

Chapter 12

Iran and Its Policy Against Terrorism

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Introduction

From the beginning of the last quarter of the twentieth century, terrorism has been especially highly widespread in the world (Borine 2005: 115). According to the State Department of the United States during 1968–1982, almost 8000 terrorist acts were recorded. Other Facts and Figures show that from 1980 to 2002, around 4155 terrorist events have been occurred worldwide in which 3207 people have been killed that 48% of deaths were in associated with suicide attacks (Pape 2003: 343).

But the harshest and most terrible terrorist attacks have been happened since 2000 so that from 2000 to 2004, almost 472 terrorist attacks were occurred with more than 7000 killed and tens of thousands injured were left in 22 countries including Iran. 11th September 2001 terrorist attacks, Madrid railroad bombing in 2004, the July 2015 bombings in London, suicide bombings in Bali, Indonesia, and the attack on the American hotel in Jordan are the most important terrorist attacks in these years (www.infoplease.com). New statistics show that just in 2011 more than 10,000 terrorist attacks occurred in 70 countries in which 12,500 people were killed (NCTC 2012: 9).

Besides, organized terrorist attacks in various countries such as Iraq, Afghanistan, Pakistan, India, and Turkey have been left thousands of dead and wounded in recent years. Nowadays, the appearance of terrorist groups like al-Qaeda, the Islamic State of Iraq and Syria, al-Nusra Front is the culmination of terrorism. Iran, particularly after the Islamic Revolution, has been subjected to the most brutal terrorist attacks then this country can be considered a victim of terrorism in the world. Based on the facts and figures, only due to the terrorist group Mujahedin-e Khalq (MEK) attacks, more than 16,000 people have been killed (www.infoplease.com). Additionally, the

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formation and activities of terrorist groups in recent years, especially in marginal areas and cross-borders has been caused many losses of life and property to people and government of Iran (Izadi and Dabiri 2013: 95).

In this chapter, firstly the history of terrorism in Iran will be reviewed, and then accompanied with the investigation of terrorist threats against Iran, the concept of terrorism in the laws and regulations of this country would be offered. Then following the characterization of national security of Iran, the Iranian government's adopted counter-terrorism policy will be described.

The History of Terrorism in Iran

The footprint of terrorism in the history of Iran has been observed in especially various forms of the politically and seizing power motivated assassination of kings and influencing governmental agents or as revenge out of their tyranny, with personal goals in individual and non-organized way, and in some cases, due to support and planning on the behalf of authorities of public power against the opposition leaders or ordinary opposites.

According to many westerners historically, the first organized terrorism nuclear in Iran after Sikaries Movement is the Ismailia fugitives led by Hassan Sabbah in the Seljuk period in the eleventh century which had conducted the terrorist acts in an organized way. Ismailis in a part of their history known as "new call" began with the leadership of Hassan Sabbah, during a hundred and seventy years, since 473–654 AH, adopted unique and not like the previous methods and measures to deal with government and opposition, which was the use of basic intimidation, basically, and planned as a political tool (Hakimiha 2011: 62–63). After the death of Hassan Sabah in 518 AH, one of his disciples, Kiya Buzurg Ummid Roudbari, substituted him and finally, in 654 AH Mongolian Hulagu destroyed the Alamut and abolished Ismaili dynasty.

Terrorism in the modern history of Iran starts with the assassination of Naser al-Din Shah Qajarin 1934, which was the beginning of wide developments in the history of Iran. In this period, travelling of political and business delegations and granting privileges to install and set up factories, the entry and spread of political thoughts of West in Iran, publishing night-letter, entry of the Kurdish, Caucasian and Armenian immigrants to Iran, and so on, turned to the origin of growth and the spread of terror and terrorism in Iran, and Naser al-Din Shah Qajar was the first victim of the internal conflicts (Bigdeli 1998: 71).

The next section of the terrorism history in Iran is related to Mozaffar ad-Din Shah Qajar period. In this period, due to raising the level of political culture influence in Iran from the European taught areas and consequently the development of social wisdom, the political vulnerability was increased. That is why on the eve of the Constitutional Movement, massive wave of terror was launched in the country. The phenomenon of terror was turned to a means in the hands of the oppression opposition to achieve their political goals. At the same time, Mozaffar ad-Din Shah issued the constitutional decree in 6th August of 1906 (Bigdeli 1998: 71). After

issuing the constitution decree and accession of Mohammad Ali Shah to the throne, and his opposition to constitutional principles, on the one hand governmental agents with the support of Russia launched a wave of assassinations of their opponents for the first time in history of Iran, and on the other hand, appearance and opposition of two political parties of Ejtemaiyun and Meliyun caused the extent of the wave of terrorism in Iran. At the same time, the assassination was entered its organized phase by the foundation of the sanctions committee (Hakimiha 2011).

As the experts mention (Raean 1956), first person who built a bomb and made the bombing conventional in Iran was “Heydar Khan Amu oghli” from the Baku residents who came to Tehran from Russia during Mozaffar ad-Din Shah Period. Haider Khan who linked with several terrorist organizations in the Caucasus, accompanying with some others established a committee called Sanctions Committee for the assassination of tyrants and enemies of the Constitution and freedom. Bomb explosion in the house of Alaud-Daula form government officials, assassination of Ali Asghar Khan Amin al-Sultan known as Atabak Prime Minister of Mohammad Ali Shah, assassination of Abbas Agha Sarraf Azerbaijani, attempted assassination of Muhammad Ali Shah in 1907, the assassination of Qavamul-Molk Shirazi ardent opponents of the Constitution, attempted assassination of Sheikh Fadlallah Nuri, and murder of Ayatollah Seyyed Abdollah Behbehani are the terrorist acts carried out by the Sanctions Committee. On 15th July of 1917, the committee members were arrested and killed by the authority of Vosoughod-Dowleh.

