
SYRACUSE JOURNAL OF INTERNATIONAL LAW AND COMMERCE

SYRACUSE UNIVERSITY COLLEGE OF LAW

ANNUAL SYMPOSIUM CONTEMPORARY ISSUES IN INTERNATIONAL TERRORISM

Israeli Human Rights Violations and Palestinian
Violence

Shaw J. Dallal

Profile of a Terrorist: Distinguishing Freedom Fighters
from Terrorists

L.F.E. Goldie

International Terrorism and the Problem of Jurisdiction
Terrorism: Israel's Legal Responses

Sompong Sucharitkul

Justus R. Weiner

NOTES

Terror in the Skies: Who Should Pay the Price?

Cheryl B. Feldmus

Developing Countries are Undermining Corporate
America's Capacity to Market Its Creativity: A Call for
a Reasoned Solution by the United States Government
in Light of the Continuing Deterioration of the
International Trademark System

Raymer McQuiston

An End to Unilateral U.S. Action in Latin America: A
Call for Expanding the Role of the O.A.S.

David A. Rikard

**EDITORIAL
BOARD OF ADVISORS**

YORAM DINSTEIN
Tel Aviv, Israel

MYRES S. McDOUGAL
New Haven, Connecticut

NORTHCUTT ELY
Washington, D.C.

EDWARD McWHINNEY
*Burnaby, British Columbia,
Canada*

VICTOR C. FOLSOM
Green Valley, Arizona

CECIL J. OLMSTEAD
New York, New York

MICHAEL W. GORDON
Gainesville, Florida

W. MICHAEL REISMAN
New Haven, Connecticut

GÜNTHER JAENICKE
*Heidelberg,
Federal Republic of Germany*

NATALINO RONZITTI
Pisa, Italy

MANFRED LACHS
The Hague, the Netherlands

SHABTAI ROSENNE
Jerusalem, Israel

HOWARD S. LEVIE
Newport, Rhode Island

DAVID M. SASSOON
Washington, D.C.

RICHARD B. LILICH
Charlottesville, Virginia

IVAN SHEARER
*Kensington, N.S.W.,
Australia*

RICHARD YOUNG
Van Hornesville, New York

SYRACUSE JOURNAL OF INTERNATIONAL LAW AND COMMERCE

SYRACUSE UNIVERSITY COLLEGE OF LAW

CONTENTS

ANNUAL SYMPOSIUM

CONTEMPORARY ISSUES IN INTERNATIONAL TERRORISM

Israeli Human Rights Violations and Palestinian
Violence

Shaw J. Dallal 109

Profile of a Terrorist: Distinguishing Freedom
Fighters from Terrorists

L.F.E. Goldie 125

International Terrorism and the Problem of
Jurisdiction

Sompong Sucharitkul 141

Terrorism: Israel's Legal Responses

Justus R. Weiner 183

NOTES

Terror in the Skies: Who Should Pay the Price?

Cheryl B. Feldmus 209

Developing Countries are Undermining Corporate
America's Capacity to Market Its Creativity: A Call
for a Reasoned Solution by the United States
Government in Light of the Continuing Deterioration
of the International Trademark System

Raymer McQuiston 237

An End to Unilateral U.S. Action in Latin America:
A Call for Expanding the Role of the O.A.S.

David A. Rikard 273



Cite as: 14 SYRACUSE J. INT'L L. & COM.

ISSN 0093-0709

The *Syracuse Journal of International Law and Commerce* is published three times a year at the Syracuse University College of Law, Syracuse University, Syracuse, New York 13244-1030 U.S.A. [telephone: (315) 423-2056.] Manuscripts prepared by scholars and practitioners in the field of public and private international law are welcomed. Manuscripts submitted for publication should be addressed to the attention of the Managing Editor and will not be returned unless accompanied by a stamped, self-addressed envelope. All manuscripts should be typed and triple-spaced. Citations should conform to the *U.S. Government Printing Office Style Manual* and *A Uniform System of Citation* (14th ed.) published by the Harvard Law Review Association.

