

## Violent extremism leading to terrorism

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### Abstract

The subject of this paper is the phenomenon of violent extremism and radicalization leading to terrorism. The phenomenon of violent extremism and radicalization in Kosovo is an integral part of the overall criminality that has emerged due to the lack of sufficient researches and inadequate treatment and is now bringing consequences to our society.

The activities of violent extremism by terrorists' groups and individuals' throughout the last decades are undoubtedly the key security challenge for many western countries. Violent extremism certainly falls in the line of the most serious criminal offenses, and has historically emerged when radical or different terrorist groups, unhappy with existing national or international relations, have tried to change them.

Theoretical and practical approaches are required to address this topic. This process requires challenges, and despite the reform efforts, the government engagement and the ongoing call for change, little has improved. Progress in defining the most important goals has been slow and the solutions were not genuine.

In this paper I will try to present my views and knowledge about the systematic violence that leads to terrorism, definition, nature, history, various groups, human rights and freedom etc.

**Key words:** Kosovo, extremism, security, religion, violence, prevention, terrorism.

### Background

At the beginning of the second millennium, during the 1090-1275, the Shi'ite sects of Ismili and Nizari attacked Crusaders and Muslims many times. They used daggers (small swords) in close quartered combats, and this way of attack, laying emphasis on the terror and the willingness to die in order to accomplish their mission, can be compared to today's suicide attacks.<sup>1</sup>

The term terrorism for the first time was used during the French Revolution. "Regime de la terreur" (1793-1794) was a systematic attempt to expel traitors of the Revolution and send them to the guillotine. Initially, the violence or terror had positive connotations because they were directed against destroyers and dissidents, whom the new regime perceived as enemies of the people. Violence spread, and even the revolutionary leader, Robspierri, along with another 40,000 people were sent to guillotine during the "Regime de la terreur". A little later Englishman Edmund Bruke, a vigorous critic of the revolution, called the Revolution's followers as terrorists.<sup>2</sup>

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<sup>1</sup> John Gearson, "The nature of Modern Terrorism", E# 2737, page 7, "European Centre For Security Studies", "George C. Marshall", Garmish- Partenkirchen, Gjermani.

<sup>2</sup> Dr. Harvey Kushner, 'Encyclopedia of terrorism', Thousand Oaks, London, New Delhi: Sage Publications Inc. 2003, page 359.

In the XIXth century in Russia was created a very successful terrorist organization that was motivated on the Russian revolutionary Mikhail Bakunin, who a century ago called for the purging of Russian land through terrorist acts by individuals or small groups. This organization, called "Nardnya Volya" (People's Desire), operated from January 1878 until March 1881, and was led by Sofia Perovskaia (Sofya Perovskaya), followed by a wave of explosions and murders, targeting the Russian Tzar Alexander II, along with the royal family and many state officials who were seen as part of a corrupt regime.<sup>3</sup>

At the end of the XIX century and early twentieth century, terrorism in the form of political killings became a global phenomenon. Such political murders were carried out against General Martinez Campos in Barcelona in 1892; French President Sadi Carnot in 1894; Queen Elizabeth of Austro-Hungary in 1898; King Umberto of Italy in 1900; US President Wailliam Mc Kinley in 1901. The World War I began after the killing of Austrian Archduke Franc Ferdinand and his wife Sofia, by Serbian nationalist Gavrilo Princip, who was a member of the organization Mlada Bosna (New Bosnia).<sup>4</sup> Between the two world wars the history of mankind was characterized by a lot of violence and terror done by the state itself, and by its institutions. The acts of classical terrorism were rare and during this period the state-run violence by the fascists in Germany and the communists in Russia shadowed the terrorist acts of individuals or groups. The persecution of political opponents, the labelling, and persecution of Jewish citizens in Germany, Netherlands and Austria, but also in Russia, was based on an ideological warfare that had its basis in state-run terrorism against groups of certain political, national, religious and racial belonging. The Hitler regime in Germany and its influence on the surrounding states, and the Stalin regime in Russia were the biggest perpetrators of state terror in this period.