The 21th February of 1921 coup by Reza Khan Mirpanj and extinction of Qajar dynasty, Iran entered a new era of social crisis. To establish the authority and repression, Reza Khan ordered the assassination of a number of his opponents. The early years of the reign of Reza Shah was coincided with the densest periods of assassination in the modern history of Iran. The most important assassinations conducted by the order of Reza Khan are including, assassination of Mirzadeh Eshghi poet and director of the newspaper “the twentieth century,” the assassination of the member of parliament, Ayatollah Seyyed Hassan Modarres, assassination of Vaez Qazvini director of the newspaper “Qazvin advice,” the killing of Sardar Assad Bakhtiari, Colonel Mahmoud Khan Puladin, and Nosrat-ed-Dowleh (Bigdeli 1998). One of the active organizations in the field of terror during the Pahlavi period was the Tudeh Party of Iran. The assassination of Mohammad Masood, director of the newspaper “Today’s Man” in 1947, and assassination of Ahmad Kermani director of “Illustrated Tehran” magazine are some of the terrorist acts of this party.

In 1344, three young Muslim intellectuals with the aim of toppling the Pahlavi regime, founded the “MEK” organization. The group, under the effect of suppressing the uprising of 15th May of 1963 and the failure of peaceful struggle, turned to armed struggle and enjoying the Latin American revolutionaries’ patterns, then chose the urban guerrilla warfare fight to their struggles. In 1971, after the arrest and execution of some of its leaders, the activities of the organization shut down, but again some cores of it revived the organization and their armed activities (Khome’i 2002: 344).

In 1350, the “Organization of Iranian People’s Fedaian” was formed out of merging the two Marxist guerrilla groups called “Jazani” and “Ahmadzadeh Puyan.” The organization committed some of the terrorist acts, including bomb-

ings in the center of the gendarmerie headquarter, explosion in the city government building of Gilan, the assassination of Fateh Yazdi Tehran cotton factory' employer, and the assassination of several high-ranking military commanders of the army and gendarmerie (Bigdeli 1998).

With the victory of the Islamic Revolution and the overthrow of the Pahlavi regime in February 1978, approximately 150 political groups and more than 250 magazines and newspapers in different groups were active that the majority of them were against the revolutionary government (Hakimiha 2011). The start of terrorist acts after the Islamic Revolution can be attributed to the Furqan group; the members of this group targeted assassinations of influential intellectuals in the Islamic republic fixation, including Morteza Motahari, Mohammad Mofatteh, General Valiollah Gharani, Mahdi Iraqi, and attempted assassination on the life of Akbar Hashemi Rafsanjani. The leader of the group, Akbar Goudarzi's arrest and execution, in 1359, caused the Furqan group to be fallen apart.

Mojahedin-e-Khalq Organization (MKO) after the Islamic Revolution accused the Iran's leaders to compromise with America and requested them to launch a radical left movement for the liberation of Iran from the domination of America. Accordingly, from the June 1981, it adopted military and terrorist policy against the Islamic Republic. The organization initially tried to make the social and political space of Iran chaos due to bombing and because it failed to bring any success in this work, then it changed the orientation of his terrorist acts against Iran's head of state.

The explosion at the headquarters of the [Islamic Republic Party](#) (IRP) and death of Ayatollah Mohammad Beheshti, the head of the Supreme Court with 72 members of the party, including 14 ministers and 27 MPs, the killing of President Mohammad Ali Rajai and Prime Minister Mohammad Javad Bahonar, conducting 336 terrorist attacks from 26th August 1981 to December 1982, are some parts of the terrorist activities of the organization. The government's antiterrorist measures forced the organization to move in the summer of 1365 to Iraq and continue its terrorist acts in Iran under the fund, support, and advertising of Saddam. Because of the extent and intensity of terrorist operations of this organization, European Union and the American government put the MKO as a terrorist organization on the list of international terrorist groups in 2002 and 1997, respectively. With the outbreak of America's war against Iraq and changing of the regime in this country, MKO was forced to leave Iraq and now is counted as the most important terrorist group against the Islamic Republic.

Various Kinds Terrorism Threats Against Iran

One consequence of the terrorism spread is diversifying of its forms. So that different types of terrorism is in different categories are recognizable. Nowadays, terrorism is more varied than the last 30 years (Dordiyani 2003: 22). Nuclear terrorism, bioterrorism, terrorism, nationalist terrorism, political terrorism, narcoterrorism, religious terrorism, state terrorism, cyber terrorism, [Agro-terrorism](#), chemical terrorism, etc. are the various types of terrorism. Figure 12.1 shows the typology of terrorism.

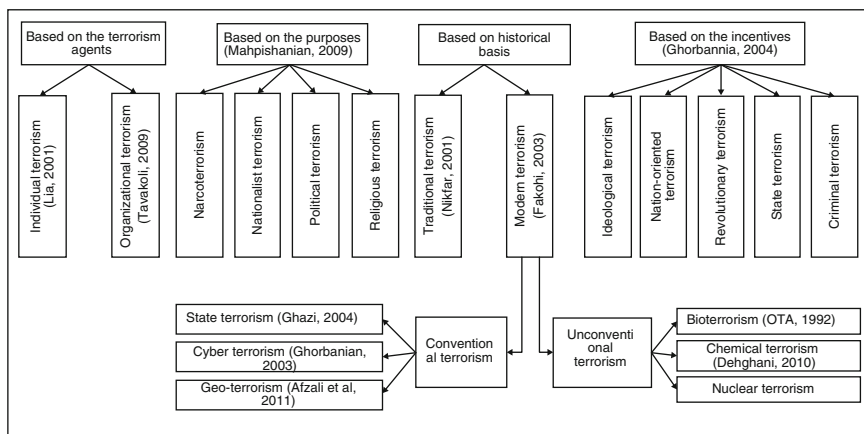


Fig. 12.1 The typology of terrorism

The Iranian government encounters different kinds of terrorism that each one is divided into branches. These divisions are quite different in appearance but in reality they are closely overlapping. Based on the typology presented in Fig. 12.1, the most important types of terrorist attacks that have happened in Iran or consider as the threats with a high probability of occurrence to the country are as follows: organizational terrorism, narcoterrorism, nationalist terrorism, religious terrorism, and various forms of modern terrorism.

