

Addressing Terrorism in The XXI Century Case of Albania

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Abstract

Terrorism is a worldwide phenomenon. The strategy against it has become increasingly intense in the last two decades. This article is focused on a systematic legal analysis of terrorism as a global phenomenon, its definition under international law and the Albanian Criminal Code, including forms of terrorism, analysis of funding sources, the interrelations of terrorism with drug trafficking and money laundering, and the role played by media in helping or combating terrorism. The conceptual legal analysis on terrorism law and practices at international level and Albanian case study are used as research methods. Juridical definitions on terrorism are not unique, because states do not use the same methods to deal with the threat of terrorist attacks. In addition, international laws and treaties are valid only for participating states, meanwhile other states avoid cooperation on security issues. Terrorism, as an international criminal offense, is unlikely to be totally stopped in the near future, because multilateral responses are hampered by complexity of national laws and are not binding for all, because of unavailability of some governments to relinquish a level of power to an international body. New national and global strategies are needed to fight terrorism in light of information technologies. Being a global partner in fighting terrorism, Albania has improved the legal framework on terrorism acts in line with EU guidelines which contributes in eliminating the consequences of organized crime and drug trafficking, as the means which fuel criminal and terrorism acts.

Keywords: Terrorism, law, Albania, crime, drug trafficking

Introduction

Terrorism is a negative and dangerous phenomenon that nowadays affects the whole world. The action counter terrorism has become increasingly urbanized and widespread especially in the last two decades. Since 2000, the number of victims of terrorism has grown exponentially, and almost 78

percent of these deaths have been recorded in Afghanistan, Iraq, Nigeria and Syria. At least one death from terrorism was recorded by 71 countries in 2018.

Also, in global level the economic impact of terrorism in 2018 amounted to \$33 billion in constant PPP terms, a decline of 38 per cent from its 2017 level (Global Terrorism Index, 2019). However, the repetition of successive attacks in Egypt, Lebanon, Turkey and France showed that terrorism is a global threat and combating it requires a combination of political, social and economic measures. Despite its global dimension, the way it is perceived by people, terrorism cannot be considered a new phenomenon.

The purpose of this article is to analyze in depth the concept and definition of terrorism, its juridical treatment in international and Albanian legislation, the concept and notion of terrorism in different areas or different states, as a core problem for fighting terrorism in global terms. The focus of this article is also on examining terrorism sources, trafficking of drugs as one of the primary financial sources of terrorism, and the relationship between terrorism and the mass media. The article aims to answer two main research questions: 1) how has the definition of terrorism evolved in international and national legislation; and 2) can terrorism be defined as a new war or crime and 3) Is Albania a potential target for terrorism.

Methodology

Conceptual analysis and case study methods were applied in conducting this research. The existing conceptual framework about terrorism law and practices were analyzed at national and international level, including a more in-depth examination in the case of Albania.

The study was carried out in two phases, firstly the necessary data were collected and processed, mainly secondary data. Secondly, this data is analyzed and interpreted in the light of the purpose of the study.

1. Terrorism notion and concept evolution

Certainly, terrorism is a violent act, but there are different approaches to the origin of it, cause and actions designated as terrorist acts (Ertekin, Dilmac & Yazici, 2009). Sociologically, psychologically, and historically, terrorism is as old as humanity itself, but as the rise period of terrorism in the modern era, is known the French Revolution and the Napoleonic Wars, (Derluguian, 2005), whose violence and terror took on a global dimension.

From a legal point of view, terrorism is a criminal act, which must be dealt with through a fair criminal process under the law. Popular rhetoric, historical trends and current events give rise to the concept that terrorism isn't just a criminal act. The increasing number of terrorist attacks and the tendency of people to consider as "war" any social conflict make it difficult to categorize it as a crime. However, an official definition is that "*a terrorist can be*

considered an individual who infringes on another's freedom." (Derluguian, 2005, p. 418). Terrorism is an issue that has been addressed widely and included in numerous legal provisions. In UK, terrorism is defined as the use or threat of action, created to influence or intimidate governments, international governmental organizations, the public, or part of the public, as well as to achieve a political, religious or ideological purpose (Terrorism Act, 2000). Terrorism is treated as an act, when it involves serious violence against a person, serious damage to property, endangers the life of a person other than the one who commits the act, creates a serious danger to the health or safety of the person or is designed to interfere with or disrupt an electronic system (Terrorism Act, 2000).

