

DOCTORAL (PhD) DISSERTATION

AUTHOR'S LEAFLET

Tamás Richárd Pék dr.

Definition of terrorism in the international criminal material law

Theme leader:

Dr. Pap András László DSc.

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DEFINING THE SCIENTIFIC PROBLEM

Currently, terrorism is not uniformly defined and interpreted in the domestic, regional and international criminal material law regulations, despite the fact that there are countless criminal material laws, conventions and legal acts dealing with terrorism and its individual sub-areas, but there is no uniform concept in criminal material law, nor in the neither in some scientific fields nor in the sectors examined in the dissertation.

On the one hand, terrorism required the development of new knowledge, abilities, and skills in the work of law enforcement agencies, and on the other hand, the prevention, detection and investigation of terrorist acts presented new challenges to the judicial authorities.

Why is it necessary to create a unified criminal substantive law concept and to examine it? Can it be created and in what scope, if the legal acts related to terrorism and the science behind its creation have so far been unsuccessful?

The lack of a unified and uniformly interpreted concept has raised many problems in the application of criminal substantive law and in criminal proceedings, in this case I will refrain from a full list:

- There is no uniform international, regional, and in most cases nation-state criminal material legal concept that could serve as a model for the creation of a unified concept.
- The possibility of choosing between different concepts defined in legal acts is given and this affects the conduct of criminal proceedings and their location.
- In the fight against cross-border terrorist acts and terrorism, cooperation and joint procedures are not possible or difficult, even in the case of two countries.
- As a partial solution, there is only the possibility of legal regulation of acts of terrorism, certain acts related to terrorism, and action against them.
- Subjectivity is not excluded in the interpretation of existing concepts or some terrorism concepts can even be used as a tool by individual sectors to achieve their own goals.

- The "battle" of nation-state sovereignty and supranationality can be observed during legal regulation.

- The social and political system of a given state influences the definition of the concept or the ratification of a convention containing such a concept.

- The involvement of a given state or society determines the need for regulation and its acceptance ("receptivity-receptivity").

-The problem of regulating state terrorism and the possibility of action against it.

- Human rights, as the limit or limit of legal regulation, are on the side of the victim, the attacked state, the international organization and the terrorist.

The consequences of the lack of the concept are well illustrated by the following examples:

In terms of domestic legal regulations, the provisions of Act C of 2012 on the Criminal Code must be taken into account, in which it is immediately apparent that the Act XXX. under the heading of crimes against public security (§§ 314-319), the term terrorism is not defined at all. Instead, based on one of the directives of the European Union and translated almost verbatim, it punishes a terrorist act, participation in a terrorist group or committing it. The regulation works with a number of concepts that do not completely overlap with each other and are excessively fragmented, without defining terrorism, adequately dividing the individual concepts related to it, or separating terrorist acts from terrorist acts.

LIV of 2002 on the international cooperation of law enforcement agencies. by law, a crisis situation must also mean a terrorist act written in the penal code (§ 2, point 10), however, terrorism is no longer covered by the legislation and the question is whether, in a given case, even a terrorist act is sufficient to establish a crisis situation.

XXXV of 2008 on the promulgation of the Agreement between the Government of the Republic of Hungary and the Government of the United States of America on the exchange of information for the identification of known or suspected terrorists. According to Article I, point 6 of the Act, suspected terrorists are persons who can be reasonably suspected of having

participated or are participating in a terrorist act or an act related to terrorism, or in their preparation, or in their support, or in an act related to them. But what can the acts related to terrorism be in the absence of the concept of terrorism? Who can be a suspected terrorist and in their case, do the principles of criminal law apply (e.g. does the suspected person have to have the well-founded suspicion required by the Criminal Procedure Act?).

The lack of conceptual diversity and uniformity can also be seen at the regional and global level. It is worth mentioning that in Article 222 of the Treaty on the Functioning of the European Union, the so-called the solidarity clause mentions both terrorist attack and terrorist threat, without defining them.