1. **Organizational terrorism:** organizational terrorism is a type of terrorism in which a political, social or military, governmental or nongovernmental organization within the framework of organizational goals and for various reasons tries to remove the government or opposition elements. The majority of terrors during the history have been from this type of terrors. This kind of terrorism can be operated in the both national and international levels (Tavakoli 2009: 134). The most important terrorist organizations were announced and carried out terrorist acts as an organization in Iran, after the Islamic Revolution, are included: MEK, Organization of People’s Fedai Guerrillas, Forqan group, Democratic Party of Kurdistan, Komalah Party, and Jundallah group. Of these cases, the People’s Mojahedin Organization of Iran (MKO) is considered as the most important terrorist organizations that has been operated the most terrorist acts in Iran during the 30 years after the revolution (Ismaili 2011). Also, the Jundallah group that has announced in recent years has done significant operations in the eastern regions of Iran, including the bombing in Zahedan in the years 2006, 2008, 2010, the bomb attack in Chabahar in 2010, the assassination of passengers on the road from Zahedan to Chabahar, and the assassination of Iranian border guards on several occasions.
2. **Narcoterrorism:** narcoterrorism signifies the violence carried out by drug dealers. Former president of Peru was the first one described this type of terrorism in

the 1983 is associated with the terrorist attacks against the antidrug police of his country. Narcoterrorism means terror attacks of drug dealers with the aim of influencing on the government policy and bypassing the law by regular threats and use of violence. Pablo Escobar, the Colombian drug dealer is one famous example for narcoterrorism (Mahpishanian 2009: 4). According to the United Nations (2014), Afghanistan, the eastern neighbor of Iran is the world's largest drug-producer and drug traffickers transit the drugs through Iran to Europe and other countries. Iran is the only country that has always been exposed to the drug threat of drug production in Afghanistan and has suffered the greatest losses in this area. Also, according to the United Nations and Drug Control Headquarters of Iran, the Islamic Republic is one of the most important victims of narcotics in the world and 2237 Iranian police officers were killed in the fight against drugs (Drug Control Headquarters: 1394).

3. Nationalist terrorism: nationalist terrorism is a form of violence in which militants and armed groups are pursuing the goal of making an independent government and put an end to the occupation of their country or an anticolonial movement for ending colonialism and achieving to independence. This term is also used to describe a group that seeks to establish an independent state in an ethnic and religious area (Mahpishanian 2009). Of course, it should be noted that there are remarkable disagreements in terms of nationalist terrorism. There is a view that does not consider the violence has been done in order to deal with the occupation and with the aim of liberating the territory of a country as terrorism. This type of terrorism applies in the case of those groups seeking to establish an independent state in an ethnic or religious region. Since the beginning of Islamic Revolution in Iran, many terrorist groups with separatist claims have been operated many armed and violent actions against the government and people, such as Kurdistan, Khuzestan, and East of the country, have done that, including the Kurdistan Democratic Party and Komalah, the Arab people group in the West, and terrorist groups like Jundallah, Ansaraladl and, ... in the East of Iran can be noted. These groups do their acts to analyze the country and joint to the neighboring countries of Iran.
4. Religious terrorism: some sects believe that their deduction about the world and current developments is the purest vision, and consider others in the outside of their worldview totally false, so that they should be turned to the right way which is their religion or should be eliminated. Hence, the followers of such sects have to do violence to implement their own special ideas if their leaders feel its necessity. The violence raised by these actions characterized in the context of religious terrorism. This kind of terrorism only has accepted the leadership of its religion and suppresses other religions.

The violence of religious terrorism is unprecedented either in terms of its wide range of activities or its distinctive and deadly features, in the current era. In this type of terrorism, all those who turn to terrorism believe that their activities are something sacred on the behalf of God. In other words, religious terrorists commit their holy violence to protect the community and believe that heaven is promised to them. About 20% of ter-

rorist groups have religious interests (Ghorbannia 2004). But the motive of these groups is actually political and religion is used merely as an instrument of legitimizing for Recruiting and use of members. In fact, to do violent actions, people require legitimizing mechanisms and religion could properly play this function. This has made the distinction between religious and political terrorism and also religion and politics realms difficult in the religious terrorist groups. Religious terrorism in Iran supported by many countries in the Middle East has been created fear and terror in the South Eastern and the Western parts of the country in recent years. Especially in Sistan and Baluchestan blew up a mosque, and a Salafist Group named “Tohid” assassinated some clergies and religious scholars of Shafi’i *madhhab* in Kurdistan as well as Shiite groups in 2009.

5. Modern terrorism: there are serious views about the nature of modern terrorism, particularly at the international level. Many believe that modern terrorism resorted to violent means with the aim of making the most wide material-human destruction to culture or from the Marxist view point the superstructure of the Western life and its symbol, America (Dehshiar 2003: 68). From this perspective, modernity is the agent a paradigm shift in terrorism and terrorist attacks such as the September eleventh incidents are the inevitable result of modernity (Fakuhi 2003: 80). Modern terrorism in a various ways and by taking advantage of new features and technologies which are the souvenirs of modernity, carry out its actions and achieve its goals to advance. As shown in Fig. 12.1, there are various forms of new terrorism in the world that some forms such as cyber terrorism, state terrorism, chemical terrorism, and Geo-terrorism has been experienced in Iran’s history. They will be examined here.

5.1. Cyber terrorism: cyber threats are relatively novel phenomena in recent decades, which have emerged along with the development of information technology and the extension of global communications via the extensive network of the Internet around the world, in a way that nowadays, cyber threats seem both important and challenging. By definition, cyber threats are events that affect the virtual environment naturally or by humans (either intentionally or unintentionally) or events operated through the virtual space or to somehow be related to it (CACI and USNI 2010). There are several types of cyber threats that the most important of them are cyber warfare and cyber chaos (Khalilpour Ruknabadi and Noor Alivand 2012). According to the American [Federal Emergency Management Agency](#), cyber terrorism signifies the illegal threat and the attack against computers, networks, and information stored, when it is carried out to frighten and force the government or its people to achieve political or social objectives (Congressional Research 2008: 4).

The Islamic Republic of Iran has repeatedly been attacked by both internal and foreign cyber terrorism. Banking network and sites have been victims of this kind of terrorism. The most important foreign cyber-attack are related to sending the Stuxnet and Flame viruses to Bushehr nuclear power and nuclear center at Natanz systems by foreign cyber terrorism in 2007 and 2010, respectively.