In Canada, terrorism is defined as an act committed "in whole or in part for a political, religious or ideological purpose, objective or cause" with the intention of intimidating the public "...with regard to its security, including its economic security, or compelling a person, a government or a domestic or an international organization to do or to refrain from doing any act" (Canada Department of Justice, 2015). Terrorism is linked with criminal activities, such as death and bodily harm with the use of violence; endangering a person's life; risks posed to the health and safety of the public; significant property damage; and interference or disruption of essential services, facilities or systems (Canada Department of Justice, 2015).

In the United States, terrorism is defined as a set of activities that "involves acts dangerous to human life that are a violation of the criminal laws of the United States or of any State....intended to intimidate or coerce a civilian population; influence the policy of a government by intimidation; or...affect the conduct of a government by mass destruction, assassination, or kidnapping" (Canada Department of Justice, 2015).

In European Union, terrorism includes activities with the aim of "seriously intimidating a population, or; unduly compelling a government or international organisation to perform or abstain from performing any act, or; seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation." (Canada Department of Justice, 2015). Terrorist activities include attacks on people resulting in death, kidnapping or hostage taking and extensive destruction to a government or public facility (Canada Department of Justice, 2015).

There are some similar provisions on terrorism but a universal definition on terrorism has been proven impossible to be adapted by different countries.

Also, terrorism has proven that it serves also ideologies. Terrorist organizations created in the 1970s had a Marxist background and were identified as part of the revolutionary anti-imperialist movement (Baseren,

2006). Because of this doctrine, after World War II, this period was condemned as the "*Tide of Terrorist Ideologies*" (Dilmac, 2006, p.454-455). The ideology of terrorism changed when the former Soviet Union falls and the elimination of the international threat of communists, was replaced by Islamic ideology. The idea that terrorism is linked to the Islamic faith was reinforced by the September 11, 2001 attacks in the US, which are recognized as the largest terrorist attack of all time and globally influenced by religion (Asal, Nussbaum & Harrington, 2007). The dimension of the attack showed that terrorism could cause more casualties and destruction than conventional warfare with advanced technological systems, and that current security structures are not enough to eliminate this threat. Until that time, anti-terrorist activities have been seen as regional efforts and overlooked for political reasons, but following the 9/11 attacks, became a concern for the international community. September 11, 2001 attacks and Madrid in March 2004, demonstrated that terrorism and radical Islamist groups in particular remain a serious threat (Keohane & Greer, 2005). In the 21st century, terrorism became a vast, institutionalized and globally influential field, as terrorism did not necessarily designate specific states or military facilities, it also could designate any individual, institution or country as the target.

Finally, we can state that throughout historical developments, terrorism and its notions have changed initially in the light of political ideologies and later in the function of religious ideologies. These notions describe some general characteristics of terrorism. Terrorism is manifested through violent actions (assassination, explosion, arson and their organization, hijacking, kidnapping, taking hostages), but is also a threat of such action; is directed at the indefinite number of victims (which makes it similar to a war); strictly personifies a victim of a terrorist act, but the thread is expanded even to other people; is always carried out by a threat-creating means (Kukhianidze, 2016).

As we also mentioned above, the definition of terrorism varies based on the role that certain states or international organizations have played in the action counter terrorism. Specifically, legal treatment has affected also the choice of the methods in order to deal with terrorism by each of these states. The United States, United Kingdom and Canada, for example, are important Western powers whose history is linked to overlap, continued diplomatic relations, and economic power. But the powerful and favorable position of these nations has its disadvantages. In modern history, these western powers have been in conflict with international and national terrorist organizations that threaten their success by urging them to join the action counter terrorism. The co-operation of Western powers counter terrorism has been accompanied by the adoption of many resolutions on the prosecution of terrorists and participation in military conflicts considered "*acts of war*". Therefore, it is

important to consider modern legislation and federal statutes related to terrorism and criminal elements related to terrorism to define its nature as a crime. However, the adoption of a unique, internationally accepted definition of terrorism has been hampered by the indecision and political change of scholars and world leaders. Under such conditions, prosecution of terrorism crimes at the international level is also not permitted, so cases are dealt with at the local level, complicating the legal procedures of dealing with international terrorism that fall within multiple legal jurisdictions. Therefore, terrorism is a criminal offense that is subject process of law.

