**MORE SIMILARITIES THAN (INITIALLY) MEET THE EYE?
THE INTERNATIONAL COMMUNITY AND THE EVOLUTION
OF ANTITERRORISM AND CLIMATE CHANGE GOVERNANCE**

Bernhard Blumenau *
Johannes-Alexander Müller*

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History offers invaluable insights into the patterns of past events, human reactions to these occurrences, and the outcomes of the decisions made (or not). It acts as a storehouse of knowledge, the examination of which reveals both the triumphs and setbacks of human endeavours. A prime example of this is international cooperation. By acknowledging the historical precedents of solutions to critical challenges, we can forge more effective strategies to confront the issues before us.

Terrorism and climate change represent two of the most acute threats confronting the global community, and states have established a comprehensive framework of international obligations to address both matters. However, significant issues persist in these policy domains. At first glance, these threats may appear distinct, yet they share several characteristics. Both international terrorism and climate change transcend national borders, compelling states to coordinate their responses. Often, the repercussions of these issues are disproportionately borne by those who are least culpable. For example, nations least responsible for climate change frequently face the most immediate and severe threats. Similarly, acts of terrorism typically impact individuals – such as plane passengers or café patrons – who have no direct link to the underlying causes of such political violence. Nonetheless, there are notable differences between the two. Most critically, terrorism inflicts harm through human agency, whereas climate change is often perceived as an impersonal force of nature. Yet, upon closer examination, both challenges share further intriguing parallels: they are ultimately driven by human actions, capable of causing profound disruption and loss of life, and they command considerable public and media attention. Moreover, both are likely staying with us for a long time to come.

Given the compelling parallels between terrorism and climate change, an analysis of the international community's response to these threats is intriguing. Both phenomena pose complex challenges to collective action, touching on highly sensitive issues of security, sovereignty, economic structures, and relationships. Consequently, comparing the
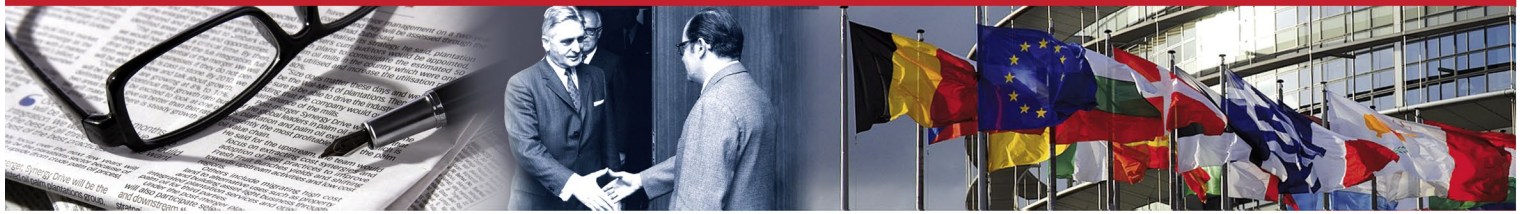
ways in which solutions have been sought – and understanding the reasons they fall short of perfection – is not only enlightening but also necessary.

Antiterrorism efforts – a quick historical overview

Terrorism, defined here as the deliberate use or threat of violence for political purposes intended to instigate fear amongst a larger target audience and effect political change, is a constant in human political interactions. Regardless of how far we delve into the past, examples abound of individuals or groups with little power resorting to terrorism to gain control or to advance agendas they could not otherwise achieve. Although the motives vary significantly – from religious zeal to the quest for independence or revolutionary change – the general dynamics are strikingly consistent. It was only, however, the 'Long 20th Century of Terrorism' that marked the ascendance of international terrorism, i.e. terrorism that affects more than just one country. The onset of this period was heralded by the assassination of Austrian Archduke Franz Ferdinand by Serbian nationalist Gavrilo Princip in 1914, an act of international terrorism that resulted in the seminal catastrophe of the century: World War One. As the decades progressed, terrorism increasingly disregarded national borders. It manifested itself through attacks on foreign dignitaries abroad (predominantly but not exclusively in South America, with other notable instances in Sudan in 1973, Stockholm in 1975, and Tehran from 1979 to 1981), campaigns to repel foreign occupation (e.g., in Israel/Palestine in the 1940s and subsequently from the 1960s, Algeria in the 1960s, and Namibia during the latter half of the 20th century), or international hostage and hijacking crises.