- 5.2. State terrorism: governments are the new phenomenon of international system; it means that to somehow it could be considered as the achievements of modern life and modernism. The entrance of this phenomenon to the terrorism issue has been caused a new kind of terrorism to be created which many call it as state terrorism. State terrorism is a kind of terrorism which government undertakes the leadership of terror, prepares an organization for it, pays its expenses, provides people by military training, and leads them inside and outside the community (Qazavy 2004: 59). Some cases, such as a state secret covert operation for stabilization or overthrow of another government that possibly may entail the assassination of leaders or special political and scientific characters, can be considered the true objective of state terrorism. These operations are usually carried out by the security institutions of a country in another country. Although these operations may do not entail the public fear aspect but they are considered as terrorism because of some kinds of not declared violence carried out with the aim of physical elimination of the elements from the opposite government and may be conducted in order to making public disruption and instability are considered as terrorism. According to the Time weekly news magazine, Israeli government operates three main types of terrorist actions against Iran that are including quietly sabotage, assassination of nuclear scientists, and noisy sabotage (Vick and Klein 2012: Issue). The best examples of state terrorism against Iran is assassination of Iranian nuclear scientists by agents of the Israeli state in which during some stages four Iranian nuclear scientists were killed. Table 12.1 indicates the details of these terrors.
- 5.3. Chemical Terrorism: chemical terrorism is one of the modern but unconventional terrorisms. The main character of this type of terrorism is use of chemical materials. Chemical terrorism means the targeted use of toxic chemical agents against human beings to inflict physical and psychological harm on them that in this way terrorists seek to take the joy of life and good living feel from people by inflicting the injuries, murder, and destruction of property of individuals (Dehghani Firouz Abadi 2010: 288). According to international law, application of chemical weapons is prohibited even in war. But during the Iran-Iraq war (1981–1988), Saddam Hussein's regime frequently used chemical bombs and weapons against the military and various Iranian citizens. Only in Sardasht, Iran, 110 people were killed and more than 5000 people were injured due to aircraft bombing of Saddam's army, on June 29, 1987. The Baath regime in Iraq in these attacks used three gases, including mustard, nerve (Tabun, sarin, and Soman), and Cyanogen against defenseless people (Borhanifar 2005). Also during the war, approximately 2600 killed and about 107,000 civilian casualties were left, due to chemical attacks of Saddam's army against Iranian civilians. Table 12.2 demonstrates Saddam army's different use from chemical weapons against the troops of and people in towns and villages of Iran.
- 5.4. Microbial terrorism (bioterrorism): bioterrorism means the abuse of microbial agents or their products, or to put it more comprehensive, the use of

Table 12.1 Details of assassination of Iranian nuclear scientists by the Israeli state (Hamshahri Online 2012)

The assassinated	Date, time, and place of assassination	How	Academic background	Resume	Terror agent
Dr. Masoud Ali Mohammadi	January 12, 2010 at 7:05 am, Gheytriyeh St., front of his house	Car bomb	Graduated from Sharif University of Technology at Ph.D. level in theoretical physics with more than 80 articles in scientific journals around the world	Distinguished Professor of Physics in Iran, Iran's representative to SESAME, Member of the College of Science, Research Assistant at College of Science	Majid Jamali Fashi linked to Mossad
Dr. Majid Shahriari	November 29, 2010 7-8 am, Around Artesh Blvd.	Car bomb	Graduated from Amirkabir University of Technology, Master's degree in nuclear engineering from Sharif University of Technology, Ph.D. in Nuclear Science and Technology University from Amirkabir University of Technology	Academic staff at the physics faculty of University of Amirkabir, Author of four books and several international articles in the field of Nuclear Engineering, Physics professor at Shahid Beheshti University, Iran's researcher at SESAME	In the follow-up
Fereydoon Abbasi Davani	November 29, 2010, 7-8 am, Velenjak in front Shahid Beheshti University	Car bomb		Distinguished Professor of Nuclear Physics, Former vice president of Iran, Head of the Atomic Energy Organization of Iran	Yet to be determined, the attempted assassination
Darius Rezaei Nejad	July 23, 2011, 12 pm, In front of the Department of Electrical Engineering of Khajeh Nasir Toosi University	Shooting	Ph.D. student in the field of power engineering at Khajeh Nasir Toosi University	Elite from Abadan, Ilam province	German weekly Der Spiegel introduced Mossad as assassination agent
Mostafa Ahmadi Roshan	January 11, 2012, at 8:20 am, Ketabi square, Golnabi St.	Magnetic bomb	Graduate from Sharif University of Technology in the field of Chemical Engineering	Deputy of commerce at Natanz nuclear site	Yet to be determined

Table 12.2 Usage of chemical weapons by Saddam’s army during the Iran-Iraq war (1981–1988) (www.tarikhiran.ir)

Year	The number of usage	Chemical agent	Casualties
1980	4	Mustard gas	20 killed and 1 injured
1981	6	Mustard gas	101 killed
1982	12	Mustard gas	No statistics
1983	64	Mustard gas	No statistics
1984	No statistics	Mustard gas, Nerve, Blood, Chocking	40 killed and 2225 injured
1985	76	Mustard gas, Nerve, Blood, Chocking	77 killed and 11644 injured
1986	102	Mustard gas, Nerve, Blood, Chocking	102 killed and 4720 injured
1987	43	Mustard gas, Nerve, Blood, Chocking	442 killed and 9440 injured
1988	34	Mustard gas, Nerve, Blood, Chocking	No statistics

biological agents to intimidate or kill people and destroy animals or plants (Karami 2007). Biological agents are strongly fatal even in small amounts, and also they can be concealed and transported easily. They can be easily prepared and used by people who have little education, and, more importantly, the distinction between a natural and epidemic outbreaks caused by bioterrorism is not so simple (Shahhoseini 2015, www.elib.hbi.ir). Investigations (Khaje Amir and Sharghi Dolatabadi 2012) show that Iran has been subject to such terrorism in the decade of 2000. However, these measures failed, but there is still the possibility of doing it again. In this decade, epidemic, plant, animal, and vegetable diseases happened in Iran. There are many similarities between chemical and microbial terrorisms. Simple transportation, the capability of easily spreading, and many other advantages of biological terrorism is true in the case of chemical terrorism. This similarity is to somewhat that in many cases both types of terrorisms are called chemical terrorism.

