorism and piracy, which is especially obvious in the case of Somalian pirates [13].

At that, experts note that in some cases, USA, for instance, there are court cases that deal with human rights violation that are improperly reviewed because of the need to ensure secrecy. International laws, on the other hand, establish the primacy of fair trial and the application of appropriate means of ensuring secrecy when necessary [15]. In addition, experts note the effect of communication and transportation technologies on the spread of transnational terrorism, which has increased its range of influence over the last years. The targets of terrorist attacks are becoming increasingly accessible [20].

The responsibility for preventing terrorist acts is placed on the executive agencies, which should have subjects for detecting possible threats. However, it is worth bearing in mind that many counterterrorist actions taken by executive authorities infringe upon the rights and freedoms of foreigners and persons without citizenship. In addition, special attention is being paid to religious figures [16].

However, not all countries are equally concerned about the problem of terrorism, since not all countries are affected by it to the same degree. For instance, Great Britain pas-

sed a special counterterrorist bill even before the terrorist act of September 11, 2001 in the USA. At that, Germany is in no haste to adopt similar regulations. The authorities of the country believe their current counterterrorist legislative regulations to be sufficient [17].

In its report, the Eminent Jurist Panel showed that the September 11, 2001 terrorist act in the USA and the July 7, 2005 terrorist act in England made it so many states adopted a series of counterterrorist measures that undermined the basic values of the international legal framework and hindered the effective exercise of human rights [18]. In order to suppress terrorism, it is necessary to suppress its accompanying illegal activities that facilitate the funding of terrorist attacks. Such accompanying activities include illegal diamond, oil, arms, and drug trade, kidnapping, and human trafficking [21].

The police use various means and tactics to detain those responsible for terrorist attacks. The most effective ones include routine police activity, the use of informants, identification of witnesses, and

cooperation with people, with a view to acquiring necessary and relevant information. At that, it is worth taking into account the number of culprits, since the identification of a group of people differs from the identification of individual persons. The most effective ways of identifying organized groups are surveillance and the use of informants; in case of individual terrorists, these ways are identification of witnesses and cooperation with people [19].

The problem of terrorism is being dealt with by international organizations. For instance, NATO conducts various antiterrorist operations both independently and together with its partners and allies [23].

Since 1963, the UN has developed 19 international treaties aimed at preventing terrorist attacks. The treaties, which are open for all member-states, were developed under the auspices of the United Nations Organization and the International Atomic Energy Agency. These documents include:

- the 1963 Convention on Offences and Certain Other Acts Committed on Board Aircraft;

- the 1970 Convention for the Suppression of Unlawful Seizure of Aircraft;

- the 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation;

- the 1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation;

- the 2010 Convention on the Suppression of Unlawful Acts relating to International Civil Aviation;

- the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents;

- the 1979 International Convention against the Taking of Hostages;

- the 1980 Convention on the Physical Protection of Nuclear Material;

- the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation;

- the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf;

- the 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection;

- the 1997 International Convention for the Suppression of Terrorist Bombings;

- the 1999 International Convention for the Suppression of the Financing of Terrorism;

- the 2005 International Convention for the Suppression of Acts of Nuclear Terrorism [26].

The peculiarities of criminal penalties for terrorist activities

The criminal laws of Russia and China [4, 5] do not provide a clear definition of the concept of a terrorist crime. However, this gap is bridged by explanations provided by appropriate authorities and agencies. For instance, according to the Resolution of the Plenum of the Supreme Court of the Russian Federation dated February 9, 2012 No. 1 "On Certain Issues of Judicial Practices Involving Criminal Cases on Terrorist Crimes" [1], such crimes include, besides the terrorist act, the following actions:

- contributing to terrorist activity (Article 205.1),

- public calls for committing of terrorist activity or public justification of terrorism (Article 205.2),

- hostage-taking (Article 206),

- organization of an illegal armed formation, or participation in it (Article 208),

- hijacking of an aircraft, a sea-going ship, or a railway train (Article 211),

- illegal treatment of nuclear materials or radioactive substances (Article 220),

- Stealing or Possession of Nuclear Materials or Radioactive Substances (Article 221),

- piracy (Article 227),

- encroachment on the life of a statesman or a public figure (Article 277),

- forcible seizure of power or forcible retention of power (Article 278),

- armed rebellion (Article 279),

- assaults on persons or institutions enjoying international protection (Article 360).