When establishing legislative powers, Article 83 mentions terrorism as an area of crime, despite this, it does not define terrorism itself in the legal acts related to terrorism, it only prescribes the obligation to be punished in the case of specific terrorist and terrorist acts.

The previous United Nations conventions on terrorism also did not define a uniform concept of terrorism or terrorist acts, but only prescribed the obligation to punish certain acts of a terrorist nature.

In the case of definitions related to terrorism, the interpretation is further complicated, because most regional and global conventions deal with international terrorism, but not at all, or only in a very narrow way, with state terrorism. The definition of international terrorism can be misleading, because national or domestic terrorism can also be part of it.

A reconsideration of the regulation of state terrorism is proposed. Despite the fact that in science and legal literature, terrorism committed by the state is primarily classified as crimes against humanity and war crimes. This classification does not fully take into account state-financed or supported terrorism, or the fact that both the state and its representatives can commit terrorist acts.

In connection with the basic research, the connection of the research with law enforcement and other bodies dealing with the police and terrorism should be highlighted. XXXIV of 1994 on the Police. Section 1 (1) of the Act makes the police responsible for, among other things, the fight against terrorism without defining terrorism. It is clear that law enforcement activities can

only operate on the basis of legally defined and detailed definitions, without which the police cannot act (legally). This also justifies the uniform definition of terrorism.

International criminal law and the cooperation based on it are now characterized by an independent system built along specific principles and rules, one of the central goals of which is to act against international terrorism in a world where nation-state sovereignty and supranational interests, and the penal substantive legal norms formulated on the basis of them they are in constant motion and at the center of a battle between two interests.

Participation in international and regional criminal law cooperation does not only depend on the political organization and current goals and voluntariness of the given state, but is also conditional in that it participates in the cooperation as long as its purpose, efficiency and effectiveness serve the interest of the given state and as long as these counterbalance the surrender of one's own independence, the so-called sovereignty deficit.

The goal cannot be anything else at the regional and global levels than to create a system of minimum norms acceptable to all participating states by finding the highest common denominator. Norms are involuntarily integrated into national legislation and law enforcement, so the primary issue is the establishment of criminal jurisdiction - including the definition of territorial-personal-property scope, scope and content of crimes that form the basis of joint action -, the partial surrender of which state jurisdiction is initially only exceptional and narrow it can be wide-ranging, and the effectiveness and efficiency of the created system of norms and the common interests of the states can be the basis for the expansion and expansion, and the counterbalance and limitation of the enforcement of the criminal law power of the states are human rights.

By itself, however, the minimum or uniform criminal substantive law definition is only sufficient for criminality and does not at all guarantee the uniformity of procedures and applied sanctions. It could be the subject of another research, whether it is possible to harmonize and unify a uniform procedural law and executive and organizational system in addition to criminal substantive law?

The reactive legislation so far in relation to terrorism tries to respond to each new form of appearance (e.g. financing of terrorism). A unified concept would partially make reactive

legislation unnecessary and could result in stability in legal systems (e.g. it is enough to accept one international convention and there is no need to repeat the ratification procedures for new and new conventions, which also makes it possible to rule out states ratifying certain conventions, while not others).

The dissertation examines the possibility, method, scope and regulatory limits of a unified concept based on a separate methodology and approach.

HYPOTHESES

1.) Is it possible to have the uniform definition of the substantive criminal law concept of terrorism globally, i.e. at the level of the United Nations?

Hypothesis: On the global level, the concept of criminal substantive law can be created, but the states of the United Nations would not include it in a legal act with binding legal force, or it would not be ratified by many member states.

2.) Is it possible to have the uniform definition of the substantive legal concept of terrorism at the regional level (e.g. European Union, Shanghai Cooperation Organization, Organization of African Unity)?

Hypothesis 2: The uniform criminal material legal concept of terrorism can be created at the regional level and it could appear in the legal act.

3.) In the absence of the 1.) and 2.) points, how could the regulation of the Hungarian material criminal law concept be re-regulated?