After World War II, especially in the 50s and 60s of the last century, terrorism was widely used as a tactic by nationalist groups fighting for independence in the Middle East, North Africa and Asia. Traditional terrorist acts were registered in the cities of Palestine and Cyprus. On the other side of the globe, in Latin America, many leftist movements appeared, carrying out many terrorist acts of kidnapping, bank robbery and explosions. Such acts were recorded in Uruguay, Brazil, Argentina and other countries in this part of the globe. In the 1970s, the first ideologically motivated terrorist groups in the continent of Europe were represented by RAF (Red Army Fraction) in Germany, Brigade Rose (Red Brigades) in Italy, Direct Action in France, ETA in Spain up to the Palestine Liberation Movement (PLO) in Palestine.<sup>5</sup>

During the 1970s to the 1990s of the last century, the world saw the extinction and elimination of many terrorist groups all over the world, but new groups and organizations emerged on the horizon. The new terrorist groups of this period operating in the Middle East and Europe were characterized by the orientation of

<sup>3</sup> Nick Pratt, Profesor of Starategies and International Politics, `` Terrorism: History&Causes, Yesterday, Today, Forever'', lecture at "Europian Centre For Security Studies", "George C. Marshall", Garmish- Partenkirchen, Gjermani, Mars 2010.

<sup>4</sup> Dr. Harvey Kushner, `Encyclopedia of terrorism`, Thousand Oaks, London, New Delhi: Sage Publications Inc. 2003, page 360.

<sup>5</sup> Dr. Harvey Kushner, `Encyclopedia of terrorism`, Thousand Oaks, London, New Delhi: Sage Publications Inc. 2003, page 361.

their war against Israel, taking over of aircrafts, kidnapping and hostage-taking, and financial and political support from certain states, as these terrorist groups used them as foreign policy tools. The authorities of Libya were accused for the terrorist attacks at a nightclub in Berlin, frequented by the US military in 1985, whereas for the attack on the "Pan Am" plane in Lockerbie, Scotland in 1988, was accused the regime of Colonel Gaddafi. Following the Islamic Revolution in Iran (1979), Shi'ite authorities established and funded the Hezbollah organization in Lebanon, which was in the frontline of the war against Israeli invaders in 1982.

In South Asia, the terrorist organization of the Tamil Tigers of Shri Lankes (LTTE) committed many terrorist acts, where the self-sacrifice of members of the organization during the realization of terrorist attacks was the characteristic feature of the attacks, because at that time, cases of self-sacrifice were the most frequent way of committing the atrocities. The total number of suicide terrorist attacks between 1980 and 2000 was 270. Out of these, 168 attacks were carried out by LTTE members, Hezbollah 52, Hamas 22 and PKK (Turkey) 15.<sup>6</sup>

One of the characteristics of terrorist attacks during this period is the self-sacrifice by members of terrorist groups and organizations. From the total number of acts of self-sacrifice we can observe three main methods:

- Terrorist groups that do not practice this form of terrorism as regular tactics of attacks but use it only under very specific cases, circumstances and purposes,
- Terrorist groups that use suicide attacks as part of their temporary tactics, whereby the group leaders ensure the ideological and religious legitimization of attacks, recruit and train certain persons, and send them in missions against specific targets, and
- Terrorist groups that have suicide attacks as a permanent part of their strategy.<sup>7</sup>

Due to the many political developments in the world in the 1990s, the twentieth century was marked by an increased concern for "fragile" states, "deceptive" states, and states with lack of law enforcement, with more "concerning states" being the likes of Cuba, Iran, Iraq, Libya, Serbia, North Korea, Syria, Sudan, Afghanistan, etc. New forms of terrorism were presented within and in relation to these states, and especially the terror exercised by the states themselves. These states were both supporters and financiers of terrorism in various forms and means.

The Persian Gulf War was also a major reason for various Islamic groups and organizations to undertake numerous terrorist attacks against countries of U.S. interests in the region and beyond. The terrorist attacks during this period were characterized by a great desire to inflict massive damage, which until then had never happened. The first attack on the World Trade Centre in 1993; the Tokyo Metro in 1995; attack on the FBI building in 1995 in Oklahoma; attack on the U.S. military base at Khobar Towers in Saudi Arabia; attacks on American Embassies in Kenya and Tanzania (1997); the attack on the USS COLE in the Gulf of Aden in Yemen (1998) and many other attacks proved the great desire for revenge and the incalculable damage to human beings and material goods. Here one can notice only a change of tactics and

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<sup>6</sup> John Gearson, "The nature of Modern Terrorism", E# 2737, page 8, "European Centre For Security Studies", "George C. Marshall", Garmish- Partenkirchen, Gjermani.

