

Counter-Terrorism Policy of Mongolia : Raising Awareness on Terrorism^{*}

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〈Abstract〉

This study touches upon the challenges of globalization, in which terrorism is one of the most brutal forms of criminal violence targeting innocent people. No country is immune from terrorist attacks, and no person is immune from becoming a victim. Interest in this topic is increasing as terrorism, in all its forms and manifestations, in its scale and intensity, and in its inhumanity and cruelty, is now becoming one of the most acute and pressing problems of global importance.

Legal regulations passed in Mongolia in 2004 have established a structure to prevent and detect terrorist threats. However, the country's anti-terrorism policy should be improved with respect to its global counter-terrorism strategy. Because Mongolia is a comparatively safe country in the region, the people do not consider terrorism to be a real threat.

This study aims to suggest methods to quickly raise awareness and create a security culture to improve Mongolia's long-term terrorism prevention policy. In particular, the authors review Mongolia's anti-terrorism policy, focusing on legal regulations, and suggest education methods to raise terrorism awareness for the public as a primary preventive measure.

The study also presents a comparative analysis and a summary conclusion by examining international legal acts, conventions on new manifestations of terrorism, the foundations of laws and regulations of Mongolia, and related research on terrorism.

주제어 : Mongolia, Counter-terrorism, Terrorism Awareness, Anti-Terrorism Law, Terrorism Prevention Policy

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I . Introduction

Terrorism is one of the oldest forms of human conflict. “While the means and ends have changed over time, the strategy of fear, panic, violence and disruption has not changed”(Sanow, 2002: 5). History shows that violence, fear, and feelings of helplessness, are, unfortunately, inherent attributes of social life. The fear of violence is a powerful tool often used not only by individuals but by groups, parties, nations, and even states.

The rapid progress of science and technology provides an opportunity for attackers to turn humanity’s achievements against itself. White(2006: 273) notes that “technology looms as a potentially sinister partner in the evolution of terrorism.” For example, whereas in the past the main armaments of terrorists consisted of hand bombs and single-shot pistols, their arsenal now includes much more destructive inventions-firearms, explosive and chemical agents, biological agents, radioactive substances and nuclear charges, electromagnetic pulse generators, widespread communications (via mail, telephone, and computer), and much more. Looking back at the 9/11 incident, Wexler(2007: i) suggests that “the 9/11 hijackers were the ultimate suicide bombers as they used commercial aircraft as bombs rather than devices that fit inside the backpack.”

Terrorism's recent popularity as a topic of academic work is easily understandable; as Manning notes that the 9/11 Al Qaeda attack made a distant, abstract concept a closer, more threatening reality(Lowe, 2018: 3). That attack was deadlier, in terms of fatalities in a single day, than the bloodiest battles of the American Civil War (Townshend, 2018: 2).

However, international terrorism remains a complex and multidimensional phenomenon with no universal definition in the scientific literature. Establishment of such a definition is complicated by the fact that "the development of international terrorism is much faster than its comprehension"(Vasetsova, 2011: 91). However, terrorism has a very real, clear, direct impact on human rights.

According to the Global Terrorism Index(2018), although the total number of deaths fell by 27% (18,814 deaths) between 2016 and 2017, terrorism remains a widespread problem, with 67 countries experiencing at least one death. Most countries of the world, regardless of political orientation, are decisively united in condemning terrorism and making efforts to fight it. Mongolia is no exception. As an active member of the anti-terrorist coalition, Mongolia participates in peacekeeping missions with its service people. There is a possibility that this may serve to provoke attacks by international terrorist groups in the country.