In turn, the Resolution "On Issues related to the Enhancement of Antiterrorist Work", adopted by the Standing Committee of the National People's Congress on October 29, 2011 also defined a terrorist activity. In China, a terrorist activity implies an activity that is aimed at creating a situation of public fear through violence, destruction or intimidation; prejudice of public safety; influence on government authorities or international or-

ganizations; infliction or intention to inflict such damage as human casualties, property damage, damage to municipal infrastructure, public disorder, etc.

At the same time, experts in Chinese criminal law have different opinions as to exactly which crimes should be considered terrorist. The fact of the matter is that the Criminal Law of the People's Republic of China does not feature a separate element of a crime that would provide for responsibility specifically for a terrorist act. According to Chinese laws, terrorist crimes consist, firstly, of crimes that feature the word "terrorist", including the creation and management of and participation in a terrorist organization, funding of terrorist activities (Article 120 of the Criminal Law of the People's Republic of China) or creation and spread of false terrorist information (Article 291 of the Criminal Law of the People's Republic of China); secondly, of ordinary crimes, which can be classified as terrorist crimes under certain circumstances, for instance, murder, intended bodily harm, bombing, arson, kidnapping, etc.

According to Chinese laws, similar to the Criminal Code of the Russian Federation, terrorist crimes can be committed for the purpose of intimidating, blackmailing or deterring certain people or groups of people and influencing them psychologically. However, the main feature of terrorism in all of its manifestations is the achievement of specific goals: to undermine the economic security and defensive capacity of a country, to seize power, to change the political or socioeconomic order, to force the authorities to make decisions that benefit the terrorist, etc. In this respect, the opinions of Russian and Chinese researchers are identical. According to Hu Lianhe, the essence of terrorist crimes lies in the creation of an atmosphere of fear, intimidation of government authorities and the public, with a view to achieving a certain political or social goal by using explosions, arsons, kidnapping, hostage taking, and other forms of violent activities [7].

In China, the current policy, including the counterterrorist policy, is affected, directly or indirectly, by outstanding Chinese researchers and fields of science. Academic debates react to the dynamics of political trends and help to form and reform policy directions [22].

In China, the penalty for terrorist activities is repression. However, despite the fact that repressions have been successful at first in suppressing the opportunistic use of terrorism, the emergence of new forms of terrorist attacks, suicide bombing, for instance, enables terrorists to avoid punishment in the form of repression. Since that time, repressions have turned out to be ineffective in suppressing terrorism and there is a possibility that they will remain incapable of preventing future terrorist innovations. In this situation, measures aimed at neutralizing the actions of terrorists, for instance, suicide bombings, are required [24]. These circumstances require effective measures for preventing attacks, rather than punishing the executors, who cannot be punished in the end. In addition, effective measures against organizers are required.

China is a member of the Regional Counter-Terrorism Structure, the security organ of the Shanghai Cooperation Organization. Another member of the Shanghai Cooperation Organization is Russia. China, Russia, and other members of the Shanghai Cooperation Organization can take joint actions, which will be duly funded. One of the directions is the arrangement of the security of the members of this organization [25]. In addition, China and Russia hold joint military exercises. For instance, in May of 2015, China sent its warships to participate in Russia's Joint Sea 2015 exercise held in the Black Sea [23].

#### **THE PECULIARITIES OF CRIMINAL RESPONSIBILITY FOR TERRORIST CRIME RECIDIVISM ACCORDING TO RUSSIAN AND CHINESE LAWS**

While implementing the criminal policy of "combining strict punishment with leniency", Chinese authorities stress the need for a more intensive fight against terrorist crimes. Amendments to the Criminal Law of the People's Republic of China (No. 8) that provide for enhanced responsibility for special recidivism are one of the manifestations of the rigorous fight against such crimes.

When compared to the Criminal Code of the Russian Federation, the Criminal Law of the People's Republic of China provides for greater repressions against recidivists. The concept of general recidivism is regulated in Article 65 of the Criminal Law of the People's Republic of China, according to which,

people sentenced to a prison term or a stricter punishment are considered recidivists and are subject to stricter punishment if they committed a crime that entails a prison term or a stricter punishment within five years after being released from prison, with the exception of cases when the crime was committed out of negligence or by a person under the age of 18.

Thus, according to the specific regulations of the law, crimes that have been committed out of negligence or by persons under the age of 18 do not constitute recidivism. In the Criminal Code of the Russian federation, the list of circumstances that rules out recidivism also includes intended minor offences, cases of conditional sentences, and suspension of sentence.