<sup>7</sup> John Gearson, "The nature of Modern Terrorism", E# 2737, page 9, "European Centre For Security Studies", "George C. Marshall", Garmish- Partenkirchen, Gjermani.

means but not a change in the objectives of terrorist groups.<sup>8</sup>

This period of terrorism showed that terrorist groups are willing to use Weapons of Mass Destruction whenever they are given the opportunity. In the terrorist attacks in Tokyo's subway, Sarin gas was used, and this is known as the first attack in history where chemical poisons were used to kill as many people as possible. Until the Tokyo attacks, the likelihood and willingness of terrorist groups to use chemical weapons had been often underestimated or overestimated, and from this case and onwards it can be concluded that if terrorists have access to weapons of mass destruction, they have the full will and courage to use them.

Another characteristic of this period in terms of development of terrorism is the fact that terrorist sponsoring states are somewhat more withdrawn because their involvement was easily noted and this had consequences on the international level, and because of the fact that these sponsoring states had already managed to create terrorist organizations that were fully capable of operating independently.

The assistance by terrorist sponsoring states such as Iran against Hezbollah has never completely stopped, however this is now done in much more sophisticated ways and only in special cases.

On 11 September 2001, 19 people, of whom 15 Saudi citizens, 2 UAE citizens, 1 Egyptian citizen and 1 Lebanese citizen seized 4 passenger airplanes at different locations in US airspace, and coordinated attacks towards different targets, in order to realize the most spectacular and bloodiest terrorist attacks the world had ever seen. The September 11 attacks were organized by Afghanistan, which at that time was not a terrorism sponsoring state, but rather a state sponsored by terrorists whereby Al-Qaeda paid large sums of money to the Taliban government in Kabul in return for housing.<sup>9</sup> Following the attacks of September 11, world leaders took many actions, which changed the course of world history as we know it.

The wars in Afghanistan and Iraq, the destabilization of Pakistan, the increase in the number of terrorist groups and their activity, radical changes in the rules of travel safety, etc., are just some of the events that prove that September 11 has changed the world.

The process of religious "transplantation" in Kosovo started in 1999, shortly after the end of the conflict with Serbia. Salafism was imported into Kosovo by certain Islamic organizations acting on behalf of humanitarian agencies.

The interviews of HIS Jane with well-known politicians and law enforcement officials in Kosovo confirmed that Islamic organizations have been operating in Kosovo for almost a decade and have managed to create a socially influential network for the purpose of penetrating the Islamic Community of Kosovo and the transformation of Albanian national identity into a religious identity. Although some of these organizations have no radical or violent agenda, certain organizations spread their most extreme views.<sup>10</sup>

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<sup>8</sup> John Gearson, "The nature of Modern Terrorism", E# 2737, page 12, "European Centre For Security Studies", "George C. Marshall", Garmish- Partenkirchen, Gjermani.

<sup>9</sup> John Gearson, "The nature of Modern Terrorism", E# 2737, page 15, "European Centre For Security Studies", "George C. Marshall", Garmish- Partenkirchen, Germany.

<sup>10</sup>From Jane's Intelligence Review 07 August 2012 18:10.

## Some of the world's most popular terrorist groups

The history of mankind has recognized many terrorist groups created at different times for different motives and purposes, some of which have been extinguished, reorganized, divided or merged with other groups. After the Second World War, the number of terrorist groups has increased steadily, and today, around the world, we have hundreds of terrorist groups that exercise their illegal activity on the basis of various causes.