In addition, according to international standards and the United Nations Charter (2014), a terrorist act constitutes an "*act of war*" when sponsored by a state and war occurs at the state level, the presence of military forces or other government agencies is not an indication of war. Terrorist acts and war are confused with each other, as the military is often used in war and emergency situations, and therefore the engagement of military forces in terrorism cases is perceived as a government response to an "*act of war*". Terrorism, by Western definition, is a crime that fuels reactions that transcend domestic criminal law, as it involves large and dangerous international groups to be dealt with under national law.

An example related to the terrorist activity of certain countries in the territory of other countries is the case of the Iranian regime which is using embassies in other countries to organize terrorist activities. Iran has used embassies in Austria, Albania or Iraq. In 2020, the Albanian government made the decision to expel the so-called Iranian diplomats after being accused of violating national security following the expulsion of the Iranian ambassador two years ago. It was suspected that cultural attaché Seyed Ahmed Hosseini Alast held senior positions in the Islamic Republic's Revolutionary Guard and Mohamed Peimanemati was a member of Iran's Mois Operational Intelligence Unit and was responsible for several terrorist acts in EU countries (Real Story, 2020).

But we must be mindful of the constitutional rights and protections of the parties involved in national criminal cases, and all suspected "*criminals*", regardless of their country of origin, must be investigated and protected by the laws of the nation being tried. But not all countries follow Western legal norms, and this complicates matters, as criminal rights are not universal. In the West, the constitutional protection afforded to suspected terrorists has been the subject of debate for many years. The nature of terrorist crimes is appalling, invasive and lacks the necessary constitutional protection, with the idea that terrorism transcends the domestic legal system. Although terrorism is defined a criminal offense in many nations, it is very complicated to fight it under domestic criminal law.

1.1. Media and terrorism

Many experts consider terrorism, mass terrorism, and the media-terrorism related in various ways. Terrorist organizations aim to exploit the media potential to attract attention and communicate messages, since only by spreading terror and anger to a much larger audience they can maximize the potential of their actions and goals. By the other side, information on terrorism and kidnappings is a source of news for the media. The issue of assessing the impact that media has on terrorism is very complex. French sociologist Wieviorka (1993) stated that there is no symbiotic relationship with media and terrorism but argued that there are four media-terrorism relationships: 1. *Pure indifference* - terrorists do not seek to intimidate a particular population group other than their intended victims, nor to propagate through their actions; 2. *Relative indifference* - when authors are indifferent to news about terrorism violence; 3. *Media-oriented strategy* - terrorists use media to spread threatening messages; and 4. *Total disruption of relationships* - when terrorists regard the media as enemies to be punished and destroyed.

Wilkinson (2002), defends the thesis of the symbiotic relationship between terrorism and the media, as terrorism is a psychological weapon dependent on transmitting the threat to the public, terrorists are fueled by publicity, media freedom in a developed society enables their manipulation and exploitation. Free media is a fundamental symbol and value of a democratic society, but because of competition they are consciously involved in terrorist propaganda. In an open society, with free media, there is the possibility of corruption and termination of anti-terrorist operations due to irresponsible media actions. It is therefore clear that terrorism and the media are specifically linked and complementary. Many state politicians and officials, scientists and media critics believe that the media favors terrorist intentions, and that measurers should be taken in this account.

1.2. Albania as a potential target of terrorism

Why is Albania a potential target of terrorism? The reasons why Albania may become the target of terrorist attacks is related to its foreign policy, firstly, and the National Security Strategy, as the country is directly involved in the fight against global terrorism. Currently, the country supports United Nations policies on stability and security in the Middle East, contributing troops to support peace in Iraq and Afghanistan. International links of different terrorist groups give them the opportunity to interact in different regions and states, and in this context our country can be involved within these interests. Albania is a member of NATO, and is working to meet its obligations to join the EU, which is another unpleasant fact for terrorists and their targeted attacks. The most important religious beliefs such as Hinduism, Christianity, Judaism, and Islamism were born in the Middle East.

In the last decade, millions of people around the world have been involved in religious extremism, among them, many Albanians who have lined up in terrorist phalanxes mainly in Syria. Another characteristic that would make Albania the target of terrorist attacks is the religious coexistence between Albanians, which is an unacceptable fact for Islamic radicals and their supporters.

In terms of domestic politics in Albania, laws and bylaws have been adopted and continuously banning radical activities, also elements and structures supporting terrorism. Low economic development, corruption, lack of full control of the borders, can be exploited by international terrorists, who are interested in collaborating with domestic criminal networks, with the aim of establishing a refuge for their actions (Parllaku, 2015).