Hypothesis: A new regulation could even serve as a model for the organizations examined in questions 1.) and 2.) or for other nation-states.

Based on the examination of hypotheses and research results, it can be proven at what level, manner and scope the creation of a unified criminal material law terrorism concept can take place.

RESEARCH OBJECTIVES

1.) The most important objective of the dissertation is to examine, along the lines of the research questions and hypotheses, whether a uniform concept of criminal material law terrorism can be created at all and, if so, at what regulatory level (national, regional, global)?

2.) In the course of the interdisciplinary research, I would like to give a comprehensive picture not only of the legal regulation of terrorism, but by counting and analyzing the results accumulated in other scientific fields, certain conceptual elements, the regulatory levels and possible methods, and their scope will also be determined.

Approaching from the side of security studies, I would like to include terrorism and its effects, as well as the system of its legal regulation, in a new framework.

3.) The goal is to create the uniform, usable definition accepted by everyone. In the absence of this, at least in international criminal material law, or in individual sectors and social researches, it is necessary to create a concept that is accepted and applied in the given field.

If a unified concept cannot be created, then the result of the new theory is at least that there is a suitable method for its development, with which individual sectors can create their own, unified concept valid for the sector.

These concepts can be interpreted in the same way in all sectors. This creates interpretation and understanding between sectors, as a translation system and technique, and in any new case of the method, it ensures the creation of a specific sectoral and territorial concept of terrorism.

Based on the results of the examination of the hypotheses, all details and elements necessary for a future unified definition are revealed, and its possible level, method, and scope are outlined.

4.) Another general goal is to create a database with the new approach and the scientific research results and legal acts used during it, which can be expanded at any time and any new research or legal act can be easily inserted into it.

In this way, a shared interpretation "dictionary" of terrorism will be created, which will enable the common interpretation of individual sectors, researches, and legal acts, or a better mutual understanding based on the interpretation they use against each other, and thus the adoption and comparison of cooperation or results. are also provided.

5.) The strategic goal is to use the sector theory of security studies as a systematic framework to present the interpretation of terrorism and the thinking of each sector about terrorism and to examine separately the elements of their concepts of terrorism with the aim of defining what should be defined in the substantive criminal law of terrorism and considering the level at which the regulation of terrorism can be implemented.

6.) It is my personal goal to expand scientific research with new comprehensive knowledge through the dissertation and to increase the number and quality of the less abundant scientific works in Hungarian in this field.

Briefly summarized, the aim of the dissertation is to take an interdisciplinary approach to the questions contained in the hypothesis of the substantive legal regulation of terrorism based on Barry Buzan's sector theory in order to present the knowledge material related to the definition of terrorism and by combining them to enable a conceptual understanding between sectors, as well as to adopting elements from certain sectors, it determines the possible main elements of the criminal substantive law definition and its level of regulation.

RESEARCH METHODS

The subject of the basic research is precisely a hypothesis regarding the creation of a definition, therefore there is no definition of terrorism that I would have used in the investigation. The aim of the dissertation is not to create a new concept of terrorism. During the investigation, I conducted a cross-sectional investigation and used a qualitative method.

The purpose and methodology of the dissertation is to examine the definitions of the term terrorism in each sector following Buzán's sectoral division - focusing especially on the social sector - in order to determine the elements that make up the essence of terrorism.

All this in order to be able to draw a conclusion as to whether a uniform concept of terrorism can be created and with what content? Also, is there a concept that can be adopted by criminal material law in the regulation of terrorism? Or, in the absence of this, criminal material law must create its own concept and what main elements this concept must contain based on the examined sectors and scientific field concepts.

During my research, I used several methods to get to know the subject of the research. The framework of the study was provided by Buzan's sector theory of security studies, and it was followed horizontally by the individual sectors (military, political, economic, environmental, social) and vertically (global, regional, nation-state) according to the organizations and nation-states that determine the individual criminal material legal definitions. for division.

The dialectical method (analysis of various terrorism concepts and legal definitions), the historical method (brief historical presentation of terrorism, its past and present) and the comparative method (comparison of certain legal acts) are among the several methods used in the research.