For Mongolia, a country with a huge territory and a small population, research into potential threats and ways to prevent them is necessary for national security, and expansion of international cooperation in the fight against terrorism becomes relevant in this light. However, in Mongolia, the situation is as Hess(2009: 377) describes: the "majority do not consider terrorism as a major threat compared to such issues as workplace violence." Public awareness of the potential threat of terrorism is still very low in Mongolia. In addition to the absence of systematic sociological studies expressing the opinion of a wide section of the public, the lack of a circle of researchers addressing the subject confirms the non-formation in the public mind of the psychology of the true threat of terrorism, intolerance, and skills to prevent terrorist threats.

Technology plays a crucial role today in ensuring a safe environment. Video surveillance systems in public areas are a basic safety measure that can detect abandoned

baggage, identify suspicious people, and detect their activities. Technology alone, however, cannot manage all security concerns. Citizen vigilance is key to identifying and preventing terrorist activity. Therefore, in addition to improving the legal environment, measures must be taken to raise public awareness of the potential threat of terrorism. Education programs and the counter-terrorism campaign are essential to promote public awareness and enhance security and safety against terrorist activities.

This study begins by examining the counter-terrorism legislation of Mongolia, including the terrorism index and international conventions adopted by the state. It further explores Mongolia's counter-terrorism institute and awareness-building program. In addition to the responsibilities of law enforcement organizations, citizen vigilance plays a vital role in preventing terrorism, as does the education system and public awareness-raising. Based on this examination, the authors suggest conducting regular education programs to build awareness of terrorism.

II. Counter-terrorism legislation of Mongolia

Mongolia introduces a state policy confirming the territory of its country as a zone without the spread of international terrorism and has created a legal framework for legislation. Mongolia has acceded to the 13 conventions adopted by the United Nations on combating terrorism such as “International Convention against the Taking of Hostages,” “Convention for the Suppression of Unlawful Seizure of Aircraft,” and “Convention on Offenses and Certain Other Acts Committed on Board Aircraft.” Also, it introduces amendments to the criminal and criminal procedure codes.

1. Global Terrorism Index and Mongolia

The Global Terrorism Index measures the direct and indirect impacts of terrorism, including lives lost, injuries, property damage, and psychological aftereffects. It is a composite score that ranks countries according to the impact they experience from

terrorism, from 0 (no impact) to 10 (highest impact). The Mongolia Terrorism Index-with actual data, historical chart, and calendar of releases-was last updated in May 2019 (Table 1).

〈Tabel 1〉 Global Terrorism Index 2018

Actual	Previous	Highest	Lowest	Dates	Unit	Frequency
0,00	0,00	0,00	0,00	2002-2017		Yearly

Source: <https://tradingeconomics.com/mongolia/terrorism-index>

Mongolia, along with 26 other countries, shared the last (138th) place in the list, experiencing no influence of terrorism. The highest ranked were Iraq, Afghanistan, and Nigeria. Data from the 2017 “White Book of Mongolia” showed no crimes of a terrorist nature in Mongolia. However, because prevention is better than cure, citizens should nevertheless have a zero-tolerance policy toward terrorism.

2. Anti-Terrorism Law of Mongolia

Although the term “terrorism” appeared relatively late in the vocabulary of the Mongolian language, it is widely used in official documents and social media. The concept was first defined in Mongolia in article 177 chapter 21 of the special section of the Mongolian Penal Code. Lawmakers avoided using the foreign word “terrorism” when discussing the draft of the Penal Code, instead choosing the Mongolian term “

,” meaning “to frighten, rape, torture.”

Driven by the need to create legal settlements, the Great Khural (the parliament of Mongolia) approved laws “On Combating Terrorism” and “On Explosives and Control on the Revolution of Explosion Instruments” on April 23, 2004, and a law “On Combating Money Laundering and the Financing of Terrorism” in 2006.

The goal of the Anti-Terrorism Law is to establish the political basis, principles, and legal and organizational framework to combat terrorism and to define the role of state organizations, legal entities, and citizens in terrorism prevention. It further identifies the

responsibility of participants in terrorists acts or activities and as violators of the law.