In response to these mounting international challenges, states could not rely on unilateral action alone. International collaboration, cooperation, and consensus became imperative. Given the intrinsically political nature of terrorism, this was no mean feat. The well-known adage that 'one man's terrorist is another woman's freedom fighter' highlights the divergent perceptions and reactions that such politically motivated acts of violence provoke. Nonetheless, international action already began to coalesce, albeit cautiously, at the close of the 19th century, when the great powers, primarily European, convened in Rome and St Petersburg to discuss tentative cooperation measures. Some 30 years later, against the backdrop of terrorism's dire impact in 1914 and again in the early 1930s, states, under the aegis of the League of Nations (LoN), embarked on another round of antiterrorism negotiations. Despite drafting a convention, it was ultimately rendered moot as World War Two loomed, and states prioritised other concerns around the coming war.

A subsequent 30-year leap saw hijackings become a dominant issue, initially only occasionally linked to terrorism. Consequently, the International Civil Aviation Organisation (ICAO) was charged with crafting conventions to address this challenge to civil aviation, resulting in a series of conventions (Tokyo 1963, The Hague 1970, and Montreal 1971) that tackled pressing issues of international anti-hijacking cooperation. The 1960s, however, merely set the stage for the following decade's burgeoning terrorism: the decade started with a very public terrorist event: the Dawson's Field hijackings and hostage crisis of 1970. But it was the Munich Olympics attack in 1972 by the Palestinian Black September Organisation that propelled terrorism to the forefront of the UN General Assembly's agenda. The global community charged a committee with the challenging task of drafting a comprehensive convention on terrorism, an
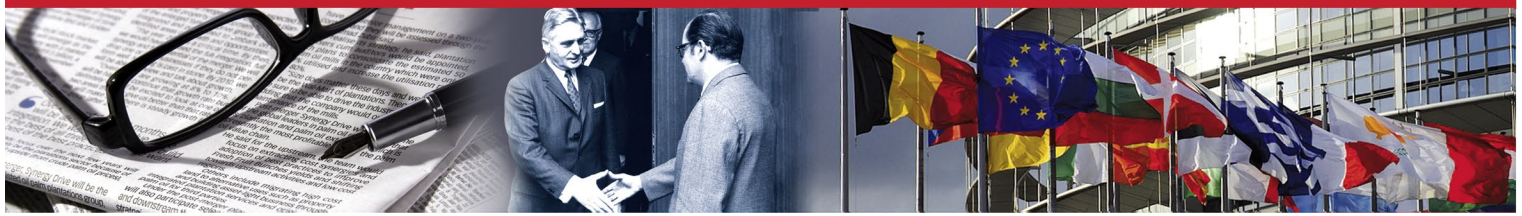
endeavour that remains as elusive now as it was then. It soon became apparent that addressing the entire politicised and contentious spectrum of terrorism would not yield success quickly. Instead, the UN and its sub-organisations adopted a sectoral, piecemeal approach, allowing negotiations to concentrate on terrorism's manifestations rather than the phenomenon itself. This represented a strategic approach by UN members, circumventing the contentious issue of reaching a consensus on a universal definition of terrorism. This decoupling of political context and motivations from the acts facilitated the negotiation and adoption of a suite of conventions, including the protection of diplomats (1973), against hostage-taking (1979), the Suppression of Terrorist Bombings (1997), as well as the Suppression of the Financing of Terrorism (1999).[i] These conventions, rather than exploring the intricate issue of 'terrorism' per se, aimed to establish legal frameworks around the tactics most used by terrorists at the time: the abduction and assassination of diplomats (e.g., West German Ambassador Count von Spreti in Guatemala in 1970, or diplomats at the Saudi embassy in Khartoum in 1973), and the seizure of hostages (Munich 1972, the West German embassy in Stockholm, or oil ministers at OPEC in 1975). The 1980s witnessed a continuation of antiterrorism efforts but shifted focus to encompass problems often associated with bombings or the security of maritime transport and platforms, usually in direct response to terrorist crises or threats, such as the *La Belle* (1986) or Lockerbie bombings (1988) and the *Achille Lauro* hijacking (1985).