Thus, the content of recidivism as described in the Criminal Law of the People's Republic of China can be "deduced" by using the technique of systematic interpretation of corresponding regulations, which is not always an easy task. This approach of the legislator does not always help to clearly figure out the content of this criminal phenomenon. In this case, a clear definition of this term (for instance, in the Criminal Code of the Russian Federation) is more expedient, since it does not require the law enforcers to figure out each time the elements of recidivism and only then interpret them in regards to a specific case. This approach does not mix up the concept of the phenomenon and the legal consequences it entails.

It is worth noting that the Criminal Law of the People's Republic of China uses the term "recidivist" alongside the term "recidivism"; furthermore, enhancement of criminal responsibility that is provided for by the law is targeted at the performer of such actions – the "recidivist", a person that poses greater danger to the public. In the theory of Soviet criminal law, there was a common opinion regarding the significance of personality traits as the defining factor in the question about criminal responsibility. These opinions were clearly reflected in issues regarding the responsibility of recidivists. In its original 1996 edition, the Criminal Code of the Russian Federation recognized duplicity and record of conviction as a classifying element of any crime and recognized a record of two or more convictions as an especially classifying

element, thus preserving the old concept of recidivism and an especially dangerous recidivist; however, the Criminal Code of the Russian Federation later ceased considering said elements classifying ones in its Special Part. Chinese criminal science extensively uses the works of Soviet criminal law experts, but interprets differently the need to enhance the criminal responsibility for persons that commit second offences. In accordance with Article 65 of the Criminal Law of the People's Republic of China, recidivists are subject to stricter punishment, while Articles 74 and 81 of the Criminal Law of the People's Republic of China establish that neither conditional sentences nor release parole are applicable to recidivists.

#### **THE PECULIARITIES OF SPECIAL RECIDIVISM OF TERRORIST CRIMES IN THE LAWS OF RUSSIA AND CHINA**

In addition, the Criminal Law of the People's Republic of China features the term "special recidivism". This term is defined in Article 66 of the Criminal Law of the People's Republic of China, according to which, criminal elements endangering state security who, at any time after their punishment has been completely executed or they have received a pardon, commit another crime endangering state security are all to be treated as recidivists. Recidivism of kindred or same offences is an objective indicator of the negative characteristics of a subject, which are deeper and more persistent, dominate over his or her other antisocial qualities and determine the trend of commission of same or kindred offences. Unlike its Russian counterpart, the Chinese legislator takes into account the fact that special recidivism, in comparison to general recidivism, allows stating a more accurate antisocial orientation of the culprit's personality.

The Chinese criminal doctrine faces a number of questions related to the classification of crimes in case of special recidivism. This is caused by the fact that terrorist crimes are characterized by diverse publicly dangerous consequences in the form of physical, property, and other tangible and intangible damages; they also manifest in the form of a threat to security, public health, state order, state sovereignty, peace, and safety of humankind.

First and foremost, a subject of a crime, according to Chinese laws, can be both a natural

person and a legal entity. Some researchers believe that an individual that commits terrorist crimes has to be a member of a terrorist organization, while some believe that this condition is not a necessary one, and others hold the opinion that an individual can or cannot be a member of a terrorist organization, but can act in its interests or be funded by said organization to commit crimes. This study shares the opinion that the main aspect in the identification of the subject of a terrorist crime should be the determination of the goal, with which a specific person committed the crime. If the goal is to create public fear, blackmail the public or the state to pursue a political, religious or other antisocial agenda by causing explosions, arsons, damaging vehicles, etc. or funding such activity, the person will be considered a subject of a terrorist crime regardless of his or her membership in a terrorist organization. When it comes to the responsibility of a legal entity, terrorist crimes should be interpreted in the narrow sense and include only the creation and management of and participation in a terrorist organization and funding of terrorist activities (Article 120 of the Criminal Law of the People's Republic of China).

Another important problem is the determination of the range of crimes that form special recidivism. Chinese researchers interpret "other crimes", which are mentioned in Article 66 of the Criminal Law of the People's Republic of China, differently. According to some researchers, in case of special recidivism, previous and repeated offences should be the same offences. According to this opinion, the formation of special recidivism of terrorist crimes requires the culprit that committed a terrorist crime to commit another terrorist crime after being released. If the same person committed a terrorist crime, was sentenced, and, after being released or amnestied, committed a second offence against, say, state security, then this cannot be regarded as special recidivism of terrorist crimes, but could form special recidivism if certain other elements are present.