The Anti-Terrorism Law defines terrorism as acts committed by illegal armed groups and terrorists that create the conditions for intimidation of the population either in part or as a whole, as well as the threat of such actions and violence to achieve political, religious, and ideological goals (Article 3, 3.1.1). It also identifies international terrorism as “terrorism, carried out under the leadership of foreign persons, organizations, or other countries in order to influence international relations, state control and leaders of countries” (Article 3, 3.1.2).

3. Terrorism in the Criminal and Criminal Procedure Code

To improve the Criminal and Criminal Procedure Code, the “Model Law on Crime” was developed (July 1, 2017) through collaboration by scientists from developed countries. In drafts of the initiators of the Criminal and Criminal Procedure Laws, recommendations are taken from the public, representatives of civil societies and professionals, and legislators. For example, crimes against the peace and security of humanity, war crimes, and terrorism bearing a global threat have been introduced in the new edition of the Criminal Code as articles not subject to amnesty.

The new edition of the Criminal Code introduced the following articles, which form the legal basis for the fight against terrorism. Conscious dissemination of false information about terrorist acts is addressed in Article 20.1: “Explosions, arson and other actions that entail damage to property and mortal danger of life; dissemination of false information of terror and other threats with dangerous consequences for society is punishable by imprisonment of up to one to five years.”

Article 20.2 states that “appeals to terror and public justification of terrorism are punished with imprisonment from one year to five years.”

Article 29.8 states that actions involving social networks, firearms, explosives, nuclear materials and radioactive waste, or toxic and dangerous chemical and biological substances that cause fear to the population; or killing people and causing serious damage to human health for the purpose of forcible decision-making by the state and

international organizations, annulment of specific decisions or refraining from decisions; or physical attacks on people not involved in the parties to an armed conflict are subject to imprisonment from twelve to twenty years or life. If the crimes are committed on behalf or in the interests of a legal entity, the legal entity is to be illegitimated and dissolved.

Article 29.9 states that “persons involved in organizing a special organized criminal grouping, recruiting and engaging other persons, their training and education, and supplying weapons for the purpose of terror are sentenced to imprisonment for a term of twelve to twenty years.” The law also provides a provision to exempt from criminal prosecution individuals who were involved in preparing a terrorist act but who voluntarily warned state authorities about the threat in a timely manner and made a feasible contribution to its prevention, if no involvement in other crimes is proven.

Article 29.10 states that people who have awareness of terrorist purposes and directly or indirectly organize material and financial savings, transfers, and embezzlement of funds are subject to imprisonment for five to twelve years. If these acts are done on behalf or in the interests of a legal entity, the entity loses its rights to conduct activities and is punishable by a fine of 120 thousand to 400 thousand units, a new amendment of the previous criminal law.

Article 6.1.1 indicates that judicial proceedings of a criminal offense in a terrorist act, preparation for a terrorist act, or financing of a terrorist act are to be investigated by state intelligence agencies.

III. Counter-Terrorism Institute of Mongolia

On April 23, 2004, the Law on Combating Terrorism was adopted by the Great Khural, serving as the national legal basis for the fight against terrorism. According to the law, the Government of Mongolia is responsible for managing anti-terrorism measures. The responsibility for organizing and monitoring the implementation of the law falls on the National Counter-Terrorism Coordinative Council (hereinafter “Coordinative Council”)

appointed by order of the Prime Minister No. 147 of 2004. The Coordinative Council is headed by the chief of the General Intelligence Agency and includes the following 16 members:

1. Chief of the General Intelligence Agency
2. Deputy Foreign Minister
3. Deputy Minister of Nature, Environment and Tourism
4. Deputy Minister of Health
5. State Secretary of the Ministry of Roads and Transportation
6. Chief of General Staff of the Armed Forces
7. Head of the Border Protection Agency
8. Head of the Immigration Agency
9. Head of the General Police Agency
10. Head of the General Inspection Agency
11. Head of the General Executive Agency of Court Decision
12. Head of the General Directorate of Customs
13. Head of the State Registration Agency
14. Head of the General Department of Taxation
15. Head of the National Emergency Management Agency
16. Secretary General of the Coordinative Council

The position, statute of activities, and Comprehensive Action Plan for the Prevention of Terrorism are approved every two years by government decree, and the position of special counter-terrorism operations is approved by presidential decree. In 2006, 22 branches headed by governors and mayors were established in Aimaks (administrative units of Mongolia) and cities.