Among the most popular terrorist groups in the world are: ETA (Spain), PKK (Turkey), Brigade Rose (Italy), RAF (Germany), IRA (Northern Ireland), FARK (Colombia), Al-Qaeda (international), Hezbollah (Palestine), Palestine Liberation Movement (PLO), Gama Islammia (Egypt), Muslim Brotherhood (Egypt), Palestine (Palestine), Hamas (Gaza Strip, Palestine), Abu Sajaf (Philippines), Jamma Islamy (Indonesia), Al Shabab (Somalia), FIS (Algeria), Lashkar-I-Taiba (Pakistan), Boko Haram, ISIS (Iraq-Syria). In the late decades of the twentieth century and the beginning of the 21<sup>st</sup> century, the world has recognized many other terrorist groups in Europe, Latin America, Africa and Asia. Due to the format of this paper it is impossible to treat all these terrorist groups. In addition, we briefly present some data on terrorist groups that have had a greater impact with their activity.

**Al-Qaeda (Base)** operates in more than 60 countries around the world through a fragmented network, using operatives of several nationalities.<sup>11</sup> From the Philippines to North Africa, this organization is very active and with a significant presence of its operatives and financiers on the ground throughout the world. There are some "sleeping cells" in the Europe or the U.S, which at times are activated. Al-Qaeda poses the greatest threat to the United States and its allies, and fighting this organization has been and remains quite challenging. The founders of this organization were Osama bin Laden and Abdallah Azzam with several other militants. The organization was established around 1988-1989 during the Russian-Afghan War. This organization is known as terrorist organization from United Nations Security Council (UNSC), NATO, European Union (EU), United States (USA), Russia, India and other states.<sup>12</sup> This organization was led by Saudi citizen Osama bin Laden, who on May 2, 2011 was shot dead by special units of the US Army in Abotabad, Pakistan. A few months later, the leadership of the organization was taken by Ayman Al-Zawahiri, an Egyptian citizen who was formerly Osama bin Laden's deputy. After the assassination of Osama bin Laden, the organization suffered a severe blow, but it cannot be said that they have been defeated. It now lacks the creator, the founder, and the charismatic leader, who with his approach and activity has become a symbol of the war against the "infidels", and who had indeed turned into a nightmare for the U.S. and its allies. Al-Qaeda is still active today and poses a serious threat to the security of many states. They are very conspiratorial and multifunctional organization. Al-Qaeda can best be characterized as a cluster of networks. The core leadership of the organization provides the funds, guidance and expertise for its cells, while the operational concept is developed from the bottom up and vice versa. Small local cells have considerable

<sup>11</sup>Michel N. Schmitt, "Counter-Terrorism and the use of force in International Law", page 3.

<sup>12</sup><https://sq.wikipedia.org/wiki/Al-Kaida>, on 10.08.2018.

independence and can plan and execute terrorist attacks, with little coordination from the central leadership.<sup>13</sup>

Though the recent ISIS has weakened Al-Qaeda's influence, however, given its thirty-year activity, the scale of the terrorist attacks, the way of organizing and executing attacks, etc., we can conclude that al-Qaeda is still very dangerous and with great potential to commit terrorist attacks even when not expected..

The assassination of Osama bin Laden is undoubtedly a very important event in the global war against terrorism. The OBL's murder has been a turning point in this prolonged and bloody fight, especially when we consider the fact that 10 external hard disks, 5 computers and about 100 CDs and USBs were found in the OBL's home.<sup>14</sup> The fact that US authorities obtained such information has damaged Al-Qa'ida efforts because the information that their leader had on his possession was very accurate and detailed most of the members, financing and actions of the organization. This information in the hands of U.S. agencies has made every member of the organization vulnerable.

**Euskadi Ta Askatasua (ETA)** when translated means "Basque Homeland and Freedom". ETA is a terrorist organization with a long tradition in terrorist activity. Its activity started in the 50s of the last century by some Basque students, while it was formally established as an organization on 31 July 1959.<sup>15</sup> The purpose of this terrorist organization was the liberation of Basque populations from Frank's dictatorship in Spain, establishment of an independent Basque state, which according to the leaders of this organization would be joined by Basque inhabited territories in France. Throughout its history, ETA has committed hundreds of murders of state officials and innocent civilians, always claiming that such acts are carried out in order to achieve their political goals. The targets of terrorist attacks were selected state officials. Also, police, military, secret service, prisons have often been the victim of ETA attacks.