Subscriptions are accepted for the entire volume only and are payable in advance. Subscription rates are US \$21.00. Subscriptions are renewed automatically unless timely notice of termination is received. All notifications of change of address should list both new and old addresses including zip codes.

Back issues of volume 3 and subsequent volumes may be ordered from the Business Editor at US \$7.00 per issue for domestic orders and US \$10.00 per issue for foreign orders. Back issues of volumes 1 and 2 must be ordered directly from Fred B. Rothman & Co., 10368 West Centennial Road, Littleton, Colorado, 80123 U.S.A.

The opinions expressed herein are those of the respective authors and do not necessarily reflect the opinions of the Board of Editors or of Syracuse University College of Law.

Member of National Conference of Law Reviews
Member of National Conference of International Law Journals

The *Syracuse Journal of International Law and Commerce* is indexed in the *Index to Legal Periodicals*, *Current Law*, and *Legal Resources Index*.

Copyright © 1988 *Syracuse Journal of International Law and Commerce*.

SYRACUSE JOURNAL OF INTERNATIONAL LAW AND COMMERCE

SYRACUSE UNIVERSITY COLLEGE OF LAW

1987-1988 EDITORIAL BOARD

Editor-in-Chief
Peter H. Sennett

Managing Editor
Stephen J. Psutka

Executive Editor
Mary E. Magee

Business Editor
Mitchell D.
Bernstein

Development Editor
Carole A. Paling

Gillian V. Bonadie
Richard A. Blakely

*Senior Notes & Comments
Editor*

Laurel A. Beutler

Symposium Editor
Andrea M. Grilli

Technical Editors

Notes & Comments Editors

Jessie Aiken
Leslie Gorman-Bowser
David A. Cohen
Jonathan E. Deutsch
Donald C. Doerr
Sandra J. Doorley
Sandra J. Garufy
Jeanne N. Gilberg

Research Editors
Timothy J. Eaton
Cheryl B. Feldmus

Kim A. Giombetti
Regina R. Gough
Anne M. Wood

Kenneth P. Lynch
Michele R. McDowell
Raymer McQuiston
Thomas Olsen
Marc Reisler
Susan D. Rich
David A. Rikard
Robert Vecsler

EDITORIAL STAFF

Jay S. Becker
David Bruckman
Cassandra Canty
Anthony Cotroneo
Christopher P. Davis
David Garcia-Villarreal
Scott C. Gartley
Scott V. Goettelman
Michael D. Hatem
Jan H. Klinek
Kathy R. Lamb
Regina L. LaPolla
David A. Lipton

Frances Liu
Katherine Lucero
Mary Mahoney
Stan D. Miller
Debbie Morowitz
Carol Morris
Thomas M. Parker
Tania M. Pietrzak
Paul M. Pochepan
John J. Quinn
Annemarie Relyea-Chew
Carol L. Rhinehart
Lynn M. Robinson

Mary Ruddy
Michael Rosenberg
Michael Rustum
William Sedor
Lori A. Shay
Margaret Somerset
James Southwick
Deborah A. Sullivan
Michael Surowka
Frank Y. Tang
Mia Topf
Amy J. Vigneron
Susan P. Weinstein

Faculty Advisor
L.F.E. Goldie

OFFICERS OF THE UNIVERSITY

Melvin A. Eggers, *Chancellor and President*
Michael O. Sawyer, *Vice Chancellor and Executive Assistant to the Chancellor*
Gershon Vincow, *Vice Chancellor for Academic Affairs*
Henry W. Peters III, *Vice Chancellor for University Relations*

COLLEGE OF LAW ADMINISTRATION

Travis H. D. Lewin, *Dean*
Christian C. Day, *Associate Dean*
Michael J. Duffy, *Assistant to the Dean, Administration*
Richard P. Ingles, *Assistant Dean for Development and Alumni Affairs*
Jennie L. Mingoleilli, *Assistant Dean for Student Affairs*