The Coordinative Council acts in accordance with the terrorism prevention policy to perform the following functions, indicated in paragraph 6.4 of the Anti-Terrorism Law:

1. Development of a draft of measures and a counter-terrorism plan, and presentation of an appropriate solution to the government
2. Collection and analysis of data on terrorism and provision of operational information and suggestions to the government

3. Coordination between government agencies in terrorism prevention
4. Instruction of state organizations, individuals, and legal entities on measures to prevent terrorist acts, and confirmation of their implementation

A key issue in the prevention of terrorism is active cooperation with regional and neighboring countries to prevent the occurrence of extremist and terrorist actions. Terrorist acts in neighboring countries in recent years have shown that it is impossible to ignore the possibility of such incidents occurring in Mongolia.

Mongolia accepts multilateral obligations in connection with its accession to the 13 conventions against terrorism. To implement the provisions of these international legal documents, important tasks were set to address and effectively establish cooperation between other countries and international organizations, and to improve the Coordinative Council's counter-terrorism management.

To expand international cooperation in combating terrorism, Mongolia ratified the Inter-Governmental Treaty of Mongolia on "Cooperation in Counter-Terrorism" in 2010, the treaty on Cooperation in Combating Terrorism and Extremism in 2015, and the SCO Anti-Terrorism Regional Protocol. Previously, the Coordinative Council consented to "intergovernmental agreements," cooperating with Russia, China, and the Czech Republic to prevent and combat terrorism, exchange information, and expand foreign cooperation. The current law provides for the coordination and prevention of terrorism at the national level, coordination of cooperation between government agencies, regular analysis of international terrorism status, study of new terrorist methods, and provision of information to relevant authorities.

Paragraph 5 of Article 9 of the Anti-Terrorism Law contains various forms of state settlements in the field of anti-terrorism. In particular, cooperation with similar foreign organizations is established to provide for training, capacity-building, and readiness of intelligence, police, and military structures to participate in counter-terrorism activities.

The law identifies the following organizations as involved in counter-terrorism special operations: central and local police, central and local intelligence agencies, the operational division of the Border Protection Agency, and designated units of the internal military. If necessary, with the consent of the Supreme Commander of the

Armed Forces, general-purpose units of the armed forces can take part in special counter-terrorist operations. Foreign troops and police special services and units may also be involved in counter-terrorism operations in accordance with the Law on the Deployment and Transit of the Armed Forces.

Article 11 of the Anti-Terrorism Law states that special counter-terrorism actions will be led by the Operational Headquarters and will operate under the leadership of the Coordinative Council, whose duties are to exchange information between organizations with special tasks and organize special counter-terrorism actions for each case in accordance with its purpose, content, and scale. According to the clause regarding special counter-terrorism actions, the Coordinative Council should meet to organize an Operational Headquarters. However, it is doubtful that time will allow for this. Considering such a situation, the right to appoint the Operational Headquarters must be given to and legally established in the chair of the Coordinative Council's duties. To this end, it may be worthwhile to legally bestow some of the responsibilities for coordinating the activities of specialized organizations for inter-agency cooperation in national security on the Coordinative Council chair.

IV. Raising Terrorism Awareness

When fighting terrorists, it is either kill or be killed, not capture or convict(Linett, 2005: 59). Terrorists and criminals are more different than they are alike(Miller, 2006: 20). Terrorists seek wide-scale damage, whereas criminals seek gain. Terrorists want publicity and visibility, not just a number of deaths. Understanding the meaning and consequences of terrorism means understanding what it is to witness terrorist violence and counter-terrorism reprisals(Howie, 2012).