The phrasing "another crime" within the framework of special recidivism does not require the previous and repeated crimes to be the same – they can also be kindred. Arguments for such an opinion include the fact that the Chinese legislator in the criminal law specifically segregated three types of crimes

from other general criminal acts to carry out the criminal policy of a rigorous fight against crimes against state security, terrorist crimes, and crimes related to participation in the activities of criminal organizations. The limitation of previous and repeated offences only to the same crimes would affect the punishability of said crimes significantly [8]. In addition, the criminal law of China does not require the committed crimes to be only same or kindred in case of general recidivism. Although the conditions of formation of special recidivism differ from those of general recidivism, the principle of uniformity should still be applied, thus fulfilling the unity of legislative thought.

It should be noted that the Chinese legislator considers general recidivism and special recidivism in terrorist crimes a circumstance that aggravates responsibility, thus objectively shifting focus to the agent, since his or her previously committed crimes and criminal record characterize his or her personality traits. This is indicative of a purposeful criminal policy that is carried out in China, which is aimed at suppressing specific persons that commit the most dangerous types of crimes.

In the Russian Federation, the transition from the justice of action to the justice of subject can be seen in the latest changes made to the Criminal Code in the part that deals with the criminal responsibility of persons in case of recidivism. Such changes include the introduction of a criminal record of offences against the sexual integrity of a minor as a defining element of special classifying elements under Articles 131, 132, 134, and 135 of the Criminal Code of the Russian Federation. The establishment of this classifying element is a reference to special recidivism, which is characterized by increased public danger posed by the culprit due to his or her criminal record of a specific category of crimes. The Russian legislator enhanced criminal responsibility for terrorist crimes by supplementing the rules for the imposition of punishment on several counts or several sentences [6].

The analysis of the material found that it was necessary to specify in the legislation the definition of terrorist crimes, distinguish a separate element of a crime that would entail responsibility for a terrorist act specifically, and assign a specific punishment for



such activities. In addition, it is necessary to characterize legislatively the recidivism of terrorist activities and specify the punishment therefor.

### CONCLUSIONS

In the modern world, the prevention of terrorist attacks is one of the most complicated and relevant challenges facing society. It is necessary to create an international legal framework of counterterrorism and consolidate the efforts of many countries to prevent this negative phenomenon. A key issue in the world and national science in terms of counterterrorism is the elaboration and specification of the categorical framework.

Criminal terrorist activities take place and manifest worldwide. They are a current global problem that concerns both developed and developing countries. Despite multiple counterterrorism programs, this phenomenon manifests even in the European Union and the USA. Terrorist acts took place in Turkey, Tunisia, Egypt, Libya, Lebanon, Yemen, Saudi Arabia, Indonesia, Bangladesh, Kuwait, Afghanistan, Algeria, Iraq and Syria. Terrorist acts took place in Australia, too, which introduced extensive changes to its legislation as a direct result of that. International organizations (NATO, the UN, the Council of Europe, and the Shanghai Cooperation Organization) are actively fighting against terrorism.

Current trends in terrorist include an increasing level of organization of terrorist activities, creation of large terrorist formations with a developed infrastructure, its transformation into a well-organized e-business, growing ties to translational crime, and growing funding of terrorist groups. The experience of other countries shows that the application of various legal constructs is reasonable if they actually help to suppress terrorism and its manifestations.

The criminal laws of Russia and China do not provide a clear definition of the concept of a terrorist crime. However, this gap is bridged by explanations provided by appropriate authorities and agencies. According to Chinese laws, similar to the Criminal Code of the Russian Federation, terrorist crimes can be committed for the purpose of intimidating, blackmailing or deterring certain people or groups of people and influencing them psychologically.

While implementing the criminal policy of “combining strict punishment with leniency”, Chinese authorities stress the need for a more intensive fight against terrorist crimes. Amendments to the Criminal Law of the People’s Republic of China that provide for enhanced responsibility for special recidivism are one of the manifestations of the rigorous fight against such crimes. However, the Chinese criminal doctrine faces a number of questions related to the classification of crimes in case of special recidivism. The Russian Federation has recently introduced the categories that characterize special recidivism into its Criminal Code.