- 5.5. Geo-terrorism: research findings show that there is a significant connection between geographical variables, such as topography, population, climate, government holes, geographical location of places, ethnic, and religious minorities on the one hand, and success or failure of terrorist activities, on the other hand. Therefore, there is a new type of terrorism called “Geo-terrorism.” Geo-terrorism has been formed from two words of Geo which means Geography and terrorism meant to create fear and horror (Afzali et al. 2011). Geography has been noticed in three fields of location, space, and land, and terrorism in three areas based on violence strategy, security, and self-defense will be more considerable. Terrorist groups in different geographical locations and spaces in either local or global scales apply their violent strategies with its own reasons.

In Iran due to the presence of various geographical factors, such as high mountains, vast arid deserts, and dense forests, some conditions for the establishment of terrorist groups are provided, which sometimes is in accordance with terrorists demands, whether individually or in a group. It means that it can generate power or ensure the survival of terrorists to carry out terrorist activities. For example, the establishment of terrorist groups, like Jundallah, Ansaraladl, and ..., in the southeastern deserts of Iran or use of mountains in western Iran for hiding by terrorist groups in order to conduct terrorist operations against Iran are some examples of Geo-terrorism. So we can say that even though the ideological and political factors may influence the incidence of terror, but on the other hand, occurrence of terror phenomenon could have also a geographical origin. As a result, the relationship between all geographical factors and conducting violent actions in Iran could be examined through two aspects of the relationship between terrorism and geographical location, and geographical factors influencing on terrorism. As another example, we can point out to ISIS treats due to neighboring to Iraq and geographical proximity to the conflict zone.

Another type of terrorism that may not be found in the presented categories is regional terrorism. This type of terrorism has appeared in two forms. First, it refers to the formation of groups, individuals, or governments operating the destruction of places or assassination of individuals beyond national borders and Second, regional terrorism in the form of covert and overt interference of governments in the internal affairs of other countries through financial and weapon support from insurgents and local dissidents in other countries.

The second type of regional terrorism has been found in Iran. One of the examples is financial and weapon support of Saddam Hussein's regime from Mujahedin-e Khalq organization (MKO) and their permission to residence and establishment in Camp Ashraf in Iraq for many years.

The Concept of Terrorism in the Laws and Regulations of Iran

Public tranquility preservation against delinquency and directing the natural human violence toward proved and legitimate ways are of objectives that governments try to achieve and take advantage of the penal system. Furthermore, the first effort of the public powers is to determine the rules that their importance justifies the penal sanctions. Another attempt is to determine criminal sanctions or punishments for such an abnormal behavior. No doubt the legislature in the detection of an abnormal behavior and its criminalization is obliged to observe the principles and framework (Hakimiha 2011).

Terrorism is not a new phenomenon, but new ways of its committing, its organization, and development of its risks to the security of human society caused the traditional sanctions in criminal law to deal with this phenomenon seem inefficient or incomplete. Thus, the need for criminalization of terrorism is more than ever.

The criminalization of terrorism means describing the terrorism independently and in accordance with the conceptual development of terrorism. Many terrorist acts such as murder, destruction of public property, and the abduction have been as normal punishable crimes from many years ago. But adoption of a good criminal policy at this time, in terms of domestic and international concern, is today's need of Iran (Habibzadeh and Hakimiha 2007).

Since the Iranian penal system has been affected of Islamic law, the criminalization in the areas of the core values of religion, meant to express, declare, and criminal legislation would be on legal offenses and penalties. The most important laws and regulations related to terrorism in Iran are as follows:

- Islamic penal code approved in 1991
- Penal code for the aircraft flight safety spoilers and sabotage in aviation equipment and facilities approved in 1970
- Law enacted in 1957 to punish the spoilers in Iran's oil industry
- Criminal act of the spoilers of water, electricity, gas, and telecommunication facilities approved in 1972
- Criminal act of industry spoilers approved in 1974

One of the crimes against the security of the community in the criminal law of Iran is "Moharebeh and spreading corruption on earth" that comes from the holy Quran, verse 33 of Surah Ma'idah. In this verse, God says: "Indeed, the penalty for those who wage war against Allah and His Messenger and strive upon earth to cause corruption is none but that they be killed or crucified or that their hands and feet be cut off from opposite sides or that they be exiled from the land. That is for them a disgrace in this world; and for them in the Hereafter is a great punishment."

Under the Iranian criminal system, terrorist acts are evidence of a criminal title of Moharebeh. In some Muslim countries, there is a difference between the crime "Baghy" and Moharebeh. The Qur'anic document of Baghy is in the verse nine of Surah Hujurat. In this verse, God expresses: "If two factions among the believers should fight, then make settlement between the two. But if one of them oppresses the other, then fight against the one that oppresses until it returns to the ordinance of Allah. And if it returns, then make settlement between them in justice and act justly. Indeed, Allah loves those who act justly." The Crime Baghy in the Islamic law is in the sense of revolt against the state or government and is known as political offenses and is different from the Moharebeh (Hakimiha 2011).

According to Rapoport (1992), a phenomenon which contains the following indices and common features could be considered as terrorism:

- Creating fear and panic. It is the first psychological perspective of terrorism that aims to sow fear in the hearts and achieving to given goals. In other forms of violence, creating fear and panic is not the main goal of the perpetrator, and it is considered as secondary goal, but the creating fear and panic in the victim and others is a primary goal in terror.
- Blind nature of assassination. Terrorist attacks naturally are carried out blindly so that they do not discriminate the men and women, children and old, and military and civilian.

- Assassination is Surprising and secrecy. Terror is based on the element of surprising and secrecy, and basically terror has been meant as unaware cache (غافل کش). Terrorist attacks are so sudden and secret then no one can predict when and where they would be happen. So the surprising factor provides terrorists the chance to choose their own time and place of attack.
- Political objectives. Terrorist operations usually aim to change the existing situation and achieve certain political purposes and violent acts which do not seek political objective cannot be count as terrorism.
- Organization. Terrorist operations are intensively and in very high level designed and organized.
- Violence. One of the main features of terrorism is violence. In fact, an operation that is not associated with violence, use of weapons, and the threat cannot be defined as terrorism. Therefore, the shooting of a burglar, strikes, and street demonstrations do not fit in the category of terrorism.
- Low participation. In spite of revolutions and riots in the streets that a huge number of people involved in it. In terrorist operations, usually a small number of people are behind the assassination.
- Public orientation. Although, participants in a terrorist attack are few, but the majority of people include in this measure. In fact, the terror agents expect their operation would have a wide reflection throughout the society.