The positivist approach and multidisciplinary approach were used as a theoretical framework. In the basic research, the descriptive, analytical and explanatory method was used to interpret and present the investigated materials. The methods of induction and deduction were used when checking and interpreting the method of definition and the applicability of the created concepts.

I basically obtained the data sources, scientific works, and publications necessary for the investigation from the databases and libraries made available by the university, or from free materials available on the Internet. I selected the examined publications according to how suitable they are for presenting the essential elements of the given field, and how well they can be compared with other research.

Another goal was to use the publications of as many countries and disciplines as possible in order to present, in addition to the subject of the research, research results related to terrorism that are not known in our country.

After researching and selecting relevant literature and databases, I organized them into the methodological framework, then analyzed, evaluated, compared as necessary and drew (final)

conclusions. During the writing of the dissertation, I used my publications containing the partial results of the research during the research period and what was said in my presentations at scientific conferences.

In the doctoral dissertation, the new approach is manifested in the fact that I do not examine the examination of the concept of terrorism and the answers to the questions posed in the hypothesis exclusively within the framework of criminal material law, but approach it with a new method (sector theory) and in an interdisciplinary way (security studies, social sciences, etc.) the search for a unified concept of terrorism. As a new question, I ask that if a uniform concept cannot be given to all sectors, is it possible to create a uniform interpretation in the given sector and a common interpretation between the sectors or an interpretation that understands each other's concepts?

BRIEF DESCRIPTION OF EXAMINATION PER CHAPTER

In the first chapter of the dissertation, I first presented the justification for creating the concept of terrorism in criminal material law and its difficulties in detail. The most important reasons for difficulties in conceptualization are that:

- Terrorism is a complex activity and its concept is therefore difficult to define. On the one hand, there are many types, and on the other hand, it is constantly developing and appearing in new areas (e.g., cyberterrorism did not exist a few decades ago).
- The mixing and back-and-forth use of already created terrorism concepts can also be observed. Many people use terror and terrorism synonymously or misinterpret them. Although the two concepts - among other things - differ significantly in their goals and targets. Terrorism, as a form of political violence, is perceived as a freedom or guerrilla struggle in countless cases and is therefore interpreted as a war crime.
- There is an opinion that, like organized crime, terrorism is a criminological concept and therefore cannot be defined in criminal law. I would like to note that even in criminology it has not yet been possible to create a uniform concept of terrorism.

- In many cases, we know very little about terrorism as a whole. As we will see, people usually learn about it from the media and the political sector, they adopt the concept and narrative of the media. Even though terrorism is a real threat nowadays and is present in everyday life, education does not sufficiently deal with it, in contrast to other current topics (e.g. environmental protection).

After that, I spoke separately about why terrorism developed and why people join it, and after that I defined the framework of the investigation. The framework was provided by the sector theory existing in security studies, created by Barry Buzan, and accordingly, the five basic sectors mentioned by him (military, political, economic, environmental, social) were placed on the horizontal level of the study, while the issuers of the examined legal acts were placed on the vertical level of the study.

I presented in detail the historical development approach to terrorism, i.e. the "wave theory" related to terrorism, analyzing in detail the four wave theory and the definition of the fifth wave.

Getting to know the typology helps us get to know more and more new forms and methods that have appeared during the history of the development of terrorism. By grouping according to various aspects, we can grasp the essential elements of terrorism (e.g. perpetrator, target). In this way, it is possible to determine which elements and which regulatory framework we want to include in the uniform concept of terrorism.

In my opinion, the typology and its results can be used well for the creation of a unified concept, but only if we examine the forms of appearance that implement the essential, criminal material legal elements of terrorism and not all the phenomena belonging to the concept itself.

Within the typology, I examined state terrorism and its regulatory difficulties separately and in sufficient detail, since the regulation of state terrorism has a significant impact on the substantive legal regulation of terrorism, its scope and the answers to the questions posed in the hypotheses.