The analysis of the material found that it was necessary to specify in the legislation the definition of terrorist crimes. To that end, it is necessary to distinguish a separate element of a crime that would entail responsibility for a terrorist act specifically, and assign a specific punishment for such activities. In addition, it is necessary to characterize legislatively the recidivism of terrorist activities and specify the punishment therefor. ■

## BIBLIOGRAPHY

- Resolution of Plenum of Supreme Court of the Russian Federation dated February 9, 2012 No. 1 "On Certain Issues of Judicial Practices Involving Criminal Cases on Terrorist Crimes" // Supreme Court of the Russian Federation Bulletin. No. 4.
- Giles, K. (2012, June). Russia's public stance on cyberspace issues. In *Cyber Conflict (CYCON)*, 2012 4th International Conference on (pp. 1-13). IEEE.
- Ibragimov, M. R., & Matsuzato, K. (2014). Contextualized violence: politics and terror in Dagestan. *Nationalities Papers*, 42(2), 286-306.
- Zemin, J. (2012). *Criminal Law of the People's Republic of China*. Chinese L. & Gov't, 45, 53.
5. Criminal Code of the Russian Federation dated June 13, 1996 (amended and supplemented as of 21.07.2014) // Official legal information web-portal. – [www.pravo.gov.ru](http://www.pravo.gov.ru)
6. Federal Law dated May 5, 2014 No. 130-FZ "On Amendments to Certain Legal Acts of the Russian Federation" // *Rossiyskaya Gazeta (Russian Newspaper)*. May 7.
- Heazle, M., & Knight, N. (Eds.). (2007). *China-Japan relations in the twenty-first century: creating a future past?*. Edward Elgar Publishing.
- Kern, M. (2004). The poetry of Han historiography. *Early Medieval China*, 2004(1), 23-65.
- Lowe, D. (2016). The European Union's Passenger Name Record Data Directive 2016/681: Is It Fit for Purpose?. *international criminal law review*, 16(5), 856-884.
10. Battersby, John (2017): *Terrorism Where Terror Isn't: Australian and New Zealand Terrorism Compared, Studies in Conflict & Terrorism*, DOI: 10.1080/1057610X.2017.1287501.
- Cherney, A., & Murphy, K. (2013). Policing terrorism with procedural justice: The role of police legitimacy and law legitimacy. *Australian & New Zealand journal of criminology*, 46(3), 403-421.
- Ash, K. (2016). Representative democracy and fighting domestic terrorism. *Terrorism and Political Violence*, 28(1), 114-134.
- Singh, C., & Bedi, A. S. (2012). 'War on piracy': the conflation of Somali piracy with terrorism in discourse, tactic and law. *ISS Working Paper Series/General Series*, 543(543), 1-44.
- Badar, M. E. (2016). The road to genocide: The propaganda machine of the self-declared Islamic State (IS). *international criminal law review*, 16(3), 361-411.
- Davis, J. (2016). Uncloaking secrecy: international human rights law in terrorism cases. *Human rights quarterly*, 38(1), 58-84.
- Kydd, A. H., & Walter, B. F. (2006). The strategies of terrorism. *International Security*, 31(1), 49-80.
- Francesca Galli, Valsamis Mitsilegas & Clive Walker (2016) *Terrorism investigations and prosecutions in comparative law*, *The International Journal of Human Rights*, 20(5), 593-600, DOI: 10.1080/13642987.2016.1162407.
- Grozdanova, R. (2015). The United Kingdom and Diplomatic Assurances: A Minimalist Approach towards the Anti-Torture Norm. *international criminal law review*, 15(3), 517-543.
- Hewitt, C. (2014). Law enforcement tactics and their effectiveness in dealing with American terrorism: Organizations, autonomous cells, and lone wolves. *Terrorism and Political Violence*, 26(1), 58-68.
- Klein, G. R. (2016). Ideology isn't everything: transnational terrorism, recruitment incentives, and attack casualties. *Terrorism and Political Violence*, 28(5), 868-887.
- Monteleone, C. (2016). Do terrorism, organized crime (drug production), and state weakness affect contemporary armed conflicts? An empirical analysis. *Global Change, Peace & Security*, 28(1), 35-53.
- Reeves, J. (2016). Ideas and influence: scholarship as a harbinger of counterterrorism institutions, policies, and laws in the People's Republic of China. *Terrorism and political violence*, 28(5), 827-847.
- Scott, D. (2016). NATO and Japan: A strategic convergence? Post cold-war geopolitics: Russia, China, anti-piracy and anti-terrorism. *International Politics*, 53(3), 324-342.
- Tschantret, J. (2018). Repression, opportunity, and innovation: The evolution of terrorism in Xinjiang, China. *Terrorism and political violence*, 30(4), 569-588.
- Wallace, T. (2014). China and the Regional Counter-Terrorism Structure: An Organizational Analysis. *Asian Security*, 10(3), 199-220.
26. The United Nations Organization Fights Terrorism // <http://www.un.org/ru/counterterrorism/legal-instruments.shtml>.