Iran's Islamic Penal Code enacted in 1991 in the seventh has been investigated the crime Moharebeh and spreading corruption on earth and violence and corruption on earth and has predicted its punishments. Section 183 of the act defines the war crime Moharebeh as: "Everyone taking up arms to create fear and panic and depriving liberty and security of the people is an enemy of God (Mohareb) and spreader of corruption on earth." The similarity between the criminal title of Moharebeh and terrorism has caused the legislators to not spend criminalization of terrorism seriously.

Based on the general and traditional definitions, terrorism implies the committing of violent acts due to create panic among the people (Hakimiha 2011). This definition is very close to definition of Shiite jurists. Iran's judiciary in dealing with the perpetrators of terrorist acts has been included many of them in the Moharebeh title. In the Shiite jurisprudence sources, in the definition of Moharebeh terms are in a way that cover multiple behaviors as Moharebeh and corruption on earth. But Shiite commentators and jurists totally try to confine the examples of the verse 33, Surah Ma'idah (Moharebeh verse) along with strict interpretation. Shaykh Tusione of the greatest Shiite jurists in the book entitled *Al-Mabsut* after approval of the fact that all public jurists are unanimous on the subject of the verse as "road sector" puts his juridical opinion this way: "According to our religious narratives, the verse refers to anyone scares people with weapon, both at sea and on land, either in the city or in the desert" (Aghababaei 2007).

It is possible to adapt the behavior of the person or persons, who carried out terrorist acts with the provisions of the Islamic Penal Code regarding Moharebeh, but nowadays, terrorism is beyond the individual acts and has been organized, and those without straight interfering in the terrorist operation, play the technical assistance, financial,

intelligence, and leadership roles. Also, today it is probable that terrorist acts be done without the use of weapons, so the traditional definition of Moharebeh may not be included these actions. Therefore, the government due to considering the legal gaps in the case of terrorism, prepared the “antiterrorism” bill, with consulting of experts from different parts, and presented it to Parliament in 6th December 2003.

The first article of the antiterrorism bill’s proposal, affected of international documents such as paragraph “b” of article 2 of the Convention states of combating the financing of terrorism declares: “Committed and threatened crimes and violent acts through making people to feel frightened for influencing on the policy, decisions, and actions of the government of the Islamic Republic of Iran, other countries and the inter-governmental organizations, is considered a terrorist crime.” This general concept includes several examples that the most important of them have been so far released in 13 international documents in the form of antiterrorism conventions or protocols.

According to the article 3 of the antiterrorism bill: “A terrorist crime assistant has been sentenced to the minimum prescribed penalty.” According to the article 6 of the bill: “organizations, associations, NGOs, groups, and those allowed to commit terrorist acts or attempts to commit such crimes based on their constitution, statute, or procedural action, are considered terrorist groups, although the actions were committed by their members or fans.” The article 21 of the mentioned bill has considered the criminal sanctions in accordance with the legal personality of terrorist groups. According to the article: “Terrorist groups will be liquidated and all their property, assets, and accounts, be confiscated in favor of the Islamic Republic in addition to the penalties appointed by the law.”

Another innovation in the antiterrorism bill based on the needs of today’s society concerning the responsibility of the terrorism crime is in associated with the role of governments in terrorist operations. In this case, due to the lack of penalties for states under domestic law, according to the article 19 of the bill: “if a terrorist crime is attributable to a foreign government or governments, so that in accordance with the internal rules of Iran raising the lawsuit against those foreign governments is possible, committed and relevant foreign government will be responsible for compensation in solidarity.”

Iran’s antiterrorism bill along with taking into account the relationship between Moharebeh and terrorism, in article 14 has predicted: “if the act was deemed to be Moharebeh, committed is included the punishable for Moharebeh.” In the article 183 of the Islamic Penal Code, two criteria has been specified to achieve Moharebeh: first, taking up arms, and second the intention of creating fear and panic or the intention of taking people’s liberty and security.

National Security in Iran

National security is a multidimensional position which is conceptually weak, from the definition viewpoint vague, but politically is a powerful concept (Khalilpour Ruknabadi and Noor Alivand 2012). According to definition, it emphasizes on the sense of freedom from fear or the sense of safety monitoring the physical and

mental security (Mandel 2000: 44). The national security of a community involved a wide area of issues so that it can be divided into five areas of military, political, economic, social, and environmental (Shakeri 2002).

Islamic Republic of Iran is a regional country with the international capabilities, have a world-class influences as well. Iran since the fall of the Shah's regime and the revolution, due to adopting the policy of "Neither East nor West" has taken an independent foreign policy of global issues. This policy accompanying with the extent of Iranian-Islamic civilization and the cultural and historical ties with the neighboring countries, in the Caucasus, Central Asia, the Persian Gulf countries, Pakistan, and the western neighboring countries, e.g., Iraq and Turkey to West Africa, has led the country to develop a strategic region and benefits the potential and actual facilities to expand bilateral regional and global cooperation.

The national Security of the Islamic Republic has been formed from the elements such as the role of acting as an independent and active player, energy resources, geopolitical status, ideological capacity, and scientific and technological capabilities (Mehrvarz 2011). Accordingly, Iran is one of the countries that terrorism is linked with its national security and is damaged of terrorism in the dual form. On the one hand, Iran is considered as one of the main victims of terrorism in the history of its independence, in terms of facing the charges of supporting terrorism, pays the price for its independence (Eftekhari and Shabestani 2011).

In Iran, the country's defense and security policies determines by Supreme National Security Council. The constitution has fixed the totality of the national security areas under this council and the organization is defines as: "The Supreme National Security Council is constituted in order to protect national interests and territorial integrity and national sovereignty of the Islamic Revolution (the Constitution, article 176)." According to the article 176 of the constitution, the council aims to protect religious and national facilities, including the national interests, the Islamic Revolution, the country's territory, and sovereignty.