The presentation of the indicators of terrorism is necessary because they broaden the content of terrorism, but at the same time increase the difficulty of its understanding and definition, because each indicator name is associated with new content and definition.

All of this was necessary because the examination of the three areas is useful for both criminal legislation and scientific research, because only through them can the essential content of terrorism itself be understood and ultimately regulated.

In the second chapter of the thesis, I analyzed the interpretation of terrorism, existing concepts of terrorism, approaches to terrorism and the effects of terrorism on the individual sectors in the five sectors at the horizontal level defined in the framework of the study, in order to answer the questions in the hypothesis.

Some form of terrorism is defined in some way in the military sector, in the science dealing with it, and in the examined organizations (e.g. NATO, European Union) and countries (United States of America, Hungary). But its application also depends on other sectors (e.g. political) and in fact the concepts of terrorism existing in the sector are not applied by other sectors and international criminal law.

The political sector was examined according to four aspects:

1. The perception and political interpretation of terrorism.
2. Securitization process and national security.
3. The role of terrorist organizations in the political sector.
4. Legislation and action against terrorism.

The investigation highlighted that the ability and skill of the political sector to define terrorism is not in dispute. However, care must be taken to ensure that the definition of terrorism does not serve political purposes. Arbitrariness and the possibility of taking any action based on it must be ruled out. In terms of regulation, special care must be taken to ensure that the securitization process is carried out properly, and the legislation must be carried out using the appropriate method and taking into account aspects. Furthermore, it must not be forgotten that the political sector can use the military sector, military force, and for this reason it is even more important to develop the appropriate concept of terrorism. The full acceptance of controversial state terrorism in the political sector is an issue to be resolved.

In the economic sector, primarily by examining the effects of terrorism on the economy, state and society, it can be established that the economic sector basically encompasses the effects of terrorism on society and the state and the economic participation of terrorist organizations. The

sector determines the room for maneuver of the other four sectors, and they affect it. But the definition of terrorism in the sector is neither expected nor necessary, as it adopts the concept of other sectors and basically deals with the effects of terrorism.

The connection of the environmental sector with terrorism is still an unexploited area for scientific research, it is currently still a marginal area. The research does not primarily examine terrorism from the perspective of elements of the environmental sector, but from the perspective of terrorist organizations. For this reason, there is not, nor is it expected to be, a separate concept of terrorism in this sector in the near future.

In the social sector - in which the concepts of the Hungarian social (science) sector were the subject of a separate investigation - there is also no uniformly accepted definition of terrorism. Its creation is currently not expected for a number of reasons (e.g. there is no agreement between the individual disciplines and their representatives even on its definability or its necessity).

In the third chapter of the dissertation, three vertical levels were analyzed. At the global level, the United Nations and within it the UN's international conventions, General Assembly resolutions, Security Council resolutions and the International Criminal Court were the subject of the investigation in order to answer the question contained in hypothesis 1. In doing so, the following summaries can be made regarding the definition of the term terrorism and its limitations:

- The creation of the concept of terrorism is made difficult by the fact that there is no urgent situation - like 9/11 before - that would require immediate regulation and the organization is currently busy with other matters. The will is lacking in that there was never a goal to create a complete, unified, comprehensive definition. Currently, there is a chance that the organization may take punitive measures, military, financial, and judicial measures against terrorism, or may adopt new international conventions related to certain types of terrorism.
- There is no consensus among the member states of the organization regarding the interpretation of terrorism (e.g. the issue of state terrorism).
- The organization would be able to create a uniform concept of terrorism either in an international convention or in a binding Security Council resolution. But due to the problem of

state terrorism, the concept could only be defined without it. The organization's creation and regulation of the concept of terrorism can certainly be effective on a theoretical level, because it would be global and enforceable. It would designate clear and unambiguous frameworks for law enforcement as to what kind of act is a terrorist act, who counts as a terrorist and who can be prosecuted based on that.