For any crime, citizens are almost always close to the source or the first witnesses. Therefore, any citizen can be an effective supporter and resource for fighting terrorism, even more so than finance and budgets. A main aspect of reducing potential terrorist threats is improving joint actions and increasing the participation of citizens, public

organizations, and enterprises in the effort to protect against terrorism. By being alert and reporting suspicious activities to the local law enforcement, people can protect their family, neighbors, and community. Raising awareness of the impact of terrorism and counter-terrorism on the enjoyment of all human rights is thus a key measure for preventing terrorism.

International experience shows that enhanced awareness of suspicious activity assists in terrorism prevention. Terrorism awareness campaigns have spread widely in many countries and changes are being made in their educational systems. For example, the US Department of Homeland Security designated a national awareness day, “If You See Something, Say Something,” that engaged the public in protecting the homeland through awareness-building, partnerships, and other forms of outreach.

NATO counter-terrorism efforts focus on improving awareness of the threat, developing the capacity to prepare and respond, and enhancing engagement with partner countries and other international actors. NATO ensures shared awareness of the terrorist threat through consultations, enhanced intelligence-sharing, and continuous strategic analysis and assessment.

In the UK, the “Run, Hide, Tell” counter-terrorism awareness campaign, led by counter-terrorism police and partners, focuses on vigilant behavior and partnerships between businesses, stakeholders, and the public regarding the current counter-terrorism. The Employee Vigilance Campaign provides practical information about the steps people can take to stay safe at home, at work, and online.

Awareness-raising education should present an introduction to the history, ideologies, tactics, and objectives of terrorism; how terrorists operate; why one might become a target; simple, specific steps one can take to reduce risk and improve security; how to detect and thwart terrorist surveillance; and how to lower the risk of being targeted when traveling in foreign countries. Understanding why terrorism occurs will help people understand how they can decrease their chances of becoming a victim (Deatherage, 2008).

To improve preventive counter-terrorism measures in Mongolia, appropriate subjects in secondary and higher educational institutions and free public lectures should be organized, including a brief introduction to the following topics:

1. What is terrorism? For example: How terrorists carry out their attacks, how extremists spread their message, the personal characteristics that make someone particularly vulnerable to radicalization, how to promote safety and well-being for oneself and family. Be aware of surroundings and neighbors, know regular schedules of deliveries and service staff, and stay alert.
2. How to identify suspicious activities? For example: Buying or storing chemicals or gas cylinders for no obviously benign reasons, embracing extremist ideology or searching for such material online, unusual requests or activities, fraudulent identification, or large and unusual deliveries.
3. Whom to report to? For example: How and to whom to report suspicious activity and the vital information for a report. Never put oneself in danger by confronting suspicious action and remember that no report is a waste of time.

Security awareness training should be organized regularly for the employees of law-enforcement agencies. The best and most cost-effective security technique is a well-trained staff that can recognize and react appropriately to a potential or actual threat. Training should highlight the importance of security, what to look for, and what to do in the event of an incident or attack. The importance of reporting suspicious, hazardous, or potentially dangerous situations should be stressed. Because most personnel will not retain information from a single training or event, regular delivery of updated training can reinforce key messages and instructions. Short videos can also help people understand recent terrorist attack planning methods, as well as demonstrate that each report from the public can be a vital piece of a much larger picture. Such training programs should not be meant to invoke fear, but rather to build greater understanding for everyone.