**HEZBOLLAH (God's Party)** is a movement that for years has opposed Israeli forces both in open battles and through terrorist attacks.<sup>16</sup> This movement was created, trained and funded by the Iranian Revolutionary Guard. From 1982 until today, this movement has challenged Israeli forces and its allies in both Lebanon and other parts of Israel. It has an extremely functional structure with its military arm and the political wing. Although classified by many states as a terrorist organization, in 2008 it became a part of the Lebanese government, resulting in many international reactions. Recent events witness intense Hezbollah activity in Iraq by training and supporting Shiite militants against US forces. Hezbollah also played a major role in the Syrian War, where they were serving directly to the dictator Bashar Al Asad.<sup>17</sup>

**The Islamic State (ISIS)** is a terrible organization that emerged powerfully at the start of 2014, in parts of the territory of Iraq and Syria. This organization is known as ISIS (Islamic State of Iraq and Al-Sham / Islamic State of Iraq and Sham) ISIL (Islamic State of Iraq and Levant) and DAESH in Arabic. This organization, also self-declared

<sup>13</sup>Michael A. Sheehan, 'Diplomacy', PTSS 10-03, #3213-E, page 2, "European Centre For Security Studies", "George C. Marshall", Garmish- Partenkirchen, Germany.

<sup>14</sup>Explorer TV, Histori, 22.06.2018, 23:30.

<sup>15</sup>" ETA: from student group to Basque bombers", *The Daily Telegraph*, 20 October 2011.

<sup>16</sup> Mr.Sc. Besim Arifi, 'Këqyrja e vendit të ngjarjes', Prishtina 2012, page 167.

<sup>17</sup><https://en.wikipedia.org/wiki/Hezbollah>. on 10.08.2018.

as a state grew, rapidly during the summer of 2014, especially after the invasion of the big Iraqi cities of Mosul and Sinjar.<sup>18</sup>

Because of the violence exercised against their opponents and anyone who was not on their side, this organization was considered as the most atrocious one. Members of this organization have committed the most horrible crimes against humanity during the last years and decades. Their cruelty has surpassed those of the German Nazis during World War II or even the Serbian crimes committed in the former Yugoslavia. The images of burning their opponents alive, decapitations of persons in public places, destruction of museums with many historical values, massive rape of women and girls, the trade with slaves etc., were images that the civilized world had to witness every day.

This organization that proclaimed its state and was pretending to apply the Shari'ah law had a significant increase whereby many young people from different parts of the world, particularly from the Middle East, North Africa and Europe joined this massive dementia, which put the world's humanitarianism into doubt. The lack of an international coordinated response against ISIS made this monstrous creature grow in strength.

Unfortunately in the midst of many people who joined this organization were also many young people from Kosovo and other Albanian areas. These young men were manipulated by radical Imams who, through semi-illegal mosques, gave lectures and manipulated youngsters by alleging of a "rapid triumph of Muslims, and the destruction of Christians and Jews, and stating that jihadists will be rewarded with 72 virgin women in the after-world for their sacrifice"<sup>19</sup> Furthermore, Albanian youngsters have managed to obtain leadership positions within this organization, as is the case with Lavdrim Muhaxheri and Ridvan Qazimi. Both of these persons and dozens of others were killed during the fighting against other parties, and in fact many other parties have opposed ISIS, starting from the Syrian regime, the Iraqi Forces, the Russian Army, the US Army and their allies, as well as other rebel groups such as the Kurdish Forces, etc.

About 300 Kosovars have travelled to Syria and Iraq to join ISIS, while about 55 of them have been killed according to media reports and the statements of Kosovo Police. About 140 returnees were arrested, while it is believed that there are now around 100 people left, with 70 of them engaged in activities of the Islamic State, which is undoubtedly now in its demise.<sup>20</sup>

### **International terrorism as a problem of world peace and security**

The attacks of September 11, 2001 have had a major impact on the course of events both in the field of security, politics, but also in other areas. These attacks have forced different states to review the situation again and successfully face threats. The

<sup>18</sup>[https://en.wikipedia.org/wiki/Islamic\\_State\\_of\\_Iraq\\_and\\_the\\_Levant](https://en.wikipedia.org/wiki/Islamic_State_of_Iraq_and_the_Levant), on 15.08.2018.