Following the Cold War, the UN maintained this effective sectoral approach by concentrating on undermining the financing of terrorism and stopping foreign terrorist fighters. The 2000s, however, marked a notable shift in the UN's response away from the General Assembly. Instead, the Security Council assumed a pivotal role, compelling states to impose sanctions on individuals associated with terrorism, marking one of the first instances where the Council's decisions directly impacted not only states but also citizens.

Over the past 50 years, the UN has progressively engaged in antiterrorism efforts, responding to the evolving nature of the threat by adapting and adopting legal frameworks. Other specialised organisations with global memberships also enacted their own measures, such as the International Atomic Energy Agency with its Convention on the Physical Protection of Nuclear Material (1980) and the International Maritime Organisation's 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, as well as the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf.

However, these global organisations were not the only entities engaged in combating international terrorism. Regional organisations also played a significant role in this campaign. Early initiatives in the Americas and Europe in the 1970s led to the adoption of an American convention for the protection of diplomats and a broader European convention on the Suppression of Terrorism. While not directly addressing terrorism, the Organisation of African Unity (nowadays, the African Union) also adopted a convention in 1977 on the Elimination of Mercenarism in Africa. In the 1980s, Asia joined the fray with the South Asian Association for Regional Cooperation's (SAARC) Convention on Suppression of Terrorism. Yet, the antiterrorism campaign gained real momentum in the late 1990s and 2000s, which saw a surge in the adoption of terrorism-specific conventions by regional organisations worldwide.[ii] In contrast to the UN and other global entities that focused on particular aspects of terrorism, the majority of regional organisations addressed the issue more holistically, endeavouring to 'suppress,' 'combat,' or 'prevent' it. This broader approach is
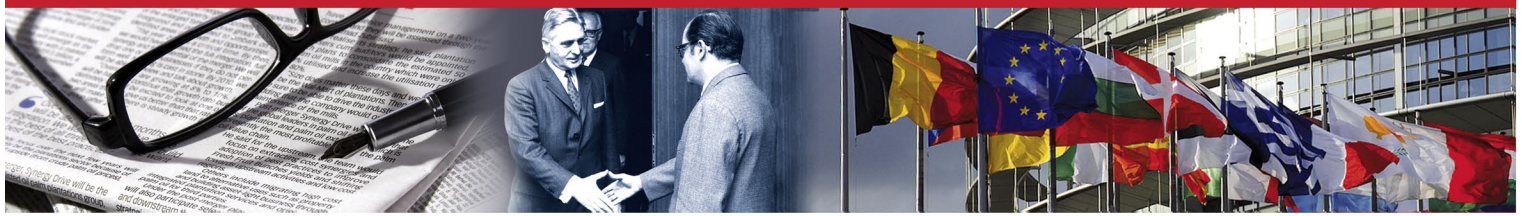
likely attributable to the smaller membership of these organisations, which presumably facilitates consensus-building. At the same time, though, most conventions permit states to log reservations or frame obligations with sufficient latitude to allow for diverse interpretations, thereby continuing to offer potential loopholes.

A general survey of international antiterrorism efforts reveals a robust and growing global commitment. However, approaches vary: smaller organisations often draft more comprehensive treaties, although they typically include substantial ambiguities to accommodate all member states. In contrast, global organisations, especially the UN, have achieved success not by delving into the political context of terrorist acts, their perpetrators, or their underlying motivations, but rather by focusing on prohibiting the acts themselves and stripping terrorists of their means to operate. This sectoral and incremental approach has been effective in facilitating the adoption of treaties and may act as a blueprint for tackling other contentious issues, such as climate change. Targeted measures addressing specific aspects of climate change may enable progress where broader concepts continue to face contention. Yet, caution is advised. As will be explored further down, the mere ratification of a treaty does not inherently resolve the issues it aims to address. States must not only embrace but also enforce these frameworks, an area that often proves more challenging. This is as true for antiterrorism efforts as it is for climate change initiatives. The ensuing section will illustrate that, while climate change negotiations have yielded some positive results, they too are fraught with challenges.