2. Sources of financing for terrorism

Terrorism in recent years has not only changed the ideological but also in the organizational aspect, which implies substantial financial investment. Therefore, identifying these financial sources of terrorism would be an important action counter it. According to the Global Index of terrorism there are 138 countries impacted by terrorism (Institute for Economics and Peace, 2019). But for terrorists, these activities are certainly not the only source of income. Income can be provided by individual and corporate contributions, voluntary or not contribution of immigrant communities, by donations and contributions from people of different religious faiths, state support - in cases where protectionist states encourage the terrorist group to engage an inimical state, support from public and private donors, or individual welfare controlled by terrorists, social and religious organizations, from low-level to organized crime, legitimate entrepreneurial activities and investments, nongovernmental organizations and community organizations created by terrorists to access funding and receive grants. The availability of funding for terrorism from such a large number of entities makes very clear the widespread extent of terrorist activity and its association with other criminal organizations.

Chaos is deliberately fueled by drug traffickers, terrorists and the groups of organized crime in providing a conducive environment for their activities. In today's multiethnic, complex, borderless world, terrorists and drug traffickers try to get involved in local communities to cover up their illegal activities, mainly in countries or regions where there is no strong government control. Another important aspect of the relationship between drug trafficking organizations and terrorism is that only a fraction of the revenue of international drug trafficking circulates to terrorist groups (Kleiman, 2004). However, this relatively small amount can be a large part of the income of terrorist organizations in the world. In general, there is a strong link between terrorists and organized crime groups, as terrorist groups can sell

drugs for cash earnings. According to Makarenko (2002), the crime-terror link refers to a security continuum that places organized crime at one border of the spectrum and terrorism at the other.

3. Terrorism and criminal justice treatment at international level, and international cooperation among states

Terrorism is linked to two major problems in the legal field, the failure to accept a unique and international definition, and disagreements about the most appropriate methods for dealing with the threat of terrorist attacks among states. By definition, in international law, terrorism involves attacks on diplomatic staff, kidnappings, money laundering, etc. Definitions of national policies use the term terrorism to refer to state and non-state actors' human rights abuses after the Cold War, to identify particular forms of civil wars, complicate the process of accepting a reciprocal definition. In some cases, terrorism is labeled as a separate, non-state phenomenon, and terrorist groups operating to undermine the status quo, even though armed attacks. The problem with this approach is very ideological and depends on the nature of the intentions rather than the strategies used by the terrorists. Often, these definitions are judged to be incorrect, indeed, the Institute for Economics and Peace would cite that: "*Defining terrorism is not a straightforward matter. There is no single internationally accepted concept of what constitutes terrorism, and terrorism literature has a competing definition and typology*" (Institute for Economics and Peace, 2019).

In the legal aspect of terrorism, no definitions have been developed but only general approaches, which include the creation of international conventions to promote international collaboration in the fight against and elimination of terrorism; the creation and implementation of human rights standards for the protection of the population against mass atrocities and the drafting of laws on armed conflict (some of which to protect the population by the consequences of war); the development of national laws on mass violence; the inclusion in customary international law of the categories of offenses over which all States may have jurisdiction upon; and the use of military force by states against terrorist organizations. It is highly important to cooperate internationally and to organize efforts in order to fight terrorism.

Early 1970s were troubled times were terrorism was on the rise all over the world. Two were the main genesis of the UN Convention, the grisly attack by Japanese Red Army terrorists at Israel's Lod airport in May 1972 and the massacre of Israeli by Black September terrorists in Munich in September 1972. The League of Nations drafted the first convention on the action counter

terrorism, in 1973 signed by 24 states (Blumenau, 2014).¹ The Convention was not ratified, entered into force and the proposed International Criminal Court was not established in its annexes. The action counter terrorism, the classical conventions drafted after World War II have been successful only in promoting inter-state co-operation and securing criminal jurisdiction over alleged terrorist acts, as they address specific offenses rather than general categories such as terrorism. Most of them include a security requirement that provides the extradition or prosecution of suspects from detention states. These conventions were originally created at the regional level, by the initiative of several European states to build regional structures to prevent and punish terrorism, such as European Convention on the Prevention of Terrorism (European Council, 1977) and then, the Bonn Declaration on International Terrorism (International Legal Materials, 1978).