According to article 9 of the constitution, the territorial integrity of Iran includes the maintaining geographical territory of Iran in land and sea, and no one is allowed to enter the smallest flaw to the territorial integrity of Iran. According to the article 156, national sovereignty means triple powers and the supreme leader. Therefore, Iran's national security based on the council's tasks is not only limited to the military and defense aspects but includes the new aspects of security, like the political, economic, social, and environmental aspects. Iran's national security from the traditional view, which is mostly based on the war and defense positions, in the constitution explicitly and implicitly, has a religious foundation. One indicator of national security is military security and the ability to defend against foreigners. In Iran's national security, the concept of "religious military" has been replaced by the national military. Based on this concept, the military security mission is not only to protect and preserve the borders, but also is the mission of jihad in the way of Allah and fight to spread the rule of the law of God in the world based on the defense and military readiness verse (Surah al-Anfal, verse 61). In the Islamic Republic, the defense subject to the Army is a Sufficiency duty and based on the legal principle of (Sufficiency duty) and the experience of Messenger in popular mobilization in early

Islam. In other words, the Islamic Republic of Iran's Military has the both national and religious backgrounds.

The defense subject generally has been discussed in Islamic political jurisprudence, and this feature has led to tying and combination of the national security issue to the "maintaining of Islam" at the time of the Islamic Republic of Iran establishment. Based on the Islam defense is obligatory upon two things: one is when Islam is in risk, and the other is the fear of jeopardizing the lives and property of the Muslim people (Shakeri 2002). According to this, Imam Khomeini regarding the defense subject says: "If the enemy enters the land of Muslims and the Muslim land's borders in a way to make destruction fear of the Islamic Reign and Muslim community, it is incumbent upon Muslims to defend against the campaign to any device . . . if there is the fear that the enemy will rule on Muslim lands and their land will be seized or Muslims will be captured, the defense must be considered in any way" (Khomeini 2011: 485). Mirzaye Naini, religious policy theoretician of constitutionalism, has another perspective of defense that its feature is matching the protecting of "Islamic Reign" with protecting of "the homeland and the Islamic country." Therefore, in his view, national security is obtained by the defense based on the religious obligations and provisions. Naini believes that the preservation of Islamic country from foreign intervention is equivalent to protect the Islamic Reign. So according to Naini's idea, national security is linked to the preservation of Islam issue.

Counter-Terrorism Policies

Counter-terrorism policies can be divided into three types: prevention policies, legal punishment policies, and repressive policies (Eftekhari and Shabestani 2011).

1. Prevention policies: these policies are of the oldest existing policies which are the base of the formation of 13 different conventions and UN resolutions to early 1990s. These policies have been followed to examine the roots of terrorism and have been always disputed. The disputes have been mostly between terrorist acts and liberation acts. One of the basic differences between Iran and the West in terms of terrorism is regarding to disputes on definition of terrorism and distinguish it from the acts of liberation. Based on the Quran, the MEK is a terrorist group and many of the terrorist operations in the past three decades operated in Iran has been done by this group so that about 16,000 people have lost their lives due to their terrorist acts, while the group is supported by Western countries. Instead, groups such as Hezbollah in Lebanon and Hamas in the Palestinian are liberation groups and are fighting for the liberation of their homeland from Israel occupation. But from the perspective of the United States and Western countries, these groups are terrorists.

Preventive policy in the fight against terrorism has two types: in the first type which is more related to extralegal issues, rather than thinking about preemption against terrorism, the causes of the emergence of terrorism and how to overcome

these causes will be considered. This policy would be more sustainable and effective than other policies.

Codification and presentation of combating financing of terrorism bill in 2011 in Iran is in the context of this type of preventive policy. This bill that is totality passed through the number 2848 on 9th February 2012 has been developed by taking into account the international obligations contained in the 1999 convention of the United Nations and also the requirements of Security Council's resolution No. 1373.

The second type is in response to terrorist acts that are committed with the use of the first type. It is always possible that terrorist groups and organizations challenge the existing discipline by their avarice. In such cases, rather than adopting a passive and responsive position to terrorist activities, it should be tried to discover and neutralize terrorist activities through the approval of active measures. This policy especially has been very stressed after the emergence of the ability of terrorists to use methods and weapons of mass destruction.

One of the strategic documents in terms of combatting terrorism for Iran is the convention of the Organization of Islamic Conference which is one of the most important steps in this area. According to the second paragraph of third article of the convention, the member States are committed to the following notes:

- Preventing the planning, organizing, and executing terrorist crimes or starting the complicity in their countries
- Cooperation and coordination with other committed governments, particularly the neighboring governments
- Developing and strengthening the systems related to surveillance and inspection of transport, import, export, use of weapons, ammunition, explosives, and other means of aggression, murder, and destruction as well as the strengthening of cross-border and customs inspection
- Developing and strengthening the systems related to sentry and security of air, sea, and land border crossings to prevent infiltration through them
- Strengthening the systems to ensure health and protection of people, vital facilities, and means of public transport
- Further intensification of the protection, security, and the health of people, consular and diplomatic missions, international and regional accredited committed organizations in accordance with the conventions and rules of international law in this regard
- Promoting security intelligence activities and coordinating them with other committed government's intelligence activities for the purpose of detecting terrorist groups and organizations targets and neutralization of plans and exposing their risk domain to security and stability
- Creating a database to collect and analyze the data about the organizations, movements, groups, and terrorist agents (Bozorgmehri 2006: 52–53).

The Islamic Republic of Iran also has been presented its actions in the framework of responding to the United Nations Security Council's Counter-terrorism Committee (CTC) questions via numerous annually reports. The establishment of a working group to create a database related to the terrorist groups information,

dealing with the smuggling of weapons into the country, and collecting about 90,000 weapons, ammunition and military equipment of various kinds, intense monitoring on borders, applying more control to border movements and creating security headquarters along the eastern and western borders of the country, establishment and development of the security wall along the eastern border, and holding the international meetings regarding the global combatting against terrorism are some of these measures (CTC 2011).