During the application of the law, several factors that negatively affect efficiency should be taken into account. On the one hand, the problem of ratifying the material legally defining convention that punishes the given terrorism would arise. In the case of most international conventions related to terrorism, the lack of ratification or its slowness is clearly one of the biggest problems, which affects not only the entry into force, but also the temporal and territorial effect. On the other hand, during the ratification of the current conventions, the member states fulfill their criminalization obligation by creating their own concepts.

The UN criminal substantive law definition of terrorism could serve as a model for regional organizations and nation states in the event that a given state does not ratify or ratifies only with reservations the convention establishing the acceptance of the criminal substantive law definition.

At the regional level, the legal regulations of ten international organizations related to terrorism were analyzed in detail, on the basis of which it can be concluded that, in the case of individual organizations, the creation of a uniform definition that is interpreted in the same way by everyone cannot be expected from the individual organizations for several reasons:

- Currently, the adoption of a new convention related to terrorism and the creation of the concept of terrorism are not on the agenda.
- Due to historical, cultural, religious and other aspects, each organization interprets and treats terrorism differently.
- The member states of most organizations are also members of the United Nations, so a unified definition created by the UN would be optimal, because it would be enforceable (e.g. with a Security Council resolution).

- The various organizations accept various nationalities, religions, and ideologies and create their concept of terrorism accordingly, and relate to terrorism, which excludes the acceptance and recognition of the concept of terrorism of other organizations.

- The creation of the definition would in most cases be just an empty concept, because its practical application would not take place except in a few cases (e.g. the European Union), and most organizations do not have a tool that could force the application of the concept.

At the nation-state level, the criminal law terrorism regulations of each nation-state per continent were analyzed, during which it was established that the existing terrorism concepts cannot be considered a uniform terrorism concept and thus cannot provide a regulatory model for other levels and nation-states.

The examination results of the three chapters were summarized in the fourth chapter.

SUMMARY CONCLUSIONS

It can be concluded that a uniformly accepted and interpreted concept of terrorism is necessary both in the individual examined sectors and in the case of vertically examined international organizations and nation states. It will be provided at the given organization, in the case of a nation-state. Therefore, it would be necessary to create a global terrorism concept that applies everywhere, or a uniform interpretation.

The research fully explored the circumstances and factors that influence the definition of terrorism and analyzed in detail what elements the concept of terrorism should contain and also highlighted the limitations and difficulties of creating the concept.

NEW SCIENTIFIC RESULTS

1. As a result of the research, I described, examined and proved with scientific methods that a unified, punitive substantive legal concept of terrorism can be created at the global, regional and nation-state levels, and I also determined the way to do so.

a.) A uniform, punitive substantive legal concept of terrorism can be created at a global level, i.e. within the framework of the United Nations. The organization's operating system provides the opportunity for this, either by defining it in an international convention or even in a Security Council resolution.

However, the implementation of the theoretical option in practice is precluded by several reasons. Perhaps the most important reason is that there is currently neither the will nor a situation of necessity that would raise its definition either in the General Assembly or on the part of the permanent members of the Security Council. And the definition is ruled out by the complete lack of consensus. Member States and Security Council members interpret terrorism itself differently.

Furthermore, due to the differences in the interpretation and acceptance of state terrorism, a uniform concept of terrorism could only be created without the recognition and punishability of state terrorism. After the creation of the "sub-concept", the outlined questions of ratification, entry into force and implementation arise in connection with the application. The lack of competence of the International Criminal Court in this area during the application of law prevents a uniform interpretation and entry into force of the "sub-concept".

Based on the research results, I verified my hypothesis No. 1.

b) based on the examination of 10 regional organizations selected during the research, it can be clearly established that the concept can be created and appear in a legal act or convention in the case of all organizations except the Organization for Security and Cooperation in Europe. However, at present, the creation of a unified criminal substantive law concept has not yet taken place and it is currently ruled out for most organizations for several reasons, since it is currently not on the agenda of the examined organizations, like the UN, and there is no compelling situation to adopt it, and the examined organizations interpret the concept of terrorism differently.