With the knowledge and ability to recognize potential terrorist targets, suspicious people, and suspicious activities, members of the public can make a huge effort in combating terrorism. Additionally, the following long-term measures should be implemented for efficiency in Mongolia's counter-terrorism policy:

- Enhancement and expansion of international cooperation and information sharing with international security structures. Such exchange with Mongolia's northern and

southern neighbors is strategically relevant and essential, as the independence and security of small countries depends on the policies of greater powers and the results of agreements with neighbors. Terrorist actions have occurred in neighboring countries in recent years, showing that Mongolia is not immune to the possibility of an attack.

- Improvement of information of information exchange between law enforcement agencies and implementation of a policy of operational coordination and interaction between the security services (police, military, intelligence, border guard).
- Improved monitoring of foreigners (immigrants, asylum seekers), paying special attention to citizens of certain ethnicities and tightening visa processing control. The procedure for thoroughly researching and processing the political biography of applicants and asylum seekers must also be improved

V. Conclusion

Terrorism has gone far beyond the national framework, taking on an international character. Every year, it costs the world thousands of civilian lives and billions of dollars. Many such actions are directed against country leaders, states people, and politicians, forcing the state to cooperate in the fight against international terrorism. No single country, state, or public figure is immune to becoming a target for terrorists. Furthermore, modern terrorism is characterized by the fact that decisions about and preparation for terrorist acts can be carried out in different countries.

The potential threat from terrorist incidents is relatively low in Mongolia. For this reason, people have come to think of terrorism as violence and tragic events that occur in other countries. However, terrorism is a real threat everywhere. It is vital that people remain aware of the threat posed by extremist or terrorist violence.

Mongolia's priority in the current, rapidly changing climate must be to improve awareness of the threat of terrorism through education. Citizen vigilance is the best defense against terrorist-related injuries and fatalities. In addition to the various

preventive measures taken by organizations, such as developing policies of foreign cooperation and inter-agency collaboration, the authors suggest raising awareness of international terrorism among the public in Mongolia as the first preventive step in fighting it. Raising awareness by organizing programs and special courses for employees, students, and the public, as well as implementing a vigilance campaign, will provide people with the fundamental knowledge to protect themselves and their interests from terrorist threats at home, at work, and online. Conducting regular terrorism awareness campaigns and public education programs will form a security culture in the long term, helping to protect the public and property from terrorism.

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【국문요약】

몽골의 대테러 정책: 테러인식 제고

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이 연구에서는 세계화를 위한 도전과제를 다루고 있는데, 이러한 과제 중 하나가 바로 무고한 사람들을 대상으로 한 가장 잔인한 형태의 폭력인 테러리즘이다. 테러 공격으로부터 완전히 안전한 국가는 없으며, 누구나 테러피해자가 될 수 있다. 테러리즘은 모든 형태와 징후, 규모와 강도, 비인간성과 잔인함에 있어 현재 전 세계에서 가장 첨예하고 긴급한 문제 중 하나가 되고 있기 때문에 이 주제에 대한 관심이 지속적으로 증가하고 있다.

2004년 몽골에서 통과된 법규는 테러 위협을 탐지하고 예방하는 구조를 확립했다. 하지만, 몽골의 대테러 정책은 세계적인 대테러 전략과 관련하여 개선되어야 한다. 몽골은 테러로부터 상대적으로 안전한 지역이기 때문에, 몽골 국민들은 아직 테러를 실제적인 위협으로 여기지 않는다.

이 연구에서는 몽골의 장기적 테러 예방 정책을 개선하기 위해 신속히 테러인식을 높이고 보안 문화를 조성할 수 있는 방법을 제시하고자 한다. 특히, 몽골의 대테러 정책을 검토한 후, 국민의 테러인식 제고를 위해서는 교육이 최선의 예방책이라는 점을 제시하였다.

또한, 이번 연구는 국제법적 행위, 테러리즘의 새로운 발현에 관한 협약, 몽골 법규의 기초, 테러리즘 관련 연구 등을 검토해 비교 분석적 결론을 제시하였다.

Keywords: 몽골, 대테러, 테러인식, 대테러법, 테러 방지 정책