Climate change efforts: a quick history

Climate change has long been a challenge for humanity, with a history spanning millennia and often resulting in dramatic consequences for those affected. Historically, these changes were predominantly due to natural variations in climate patterns. Only relatively recently has the phenomenon been primarily attributed to man-made – or anthropogenic – factors. Given the profound and evident impact of climate change on individuals, states, and the planet, it is now widely regarded as one of the most, if not the most, pressing challenges that the international community must address. Indeed, an observer of climate diplomacy – including axillary policy matters such as ocean preservation and protection – cannot help but notice the proliferation of climate change/environment related conferences across the globe, resulting in both legal and political commitments: In late 2023, for instance, diplomats gathered in Dubai, the United Arab Emirates, for the 28th meeting of the Conference of the Parties (CoP28) to the United Nations Framework Convention on Climate Change (UNFCCC). Although much attention rests on the UNFCCC and its vital role in tackling the climate crisis, it is important to remark that international responses to climate change do not take place in a silo; many institutions are involved, and non-UNFCCC-related work and negotiations undertaken in other parts of the UN system are also critical in addressing climate change. As the global community emerges from the 2023 Dubai meeting, where countries, among other commitments, agreed to transition away from fossil fuels, a reflection on the current state of environmental conservation efforts, particularly in relation to anthropogenic climate change, is timely. Moreover, it is crucial to consider how the political climate of the period has shaped these negotiation processes.

In December 1968, the United Nations General Assembly considered the item of 'The problems of the human environment' and later adopted Resolution 2398, and thereby, started to seriously consider environmental issues.[iii]
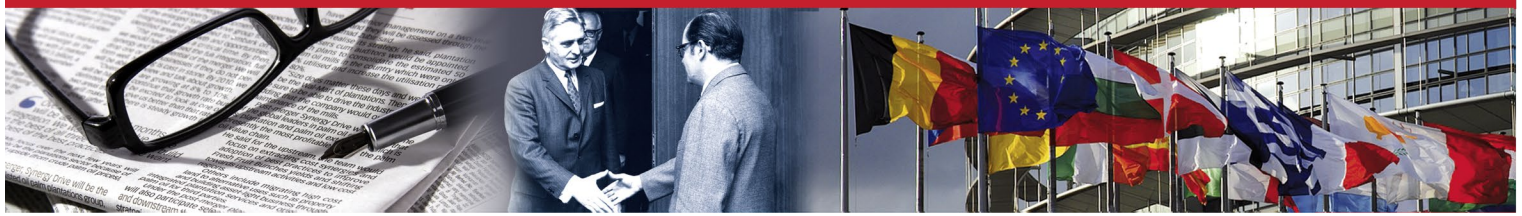
The resolution noted 'the continuing and accelerating impairment of the quality of the human environment caused by such factors as air and water pollution…'.[iv] Importantly, governments agreed to convene a United Nations Conference on the Human Environment. This meeting was subsequently held in Stockholm in 1972 and – through its Stockholm Declaration containing 26 principles[v] and an Action Plan comprising 109 recommendations for environmental action – was an important first step in developing an international framework to address the preservation of the environment. Nevertheless, much like for antiterrorism efforts, geopolitics (most notably the Cold War) overshadowed the Conference. Other issues such as the attendance of non-members, especially East Germany, colonialism, and national interests and sovereignty also dominated the agenda. China, for instance, brought a host of political issues into the environmental negotiations by advocating for including language condemning the use of nuclear weapons and 'the policy of plunder, aggression and war carried out by imperialist, colonialist and neo-colonialist countries, especially by the Super Powers'.[vi] These discussions demonstrated how contentious action on the preservation of the environment would operate against the backdrop of states seeking to promote industrialisation but also against the broader context of historical disputes around ideology, historical responsibilities for damages, as well as the effects of colonialism and imperialism. All these notions played a central role in early UN environmental negotiations.