Based on the research results, I verified my hypothesis number 2.

c) Based on the examination of some nation-state regulatory methods presented during the research and the Hungarian Penal Code, it can be established that a unified concept of terrorism

can be created in domestic or other nation-state criminal material law and that the organizations examined in hypotheses 1 and 2, or other nation-states, could be of model value. for.

Hungary, as a member of the European Union and the United Nations, is not precluded, based on the currently ratified international conventions, from acting within its jurisdiction to create a criminal substantive law terrorism concept, since the unified concept would not preclude the application of the referenced conventions. In fact, it would enable a broader action against terrorism than what is included in them. And such a regulation could be adopted and applied by other nation states, organizations and sectors.

Based on the research results, I verified my hypothesis No. 3.

2. In the course of the research, it was possible to create a database and thesaurus that does not only take legal acts into account, but also uses a wide range of currently available publications related to terrorism, uses research results, and presents them in detail.

The result of the research was that research results that had never been presented in Hungary were used and the basis of the selection was the inclusion of research from as many continents and countries as possible - from the impact of terrorism on education through typology and indicative definitions - and using their results the database should be created.

The concepts placed in the new structure provide an excellent collection of concepts and can be used for research, further investigations, and legislation. Its usability is similar to a manual, because it contains the most important concepts of a given field.

3. The new theory can also be applied in the event that, as we have seen, it is not possible to create a uniform definition of terrorism that prevails in all sectors, since the theory is also a method that is suitable for the conceptual system it uses to achieve that the various concepts used in sectors should be interpreted in the same way by each sector, creating the opportunity to create their own uniform sector concepts and to interpret the different quality of use in a uniform way.

4. In addition to the collection and specific systematization of the research results, it was also proved that the creation of a uniform concept of terrorism can be created not only in criminal material law, but also in individual sectors, and its definition method was also presented.

The scope, content limitations and defining effect of the concept creation were presented in detail and they must be taken into account when creating the concept.

Based on the unified concept, the research, official databases and statistical data related to terrorism can be unified, thus the databases used for research and legislation contain the same acts and thus can be compared and compared with each other.

5. Summarizing the further results and findings of the research, a criminal material law terrorism concept can be created, in my opinion, based on the regulatory principle of the referenced four-element definitions, which can be used in criminal material law.

In my opinion, all of these newly created concepts can be used, interpreted, and used not only in criminal material law, but in any horizontal sector, and could serve as the basis for a uniformly accepted and interpreted definition of terrorism, or could serve as a model for the conceptualization of individual horizontal sectors. It is important to emphasize that terrorism is a systematic independent crime and thus cannot be classified either as a crime against humanity or as a war crime.

According to my proposal, terrorism can be regulated in criminal material law - at any examined vertical level - in the following way, in accordance with the requirements made during the investigation regarding the creation of the concept and the content of the concept.

Anyone who commits, or threatens to commit, a violent or any other act against a person or thing primarily for political purposes, the direct victim of which is the victim of the act, while the indirect victims are an outside person, persons and the act is the state, institution, international organization forces him to behave or encourages him to any behavior or action as a result of the act.

The new concept offers a solution to the problem of concept creation, concept interpretation and content elements and quality of the concept raised during the investigation:

a.) The perpetrator of the act ("who") can be anyone, i.e. the state or a representative of the state, so the term includes state terrorism. In addition, it also solves the problem that the perpetrator can be punished for terrorism even if he sympathizes with the terrorist organization, but has not actually joined the terrorist organization, but commits the act in the name of the terrorist organization or under the influence of its propaganda.