Another aspect of international cooperation counter terrorism relates to the financing of terrorist organizations, and for this specific case the International Convention for the Suppression of the Financing of Terrorism (1999) was established (United Nations, 1999). This Convention covers almost the entire line of human rights. Terrorist campaigns - national or international groups - are merely massive violations of basic human rights, so the need for the establishment of International Criminal Terrorist Courts emerged. According to International Committee of the Red Cross (1977), Geneva Conventions (1949) and the two Additional Protocols (1977) included key provisions to improve the consequences of war and discourage behaviors that promote or are intended to terrorize the population. The basic principle of international humanitarian law is the restriction of the means of war and is contained in Annex IV to the Hague Convention (1907) on the Laws of War on Land (Scott, 1918), revised in the provisions to protect the population from direct attacks. Protocol I (1977), to the Appendices to the Geneva Conventions for the Protection of Victims of International Armed Conflict, specifies' acts or threats of violence aimed at spreading terror among the civilian population

At the national level, states must step up efforts to tackle terrorism, as they often tend to focus on the creation of new treaties. In customary international law there are jurisdictions that grant states jurisdiction over acts of terrorism committed on their territory or against their nation. However, terrorist offenses are not included in the general category of dangerous acts that allow universal jurisdiction regardless of the links between the state and the acts in question. Accordingly, the United Nations Charter (1945) prohibits the use of force other than self-defense under Article 51 or collective security

¹ *Note:* Purred by the Khartoum embassy crisis of March 1973 (which also saw Arab diplomats among the victims), the negotiations for the text were finished in the autumn of 1973. The convention—together with an accompanying resolution highlighting the legitimacy of the struggle for national liberation—was then adopted in December 1973.

under Chapter VII (UN Charter), limiting the activities in which states can engage in the campaign against terrorism. Use of force is permitted only in cases of self-defense, when terrorist attacks take place at the level of an armed attack. However, the UN's treatment of terrorism has evolved from being treated as an act of war that includes principles on the use of force and the rules of international humanitarian law, and as a threat to peace that can be resolved through the application of domestic criminal law or international conventions on terrorism. In the case of use of force law, force is regulated by the voluntary agreement of nations, the enforcement and will of the UN, the structure of international legal order, and the peaceful movements of certain state forms.

3.1. Terrorism between the conceptual clarification as „*the structure of interenational legal order*“ and „*domestic or international criminal law*“

It is necessary to determine when terrorism is treated as a state sponsored crime, a crime committed by non-state actors or their co-operation, and therefore, four major problems have been identified in the discussions on terrorism. The choice of domestic or international criminal law, the division between how terrorism appears in times of war and peace; the tensions between legal solutions to terrorism and methods of direct action, including the use of force, and the designation of terrorism as a state or individual issue. Taking appropriate measures in the action counter terrorism depends on its classification as a crime or an act of war. The EU has also played an active role in the action counter terrorism under Section V of the Treaty on the Functioning of the European Union (TFEU) for Freedom, Security and Justice (Van Ballegooij & Bakowski, 2018). The origin of the EU's anti-terrorism policy stems from the TREVI group (European Parliament, 2017) created in 1976 (Terrorism, Radicalism, Extremism and International Violence). Over the years, the Council of Europe (EC) has adopted several conventions on the establishment of legal standards on law enforcement and human rights in the field of counter-terrorism. Since 2001, the EU has included anti-terrorism clauses in bilateral and multilateral agreements whose scope has changed, but the provisions have remained the same and include references to relevant UN resolutions and the information sharing and good practices.

Since 2013, radicalism and terrorism issues have been the main topics on the agenda of the EU Council. Following the terrorist attacks of January 2015 in Paris, the European Union decided to step up its response and speed up implementation of the measures adopted. On February 12, 2015, EU leaders held a debate on the organization of the action counter terrorism, and a statement was drafted addressing three key issues, ensuring citizens' security, preventing radicalization and preserving values, as well as co-operating with

international partners. Since February 2015, the EU Council have focused their anti-terrorism strategy on reinforcing external action, particularly in the Mediterranean, the Middle East, North Africa, the Gulf and the Sahel (Council of the European Union, 2020). On 7 March 2017, a directive on the action counter terrorism was adopted by the EU Council. This directive criminalized acts such as terrorist training and travel initiatives, organizing or facilitating such trips, securing or raising funds in connection with terrorist groups or activities.