Despite advances in the scientific understanding of climate change (including its human-induced nature), the years following 1972 only saw lukewarm (political) support for addressing the issue globally. This partially changed around 1985 (i.e. the Villach Conference) with the convening of several conferences and summits that addressed a broad range of relevant subject areas, including the reduction of CO_2 emissions (i.e., at the Toronto Conference 1988), the importance for industrialised countries to stabilise greenhouse gas emissions (at the Noordwijk Conference 1989) and the possibility of establishing emission targets. The international community found another impetus to tackle climate change in 1987 when the UN General Assembly adopted the Environmental Perspective to the Year 2000 and Beyond. This framework was intended to guide international cooperation, underscoring the important nexus between the environment and development, marking the introduction of the concept of 'sustainable development'.[vii] In stark contrast to antiterrorism efforts, which were always driven by states, until 1988 the international response to climate change was predominantly advanced by nongovernmental actors (i.e., scientists like Bert Bolin). And while NGO actors continued to hold an important role in increasing awareness of the climate change issue, governments slowly took policy ownership and climate change evolved as an intergovernmental issue, which was followed by a General Assembly resolution[viii] on climate change, a summit (1989 Hague Summit) and a ministerial level meeting (the 1989 Noordwijk ministerial meeting).[ix] Consequently, the late 1980s represented a crucial period for global initiatives aimed at curbing environmental degradation. Nonetheless, public awareness of environmental issues remained relatively limited for the most part. This contrasts starkly with the attention garnered by terrorist incidents, which significantly drove international awareness and efforts. In comparison, climate change — occurring more subtly and often away from the public eye — failed to exert a similar level of pressure on political leaders.

Progress in addressing climate change was furthered during the Second World Climate Conference in 1990, which culminated in a Ministerial Declaration. This Declaration not only underscored the threat that climate change poses but moreover made an urgent appeal to states to start negotiations on a framework convention on climate change.[x] Also in 1990, with the adoption of Resolution 45/212, the General Assembly established an intergovernmental

negotiating committee (INC) to develop a new convention on climate change (now also known as the UNFCCC).[xi] The treaty negotiations advanced rather quickly, which can be attributed to the strict target completion date in time for the United Nations Conference on Environment and Development (UNCED) hosted in Rio de Janeiro in 1992. This placed significant pressure on governments to conclude negotiations lest it be a major public relations disaster. Yet, the process was not without its own set of difficulties. Similar to early international antiterrorism efforts, countries diverged on whether to pursue the adoption of a comprehensive agreement on the atmosphere ('the law of the atmosphere') or whether to limit the scope of the new convention to climate change only, hence taking a piecemeal approach.[xii] The success of previously negotiated conventions, such as the Vienna Ozone Convention, was a convincing argument for the latter case. Economic and sovereignty factors figured largely as well with further challenges arising over a target and timetable to limit emissions, which was opposed by the United States and oil-producing countries.[xiii] The initial UNFCCC form was thus the result of a delicate balance of compromises, and as Bodanksy notes, 'represents not an end point, but rather a punctuation mark in an ongoing process of negotiation.'[xiv] In 1992 government representatives gathered in Rio de Janeiro for the UNCED and underscored how economic, social, and environmental matters are interconnected. A milestone of the Conference, and for the global climate change regime more generally, was the opening of the signature of the UNFCCC. This framework convention, which entered into force in 1994, was critical for international efforts to stabilise greenhouse gas concentrations in the atmosphere. In 1997, five years after the UNCED, countries operationalised the UNFCCC with the Kyoto Protocol, which contained commitments for industrialised countries to limit and reduce greenhouse gas emissions. The Protocol was open for signature in 1998 but only entered into force in 2005, a delay that foreshadowed some of the reluctance with which countries accepted the provisions of the Protocol. Through the Conference of the Parties (CoP) and subsidiary bodies (i.e., on science), countries have further advanced the implementation of the UNFCCC regime. One of the most important steps in the UNFCCC's evolution was the 21st CoP hosted in Paris, in 2015, when leaders adopted the landmark Paris Agreement. This legally binding agreement, adopted by 196 Parties and building on the Climate Change Convention, aims at holding 'the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels...'[xv], and was an important step in charting a new and ambitious course towards combatting climate change.