FACULTY

Robert H. A. Ashford, B.A., J.D., *Professor of Law*
William C. Banks, B.A., M.S., J.D., *Professor of Law*
Joseph A. Barrette, B.S., J.D., *Associate Professor of Law*
Peter A. Bell, B.A., J.D., *Associate Professor of Law*
Leslie Bender, B.A., J.D., LL.M., *Visiting Associate Professor of Law*
Jon E. Bischel, B.B.A., J.D., LL.M., *Professor of Law*
Daan Braveman, A.B., J.D., *Professor of Law and Director, Public Interest Law Firm*
Barbara A. Burnett, B.A., J.D., *Associate Professor of Law*
Ronald K. L. Collins, B.A., J.D., *Visiting Associate Professor of Law*
Wilhelmina R. Cooke, B.A., J.D., *Associate Professor of Law*
Christian C. Day, A.B., J.D., *Associate Dean and Professor of Law*
Samuel J.M. Donnelly, A.B., LL.B., LL.M., *Professor of Law*
Richard A. Ellison, B.B.A., LL.B., *Associate Professor of Law*
Samuel M. Fetters, LL.B., LL.M., *Professor of Law*
Martin L. Fried, B.A., LL.B., LL.M., *Professor of Law*
L. Frederick E. Goldie, LL.B., LL.B., LL.M., *Professor of Law and Director,
International Legal Studies Program*
Richard I. Goldsmith, A.B., LL.B., *Professor of Law*
Theodore M. Hagelin, B.S., J.D., LL.M., *Professor of Law*
Patricia Hassett, B.A., LL.B., LL.M., *Professor of Law*
Kirk S. Hazen, B.A., J.D., *Lecturer in Law and Law Clinic Staff Attorney*
Peter E. Herzog, A.B., LL.B., LL.M., *Crandall Melvin Professor of Law*
Elijah Huling, Jr., B.A., J.D., *Associate Professor of Law*
Gary T. Kelder, B.A., J.D., LL.M., *Professor of Law*
Travis H.D. Lewin, B.A., LL.B., S.J.D., *Dean and Professor of Law*
Thomas J. Maroney, B.A., LL.B., *Professor of Law*
Rosemary S. Pooler, B.A., M.A., J.D., *Visiting Professor of Law*
Robert J. Rabin, B.A., LL.B., LL.M., *Professor of Law*
Sarah H. Ramsey, B.A., M.A., J.D., LL.M., *Professor of Law and Director, Center for
Interdisciplinary Legal Studies*
Richard D. Schwartz, B.A., Ph.D., *Ernest I White Professor of Law*
Roderick Surratt, B.A., J.D., *Associate Professor of Law*
Steven Wechsler, B.S., M.B.A., J.D., *Professor of Law*
James K. Weeks, A.B., J.D., LL.M., *Professor of Law*
William M. Wiecek, B.A., LL.B., Ph.D., *Chester Adgate Congdon Professor of Public
Law and Legislation*

FACULTY EMERITI

Robert M. Anderson, A.B., J.D., *Chester Adgate Congdon Professor of Public Law and
Legislation Emeritus*
Robert F. Koretz, A.B., LL.B., LL.M., *Professor of Law*



THE VANDERBILT JOURNAL OF TRANSNATIONAL LAW

The *Vanderbilt Journal of Transnational Law* is published five times a year as a facet of the Transnational Legal Studies Program by the Vanderbilt University School of Law and examines legal events and trends that transcend national boundaries. Since its foundation in 1968, the *Journal* has published numerous articles by eminent legal scholars in the fields of public and private international law, admiralty, comparative law, and domestic law of transnational significance.

Designed to serve the interests of both the practitioner and the theoretician, the *Journal* is distributed worldwide. Subscriptions are \$18.00 per year, \$19.00 foreign; individual issues are \$7.00, \$8.00 foreign. Orders for subscriptions or single issues may enclose payment, or request billing, and should include the subscriber's complete mailing address. Orders for issues from volumes prior to and including Volume 16 should be addressed to: William S. Hein & Co., Inc., 1285 Main Street, Buffalo, New York, 14209.

The *Journal* is now accepting advertisements for future issues. Advertising rates for one volume are: full page, \$150.00; half page \$100.00.

Manuscripts submitted to the *Journal* for publication must be typewritten and triple-spaced. Authors may contribute articles on computer disc, provided the software used is IBM compatible Microsoft Word.