This regulation can also ensure that the terrorist organization and its members who encourage the perpetrator to commit a terrorist act even by spreading propaganda, or even in the event that the terrorist organization admits to committing a terrorist act, become punishable.

b.) The definition for a primarily political purpose does not exclude the possibility that the perpetrator of terrorism may also achieve other goals or be motivated by other goals (e.g. ideological, religious), and during the application of the law, additional goals and motivations will be defined and filled with content . The open legal situation of homicide ("who kills another") was also filled in by law enforcement with regard to the methods of committing it.

c.) An act of violence against a person or object, or the threat thereof, includes any attack against the person, infrastructure, or object, and also the case where the act of violence against the object affects the person (e.g. being injured due to blowing up a car a person staying near the vehicle).

d.) Violent behavior cannot be interpreted in cyberspace, but the definition of any other act, or threat thereof, whose indirect and direct victims, as well as its result, realizes the situation described in the concept can be applied in cyberspace as well.

e.) The definition of direct and indirect victims is adapted to the targets of terrorism.

f.) Coercion involves the state, institution, international organization doing, not doing, or tolerating something because of the act. As a result of the act, it encourages any behavior or action, and incitement to any behavior includes all cases when the state, institution, international organization does or is encouraged to behave by the terrorist act, which it would not have done in the absence of this act (e.g. budget resources for action against terrorism separation or introduction of legislation or measures).

g.) The concept is short, concise and – thanks to its open legal status, among other things – suitable to be applied again without special modification or regulation in the event of the appearance of any new type of terrorist act, method of committing it, or method.

h.) By avoiding excessively detailed regulation covering all actions, the practical application of the concept is also ensured and the legal practitioner can fill it with content, giving the possibility that it can be expanded and also applied in the cases described in point f.).

RECOMMENDATIONS

The objectives formulated at the beginning of the dissertation were achieved with the methods used during the research, and in addition to answering the hypotheses, the research also produced scientific results that can be used, and the dissertation can form the basis of new research and can be further developed on its own.

The database and thesaurus of the research provide an opportunity to compare not only the criminal substantive legal regulation, but also the regulation and interpretation of the individual sectors examined, and create interoperability between the sectors and can influence the direction of uniform interpretation and conceptualization.

The result of the research was that research results that had never been presented in Hungary were used and the basis of the selection was the inclusion of research from as many continents and countries as possible - from the impact of terrorism on education through typology and indicative definitions - and using their results the database should be created.

The concepts placed in the new structure provide an excellent collection of concepts and can be used for research, further investigations, and legislation. Its usability is similar to a manual, because it contains the most important concepts of a given field.

PRACTICAL USE OF RESEARCH RESULTS

In addition to the above, the research can also be used if a uniform concept that prevails everywhere cannot be created, because the result of the new theory is at least that there is a suitable method for its development, each sector can create its own uniform concept, the

concepts of each sector can be identical to the method be interpreted in all sectors, i.e. they will mean the same thing regardless of the sector, thus creating an interpretation and understanding between sectors, as a translation order, a technique, and the method gives the opportunity to create the concept of terrorism in a given sector and area in any new case.

Based on the summary of the dissertation, the results and methods of the investigation provide the opportunity for the contents to be used by other disciplines. But the research itself and its database can also be expanded. Horizontally, by examining sectors outside the Buzán sectors that have now become independent (e.g. energy sector, IT sector). Vertically, with the already mentioned local level (regional, municipal, individual level within the nation-state).

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PROFESSIONAL-SCIENTIFIC BIOGRAPHY

I was born in Szombathely on September 7, 1977. In 2002, I obtained a law degree at the Győr Branch of the Faculty of Law and Law of Eötvös Lóránd University. From 2002 to 2022, I worked in the prosecutor's office. During my work, I primarily dealt with first- and second-degree criminal cases, but I also worked in the public administration and private law areas of the prosecutor's office. From January 15, 2023, I won an appointment as a judge at the Mosonmagyaróvár District Court, then from February 15, 2023, I was transferred to the Paks District Court, and I am currently working at the Szekszárd District Court as a criminal judge.

In 2008, I graduated as a tax lawyer.

I have a higher level C language exam in English and German.

In the course of my work, I have been on study trips and conferences abroad many times, where I gave several lectures, and between July 1, 2011 and June 30, 2012, I worked alongside the Hungarian national member of Eurojust as a seconded national expert.

ORCID ID: 0000-0002-9798-6333