While much focus – in both academia and in practice – rests on the UN climate change regime, other international organisations and bodies have likewise taken steps to address the issue. As early as 1979, the then Group of 7 (G7) acknowledged, for example, the importance of alternative energy sources as a way to prevent further pollution.[xvi] It is certainly an important recognition that the G7 tried to establish itself as a global climate change leader, although for some of the early 1980s, the issue struggled to garner the prominence it deserved.[xvii] Other organisations, such as the International Maritime Organization (IMO), were slow to respond to climate change, despite the creation of the Intergovernmental Panel on Climate Change in 1988. In the case of the IMO, it was not until 1997, that the organisation, by adopting Resolution 8, attended to CO_2 reductions.[xviii] The resolution invited the IMO's Marine Environment Protection Committee (MEPC) to 'consider what CO_2 reduction strategies may be feasible in light of the relationship between CO_2 and other atmospheric and marine pollutants....'.[xix] More recently, the IMO adopted the first set of mandatory measures to improve ship energy efficiency[xx], and adopted an IMO GHG strategy in 2018, as well as the revised Strategy on Reduction of GHG Emissions from Ships.[xxi] With the rapid growth of commercial air

travel, the International Civil Aviation Organization (ICAO) – as early as the 1960s – increasingly discussed social and environment-related issues (especially aircraft noise back then).[xxii] And in 1981, Annex 16 was renamed from Aircraft Noise to Environmental Protection, 'reflecting the broadening of ICAO's interest in this subject to include newer environmental concerns and issues such as aircraft engine emissions'.[xxiii] The ICAO has since continued to address the adverse impact emanating from international civil aviation on the climate, formulating relevant policies and developing Standards and Recommended Practices (SARPs) (e.g., on aircraft emissions). These select examples show the breadth of the involvement of a variety of international organisations in climate change efforts.

Final considerations

In conclusion, the United Nations has been instrumental in advancing global efforts to tackle climate change, with the United Nations Framework Convention on Climate Change at the forefront of this endeavour. To date, member states have continued to evolve this regime through the Conference of the Parties system and the ratification of supplementary accords, such as the Kyoto Protocol in 1997 and the Paris Agreement in 2015. Like in antiterrorism talks, the climate change framework has taken shape against a backdrop of national, geopolitical, and economic considerations. Similarly, countries have achieved greater success by eschewing a catch-all atmospheric convention in favour of one specifically tailored to climate change. While the UN's role is pivotal, other entities, including the International Civil Aviation Organization, the International Maritime Organization, and groups like the G7, also contribute significantly to worldwide climate mitigation efforts; just as they do to antiterrorism efforts.

Nonetheless, the true measure of success in these domains – be it antiterrorism or climate change – should not be limited to the adoption of legal instruments and strategic or political declarations, but also their practical application and enforcement. The degree to which states fulfil their commitments, bolstered by mechanisms for treaty enforcement and implementation, is arguably as vital, if not more so, than the general consensus represented by the conventions. The absence of a global enforcement authority in international law presents a challenge; there is no global police force to compel states into compliance with international obligations. Consequently, the main levers to ensure states meet their duties are peer pressure and the strategy of 'naming and shaming' non-compliant states, frequently in tandem with influence exerted by more powerful nations over their less dominant counterparts. This dynamic, however, implies that those wielding greater power may be less inclined to comply with standards that contradict their own interests. Despite these shortcomings, the frameworks for antiterrorism and climate change that have developed over the past decades signify progress. The existence of an agreed-upon, albeit imperfect, framework is better than no collective approach at all. At the very least, it keeps the issues of terrorism and climate change, along with their myriad effects, on the international political agenda.

* Dr. Bernhard Blumenau, Senior Lecturer in International History and Politics, University of St Andrews
* Dr. Johannes-Alexander Müller, University of St Andrews
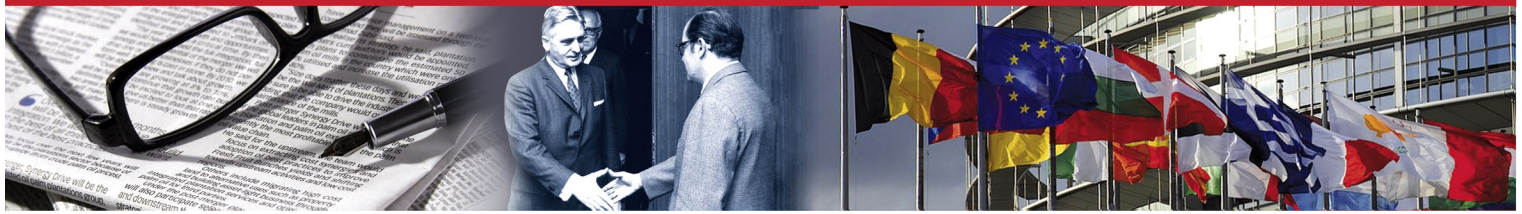
Further Readings

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[i] See here for a list of Conventions.

