

Chapter 1

Legislative Requirements and Key Terms

This report is submitted in compliance with Title 22 of the United States Code, Section 2656f (the “Act”), which requires the Department of State to provide Congress a full and complete annual report on terrorism for those countries and groups meeting the criteria of the Act. Statutory excerpts relating to the terms used in this report and a discussion of the interpretation and application of those terms in this report are included below.

Statutory Excerpts¹

Section 2656f(a) of Title 22 of the United States Code states as follows:

(a) ... *The Secretary of State shall transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate, by April 30 of each year, a full and complete report providing -*

- (1) *detailed assessments with respect to each foreign country –*
 - (A) *in which acts of international terrorism occurred which were, in the opinion of the Secretary, of major significance;*
 - (B) *about which the Congress was notified during the preceding five years pursuant to section 2405(j) of the Appendix to Title 50; and*
 - (C) *which the Secretary determines should be the subject of such report;*

(2) *all relevant information about the activities during the preceding year of any terrorist group, and any umbrella group under which such terrorist group falls, known to be responsible for the kidnapping or death of an American citizen during the preceding five years, any terrorist group known to be financed by countries about which Congress was notified during the preceding year pursuant to section 2405(j) of the Appendix to Title 50, and any other known international terrorist group which the Secretary determines should be the subject of such report;*

(3) *with respect to each foreign country from which the United States Government has sought cooperation during the previous five years in the investigation or*

prosecution of an act of international terrorism against United States citizens or interests, information on -

- (A) *the extent to which the government of the foreign country is cooperating with the United States Government in apprehending, convicting, and punishing the individual or individuals responsible for the act; and*
- (B) *the extent to which the government of the foreign country is cooperating in preventing further acts of terrorism against United States citizens in the foreign country; and*

(4) *with respect to each foreign country from which the United States Government has sought cooperation during the previous five years in the prevention of an act of international terrorism against such citizens or interests, the information described in paragraph (3)(B).*

Section 2656f(d) of Title 22 of the United States Code defines certain key terms referred to in Section 2656(a) as follows:

- (d)...
- (1) *the term “international terrorism” means terrorism involving citizens or the territory of more than one country;*
 - (2) *the term “terrorism” means premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents; and*
 - (3) *the term “terrorist group” means any group practicing, or which has significant subgroups which practice, international terrorism.*

Interpretation and Application of Key Terms

For purposes of this report, the terms “international terrorism,” “terrorism,” and “terrorist group” have the definitions assigned to them in 22 USC 2656f(d) (see above). The term “noncombatant,” which is referred to but not defined in 22 USC 2656f(d)(2), is interpreted to mean, in addition to civilians, military personnel (whether or not armed or on duty) who are not deployed in a war zone or a war-like setting.

¹ These statutory excerpts do not reflect amendments that were contained in the Intelligence Reform and Terrorism Prevention Act of 2004 and other legislation passed in December 2004. By their terms, those amendments do not apply to the present report, but will apply to subsequent reports under 22 USC Section 2656f, as so amended.

It should be noted that 22 USC 2656f(d) is one of many US statutes and international legal instruments that concern terrorism and acts of violence, many of which use definitions for terrorism and related terms that are different from those used in this report. The interpretation and application of defined and related terms concerning terrorism in this report is therefore specific to the statutory and other requirements of the report, and is not intended to express the views of the US Government on how these terms should be interpreted or applied for any other purpose. Accordingly, there is not necessarily any correlation between the interpretation of terms such as “noncombatant” for purposes of this report and the meanings ascribed to similar terms pursuant to the law of war (which encapsulates the obligations of states and individuals with respect to their activities in situations of armed conflict).

Contextual Reporting

Adverse mention in this report of individual members of any political, social, ethnic, religious, or national group is not meant to imply that all members of that group are terrorists. Indeed, terrorists rarely represent anything other than a tiny fraction of such groups. It is those few — and their actions — that are the subject of this report.

Furthermore, terrorist acts are part of a larger phenomenon of politically inspired violence, and at times the line between the two can become difficult to draw. This report includes some discretionary information in an effort to relate terrorist events to the larger political context in which they occur, and to give a feel for the conflicts that spawn violence. Thus, this report will discuss terrorist acts as well as other violent incidents that are not necessarily international terrorism and therefore are not subject to the statutory reporting requirement.