4. Terrorism according to the Criminal Code of the Republic of Albania

The Albanian Criminal Code of Post-Communism of year 1995 (Official Publishing Center, 2016) is of particular importance in strengthening the rule of law and protecting human rights and fundamental freedoms (Shegani, 2007). The drafting of legal norms for the causes of terrorism has had a special role. The Albanian criminal doctrine of terrorist acts relates to those unlawful acts that harm the life or health of people, their personal freedom, violations committed in order to seriously damage public social order, spread panic and massive fear (Elezi, 2009). Article 230 in the Albanian Criminal Code, defines as criminal offenses, acts that aim spreading panic among the population, state, Albanian or foreign bodies to commit or not to perform a particular act; acts that are intended to destroy or destabilize the political structure, constitutional, economic or social position of the Albanian state in an international state, institution or organization (Official Publishing Center, 2016).

There are several legal norms contained in the Albanian Penal Code that condemn terrorism. The Criminal Code contains specific articles on condemning terrorist financing, concealing funds and other assets that finance terrorism, fundraising for terrorist financing, recruiting persons to commit terrorist acts or financing terrorism, training in terrorist acts and public calls to join the propaganda for terrorist purposes.

The evolution of the Criminal Code provisions on terrorist acts in Albania aims to reflect not only the current international approach to the action counter terrorism and money laundering, as crimes affecting states and the international community, but also Albania's obligations in international conventions (Tomani, 2010). According to the law, the Penal Code punishes: summoning, organizing and participating in hostilities in a foreign country, as provided for in Articles 265 / a, 265 / b and 265 / c, condemns recruitment and training for terrorism purposes, which implies the requirement for another person to carry out or engage in a terrorist act or join an association or group to assist in the commission of one or more terrorist acts by the association or group (Official Publishing Center, 2016).

Albania is active in the global action counter terrorism, which is also one of the top priorities of the Albanian government. The drafting of laws aimed taking measures against the financing of terrorism, preventing and combating terrorist activities and activities that support and finance terrorism, but also the laundering of money and proceeds of crime. An Inter-Ministerial Committee has been established in order to ensure Security Policy and the National Strategy against Terrorism and the Action Plan for its implementation has been adopted.

For the prevention of terrorism, close cooperation has been developed between all law enforcement agencies, such as the Albanian State Intelligence Service, Directorate General for Money Laundering, and regional and international agencies such as the United Nations Organization, SECI, EUROPOL, INTERPOL, etc. There is also in force a regulation on the functioning of counterterrorism structures (The Council of Ministers decision nr.663, 2013). In Albania, state bodies function as counter-terrorism branches of the State Intelligence Service, the action counter terrorism and guns trafficking.

Following the recommendations and conventions of the European Council on the fight against terrorism, Albania has improved its criminal legislation regarding terrorism. It has toughened criminal policy by criminalizing new forms of criminal offenses in this area, as well as by amending existing provisions. The Albanian Criminal Code provides for a special chapter that sanctions criminal offenses of a terrorist nature, namely the provisions of Chapter VII - "*Offenses with terrorist intentions*", Article 230 (Article 230). This section provides severe penalties (up to life in prison), for offenses with terrorist intent; financing of terrorism; the concealment of funds and other assets through which terrorism is financed; dissemination of information by persons exercising public office or their profession in relation to the verification or investigation of funds and assets against which the financing of terrorism measures is applied; recruiting persons to commit acts of terrorism or financing of terrorism, etc. The Criminal Code also provides for protection against a series of unlawful acts, with elements of violent extremism.

Article 265 of the Penal Code, punishes from 2 to 10 years the incitement to hatred and strife, on the grounds of race, ethnicity, religion or sexual orientation, and the preparation, dissemination or preservation of materials of such content as well. It is punishable by two to eight years of damaging public peace, as inciting hatred against certain categories of the population, insulting or slandering them, and inciting the use of violence or arbitrary acts against them. In case of spreading false information that causes panic and insecurity in people, law provides for a punishment by a fine or up to five years of imprisonment.

Illegal acts for terrorist purposes are not exhaustive (Albanian Helsinki Committee, 2018), as the law also covers any other offense intended to cause the death or serious injury of any person who does not take an active part in hostilities in an armed conflict situation committed for the purposes included in the preceding paragraph.