[ii] See the table in Blumenau, Bernhard. 2022. 'From Punishment to Pre-Emption: The Changing Nature of Regional Organizations' Legal Responses to Terrorism, 1990–2010'. Studies in Conflict & Terrorism, July, 1–27.

[iii] United Nations General Assembly (UNGA) Resolution 2398 (XXIII) Problems of the human environment (1968) UN Doc A/RES/2398(XXIII).

[iv] United Nations General Assembly (UNGA) Resolution 2398 (XXIII) Problems of the human environment (1968) UN Doc A/RES/2398(XXIII), preambular para. 3.

[v] Report of the United Nations Conference on the Human Environment (1973). [online] Available at: https://documents-dds-ny.un.org/doc/UNDOC/GEN/NL7/300/05/PDF/NL730005.pdf?OpenElement, pp. 4-5.

[vi] As quoted in Wygant, C., 2004. 'The United Nations Conference on the Human Environment: Formation, Significance and political challenges', Master thesis, Texas Tech University, Lubbock, pp. 36-37.

[vii] Jackson, P., 2007. From Stockholm to Kyoto: a Brief History of Climate Change | United Nations. [online] www.un.org. Available at: https://www.un.org/en/chronicle/article/stockholm-kyoto-brief-history-climate-change.

[viii] See United Nations General Assembly (UNGA) Res. 43/53 (1988) 'Protection of Global Climate for Present and Future Generations of Mankind'.

[ix] Bodansky, D., 2001. 'The History of the Global Climate Change Regime', in Urs Luterbacher and Detlef Sprinz (ed), International Relations and Global Climate Change, 1, Massachusetts Institute of Technology, Cambridge, Massachusetts, p.28.

[x] Jackson, P., 2007. From Stockholm to Kyoto: a Brief History of Climate Change | United Nations. [online] www.un.org. Available at: https://www.un.org/en/chronicle/article/stockholm-kyoto-brief-history-climate-change. See also the original document Annex II "Final statement of the Second World Climate Conference Scientific/Technical sessions", available at: https://unfccc.int/sites/default/files/resource/docs/1990/un/eng/a45696a1.pdf

[xi] United Nations General Assembly (UNGA) Res. 45/212 (1990), operative para. 1.

[xii] Bodansky, D., 2001, p. 31.

[xiii] Bodansky, D., 2001, p. 33.

[xiv] Bodansky, D., 2001, p. 34.

[xv] Paris Agreement, 2015, Art. 2(1)(a).

[xvi] Kirton, J., Kokotsis, E., 2016. The Global Governance of Climate ChangeG7, G20, and UN Leadership, Routledge, London, p.3.

[xvii] Kirton et al., 2016, p. 36.

[xviii] IMO (2019). Historic Background. [online] www.imo.org , available at: https://www.imo.org/en/OurWork/Environment/Pages/Historic-Background.aspx

[xix] Conference Resolution 8 on CO_2 emissions from ships (1997), operative para. 3, available at: https://wwwcdn.imo.org/localresources/en/MediaCentre/PressBriefings/Documents/MP%20CONF.3%2035%20Resolution%208%201997%20CO2.pdf

[xx] See 'IMO's work to cut GHG emissions from ships', available at: https://www.imo.org/en/MediaCentre/HotTopics/Pages/Cutting-GHG-emissions.aspx

[xxi] Annex 15 Resolution MEPC.377(80), available at: https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/annex/MEPC%2080/Annex%2015.pdf

[xxii] MacKenzie, D., 2010. 'ICAO: A History of the International Civil Aviation Organization', University of Toronto Press, Toronto, pp. 176-177.

[xxiii] MacKenzie, D., 2010, p. 178.