2. The legal penalty policies: these policies emerged in the Third Committee of the Human Rights Commission of the United Nations. These policies, rather than being concerned about terrorism, have focused on human rights violations on the part of antiterrorism measures. The policy of imposing the legal penalties forbears the causes and context of it and focuses on the crime and its perpetrators.

Iran's Islamic Penal Code has determined the Moharebeh sentence for perpetrators of terrorist acts and as explained in the previous sections, based on the Moharebeh in the Iranian criminal justice terrorist must be followed, judged, and punished by internal, judicial, administrative, and police mechanisms. The investigation, prosecution, and detention are of the main mechanisms of criminal justice system.

The Islamic Republic of Iran, after the failure of the preventing policies and following the terrorist acts, tries to prevent the spread of terrorist acts by applying legal sanctions and also aims to resort to law and the strict implementation of it to fight with the effect that is terrorism. The most important actions in this area include:

- Criminalization of terrorism and legal punishment of terrorists. The antiterrorism law's bill has examined the criminalization, definition, and examples of terrorist crime in detail, with some instances of such as murder, death threats, attacks, and acts of violence resulting in death or serious physical harm against civilians, kidnapping, or illegal detention and kidnapping of people, any kind of conscious violent acts against the people who have international impunity based on the law, sabotage of public governmental or nongovernmental facilities and property causing a severe damage or disrupt the normal function, making a severe damage to the environment such as water poisoning and burning of forests, any kind of manufacturing, possession, acquisition, transport, theft, fraudulent gains, trafficking, carrying, holding, illegal development or accumulation of toxins, elements and chemical, biological and bacteriological materials, production, supply, trafficking, sale and illegal use of explosives, arms and ammunition.
 - The legal protection of victims of terrorism and respect to human rights. Some of these policies include: support for victims of terrorism, according to the Algeria statement, support for victims of ordinary citizens in note 18 of budget bill in 2006, and protecting the rights of victims of violation of the diplomatic immunity of the Iranian government.
3. Repressive policies: these policies have emerged after the 11th September attacks and still they have dominated. These policies consider the elimination of terrorism as principle and due to introducing the terrorism as a criminal offense have

been allowed to fight against terrorism to the extent of killing or capturing its perpetrators. In the framework, the respect to human rights in the fight against terrorism is marginalized and can largely be ignored. In these policies, the approach to deal with the terrorism is more police, military, and intelligence.

In the framework of these policies, terrorism and fighting against it in the United Nations mostly is followed in the sixth committee and the Security Council, and all the Security Council resolutions on terrorism are in this format.

The Islamic Republic of Iran over the past three decades to suppress and destroy terrorist groups, such as the Kurdistan Democratic Party, Komalah, Iranian People's Fedai Guerrillas, People's Mojahedin of Iran (MKO), terrorist group PJAK, terrorist group Jundallah, has used the repression of terrorism policies and on the basis of various documents, including the Organization of Islamic Conference Convention which has recommended the fight against terrorism in article 2, section b, has pursued his policies and in this way has suffered enormous human and financial costs.

In addition to the above-mentioned triple policies, another policy of the Islamic Republic of Iran in the fight against terrorism is the distinction between terrorism and Jihad. Jihad has three kinds; one initiating (primary) which is a sufficiency duty, the second the defensive which is an individual duty, and third War against the rebellious people (war with Baghat) that such as initiating Jihad is a sufficiency duty and also called the internal Jihad (Alipour 2010). From the perspective of the Islamic Republic of Iran, the initiating Jihad to call others to Islam must be conducted without charge and without violent acts and should be done only by speech. Because jihad is originated from the Quran and applying the surprise attack on atheists and unbelievers or, does not match with any of the verses of the Quran. According to the verse 62 of Surah al-Baqarah, the Prophet as the standard of Islam religion has duty to cherish other religions, even the star-worshippers: "Indeed, those who believe and the Jews and the Christians and star-worshippers who believed in Allah and the Last Day and did righteousness will have their reward with their Lord, and no fear will there be concerning them, nor will they grieve."

Based on the Islamic Republic of Iran view, all forms of Jihad are obligatory but initiating war when an infallible is not the ruler is not permissible. So all the arbitrary and initiating ways have been closed to individuals and there is no order to attack enemies, whether in their own country or in another country, unless they have attacked by enemies or atheists.

Jihad in all three types of it has a special place. Struggle and rebellion are signs of the development of society and it is not only limited to the field of battle and military campaign, but encompasses all areas ranging from intellectual, cultural, political, economic, and social. Jihad with Baghat is one of the Jihads which is like initiating Jihad is an individual duty. Baghat is called to such a Muslims have rebelled against the infallible leader of Muslims, like the Khawarij of [Nahrawan battle](#) (Jafari Langroodi 1985: 112). The rebellious or Baghat should be the Muslims who have protested against the Islamic lands ruler with weapons. This point reveals one of the most important differences between terrorist act and Baghi. It means that Baghi is only done by Muslims, but the terrorist act is a behavior that may be conducted by every one.

Another policy pursued by Iran in the fight against terrorism is combating against the misrepresenting of the concept of terrorism in the context of international relations. Some states are working to reverse the label of terrorism, and then it causes one of the great conceptual difficulties with respect to terrorism. The groups called terrorists, if they were not supported by some governments, combatting with them were much easier and conceptual challenge of their violent actions were fewer, but when some governments consider a group as terrorist while the others call the same group as martyrdom or freedom seeking group, regardless of what is the judgment of group about itself, indicating that the label and the label, it indicates that labeling and mislabeling both are done by the government and the law.

For example, the Palestine Liberation Front, the Islamic Jihad Movement in Palestine, Popular Front for the Liberation of Palestine, Hamas, Hezbollah in Lebanon, all from the perspective of United States are terrorist organizations, while based on the policy of the Iranian government, these groups, are considered as liberation groups and resistance groups (Alipour 2010) and are supported. This policy in 1990 was turned to the “Support the Islamic Revolution of the Palestinian people” law and was approved. According to article 2 of the law, “Iran’s government can found the humanitarian aid fund to support the Palestinian people and gather the help of Muslims and freedom-loving people of the world and spend it to support and strengthen the Palestinian refugees, the oppressed and fighting people of Palestine and the Intifada.”

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