Discussion

Over the years, terrorist activity has grown tremendously. Since 2002, when terrorism took on a global scale, by 2018 there have been 239 new terrorist attacks (Institute for Economics and Peace, 2019). In addition to the increase in numbers, terrorist attacks have also improved in organizational terms; they have been characterized by an escalating development in the international sphere. Therefore, the internationalization of terrorism and the progressive expansion of communication technologies create the need for a multilateral response to terrorism. Terrorism is a problem that cannot be fought only through national laws. The action counter terrorism, firstly should be defined as an international criminal offense, which would ensure the fair treatment of suspected terrorists by international bodies such as NATO, the UN, or the International Criminal Court. The complex problems of international security can be addressed through a multilateral contingent whose creation is hampered by the complexity and diversity of national laws, measures envisaged and taken to combat terrorism, and their definition of terrorism. Regardless of how effective such a solution would be in the action counter terrorism; it is unlikely to be implemented in the near future. Such agreements are rare and often unsuccessful, although the demand for international cooperation has never been greater.

International laws are not binding; bilateral and multilateral treaties and laws are valid when they are adopted and ratified by all the nations involved. A multilateral agreement undermines state autonomy and the availability of governments to relinquish any level of power to an international body. Difficulties in the creation of international agreements are also related to changes in the definition of "*terrorism*". Furthermore, states are not legally obliged to participate in multilateral counterterrorism measures; some states avoid security cooperation on legal issues.

Conclusion

There is not a unique concept of terrorism, because of different historical approaches to define its origin, causes and actions based initially on political ideologies and later on religious ones. Just as the nature of terrorism, its legal treatment has evolved over time both nationally and internationally. United Nations has classified it initially as an act of war, limiting the activities of states engagement counter terrorism only in cases of self-defense to armed

attacks. Later, it considered terrorism as a threat to peace, which can be resolved through the application of domestic criminal law or international conventions on terrorism. The problems that arose in this regard are the prevalence of domestic law or international criminal law in specific cases; the changing nature of terrorism in times of war and peace; ambiguities on the legal solutions to terrorism and methods of direct action.

European Union last directive (2017) has classified terrorism as an act of crime (such as terrorist training and travel initiatives, organizing or facilitating such trips, securing or raising funds in connection with terrorist groups or activities), whereas the provisions included in bilateral and multilateral agreements include references to relevant United Nations resolutions and good practices.

Terrorism can be more than a traditional criminal act and can cause more destruction than a conventional warfare. In light of advanced technological systems, terrorism has become the biggest security threat for individuals, institutions, national and international community as a whole. The organizational aspect of terrorism in terms of financial investment has changed too. Terrorist acts are funded by money laundered through organized crime activity and illicit drug trafficking as well as from public and private donations. Terrorist also can use media to communicate messages and to spread terror and anger to a larger audience using the freedom of speaking. States must conduct effective measures and update strategies in the age of information technology.

In the case of Albania, the legal norms about terrorism acts are included in Albanian Criminal Code (1995), which plays the main role in strengthening the rule of law and protecting human rights and freedoms. According to Albanian Criminal Doctrine, terrorism acts are those which harm the life, health, freedom of people; destabilize or destroy political, social and economic order, causing panic and fear among the population, state, national and foreign bodies. Albanian Criminal Code provisions on terrorists' acts have evolved according to international conventions and practices, condemning terrorist financing, people recruiting or training to commit terrorist acts within or outside country or terrorist propaganda to join terrorists' group, under the provisions of "Offenses with terrorist intentions", Chapter VII, Article 230 of Criminal Code.

In this context, Albania's engagement in the action counter terrorism has intensified and continuously improved at the legislative level, as the legal framework has been sufficiently complemented with the implementation of the EU framework and in line with EU guidelines, as part of the integration process.

At international level, Albania has positioned itself as a direct partner in the global action counter terrorism, which makes this country a potential

target of terrorism. As a member of NATO, Albania supports the United Nations policies on stability and security. The country also is working to meet the obligations to join the EU. In this regard, Albania need to continue its efforts in fighting corruption, organized crime and drug trafficking, which feed terrorists activities and create grounds for them to collaborate with domestic criminal networks as well as enforce its partner role counter terrorism in international field.

Terrorism in the XXI century must be addressed through cooperation and coordination of national and international forces and must be fully incorporated into the global strategy for international security. Globalization and technological advancement have created numerous facilities for the widespread of terrorism globally, which emphasizes the need for joint global measures. Terrorism threatens everyone indiscriminately, so it must be fought indiscriminately. This fight should be seen more as a cooperation and coordination of national and international forces.

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