Please send all inquiries relating to subscriptions, advertising or publication to:

Managing Editor
Vanderbilt Journal of Transnational Law
Vanderbilt University School of Law
Nashville, Tennessee 37240
Phone: (615) 322-2282

The *Vanderbilt Journal of Transnational Law* is indexed in *Contents of Current Legal Periodicals*, *Current Law Index*, *Index to Legal Periodicals*, and *Index to Foreign Legal Periodicals*.

POPULAR CONFERENCE AND SYMPOSIUM ISSUES OF THE NORTH CAROLINA JOURNAL OF INTERNATIONAL LAW AND COMMERCIAL REGULATION

- 3:1 — Political Restraints on Foreign Trade and Investments**
- 4:2 — Drafting an International Sales Contract: Problems and Remedies**
- 5:1 — The Basics of International Antitrust**
- 5:2 — International Arbitration: A Symposium**
- 6:2 — A Practitioner's Guide to International Business Ventures: Planning and Drafting**
- 6:3 — Symposium: A Practitioner's Guide to International Trade Law**
- 7:2 — Advising the Foreign Investor: A Conference for the Non-Specialist**
- 7:3 — U.S. Economic Relations with Canada and Mexico**
- 8:1 — Banking and Foreign Investment**
- 8:2 — Exporting Technology and Industrial Know How Abroad:
Legal Aspects of Transfer and Protection Through Licensing**
- 9:3 — Current Developments Regarding Foreign Investors in the United States,
Domestic International Sales Corporations and U.S. Immigration Laws**
- 10:1 — Corporate and Securities Law in the United States and Abroad**
- 10:3 — International Aspects of Computer Law**

These issues have been in constant demand since their publication. The materials in these issues provide both the practicing attorney and the businessperson with practical information on these subjects to enable them to function competently in the realm of U.S. and international business. The role of **The North Carolina Journal of International Law and Commercial Regulation** has always been to act as a practical tool for these individuals as well as to function as a repository of legal thought and research.

PRICE

Domestic Purchasers	\$16.00 Per Volume \$ 9.50 Per Issue
Foreign Purchasers	\$20.00 Per Volume \$12.50 Per Issue

(Postage Is Included)

Please Address Inquiries and Orders To:
**The North Carolina Journal of International Law
and Commercial Regulation**
Subscription Department
University of North Carolina
School of Law
Chapel Hill, NC 27514

LAW AND POLICY IN INTERNATIONAL BUSINESS

THE INTERNATIONAL LAW JOURNAL OF
GEORGETOWN UNIVERSITY LAW CENTER

Law & Policy in International Business is a premier periodical in the international field, analyzing current legal and business issues. Now in its nineteenth year, *Law & Policy* has established itself as one of the foremost international law journals and has the largest number of subscribers among all student international law journals.

Law & Policy regularly publishes articles by leading authorities in the international area on topics important to today's practicing attorney with an interest in international business law. *Law & Policy* gives you the opportunity to keep abreast of the important international issues that touch upon your practice and enables you to read, from an expert's point of view, what the current issues are and how these issues can best be addressed. Located in Washington, D.C., *Law & Policy* has unique access to the resources of the federal government, Congress, and the private sector.

A subscription to *Law & Policy* will keep you in contact with the issues of today and allow you to understand the changing world of international business law.

Recent topics include:

- * The extension of the Multifiber Arrangement and its effect on world textile trade
- * U.S. jurisdiction over foreign subsidiaries of U.S. corporations
- * The validity of unitary taxation by the states
- * An analysis of letter-of-credit fraud
- * Current countervailing duty and antidumping issues
- * The People's Republic of China's possible accession to the GATT
- * The extraterritorial application of U.S. law
- * The Iran-U.S. Claims Tribunal and its impact on international law

Subscriptions for Volume 20 (4 issues) are available at the regular annual subscription rate of \$25 domestic, \$30 foreign.

Make check payable to Law and Policy in International Business, Georgetown University Law Center, 25 E Street, N.W., Washington D.C. 20001.

Name _____

Organization _____

Address _____

City _____

State _____ Zip _____

Country _____