<sup>19</sup>Dr. Kole Krasniqi, 'Paraqitja dhe Zhvillimi I Ekstermizmit Islamist ne Kosove dhe ne Vnedet e Rajonit', Tirana 2018, page 62.

<sup>20</sup><http://www.botasot.info/aktuale-lajme/609878/policia-jep-detajet-ja-sa-eshte-numri-i-shqiptareve-ne-siri-mbi-55-jane-te-vrare>, on 16.08.2018.

attacks of September 11 introduced the world to a new era of terrorism, because in fact, compared to earlier terrorist attacks, after the attacks of 11 September 2001, we observe some distinctive features of terrorist groups regarding the nature of attacks and selection of targets, international co-operation between groups and terrorist organizations.

In addition to the scale of the consequences caused and the willingness to commit attacks at any time and in any country, terrorism after the September 11 attacks has obtained some special features that differ significantly from earlier periods both in the form of attacks and the way how terrorist groups are organized and function:

- Terrorists shelter in uncontrolled regions around the world, such as in the areas between Afghanistan and Pakistan, Iraq, parts of Yemen and some areas in the deserts between Mali, Mauritania and Algeria where thousands of activists and militants can train unobstructed by anyone and the possibility of investigating such activities in these areas is very small;
- Camouflage and concealment of terrorists in urban areas and amidst civilian populations;
- The greatest fear and concern of all democratic states that are involved in the fight against terrorism, in any form or way, is the possibility of using weapons of mass destruction by groups and terrorist organizations.<sup>21</sup>

Terrorists who intend to use weapons of mass destruction do not worry about mass murder; their purpose is to gain publicity, to use propaganda to influence people, to cause fear and collapse, to capitulate and demoralize, to create the threat of atomic bomb, spread the deadly radiation into the atmosphere, and other forms of threats and manifestation.<sup>22</sup>

Some other features that distinguish terrorism in the contemporary world are the large number of victims from the terrorist attacks, where the overwhelming majority of these victims are innocent civilians. The terrorist attacks targets in recent years are places frequented by citizens (shopping malls, stations, squares, worship facilities, etc.), while the variety of weaponry and means used to commit the acts of terrorism are enormous and incalculable.

### **The path extremists follow to be recruited in terrorist organizations**

Violent extremism culminates in radicalism and terrorism. No society is immune to extremism which over time produces potential individuals who could commit terrorist actions. We should not limit the threat only to the dangerous Islamic extremism in our country, the region or beyond. The other forms of extremism and ideologies are just as dangerous as Islamic extremism, particularly the right-wing extremism in some countries of Western and Eastern Europe (Germany, Poland), and extremism in the USA which is constantly growing. Neo-Nazis groups with strict policies against foreigners and people of colour have committed and are committing a range of attacks bringing with themselves great fear and insecurity.

<sup>21</sup>John Gearson, ``The nature of Modern Terrorism``, E# 2737, page 12, ``European Centre For Security Studies``, ``George C. Marshall``, Garmish- Partenkirchen, Gjermani.

<sup>22</sup>Prof. Dr. Vesel Latifi, ``Kriminalitika``, Prishtina 2011, page 311.

Terrorist groups throughout the world need people. Without sufficient human resources, it is impossible to perform any type of terrorist activity by any group. For this reasons, certain individuals of influence in society are used by the terrorist groups, who initially launch a great propaganda campaign with extreme doses of religious extremism, then continue with brain washing at which point such individuals are radicalized and reach the point of joining terrorist groups and committing terrorist attacks.

### **The role of religion in extremism leading to terrorism**

Religion is an expression of culture and not its source, it is one of the ways -not necessarily the best way, through which man try to understand what they cannot know or even understand the true meaning of a deeper life. Religion is based on truths that cannot be proven through normal human reasoning and believing on what cannot be seen. Religion is a phenomenon that needs to be treated with the proper respect and an adequate emotional distance.<sup>23</sup>

The influence of religion in political life has to be really healthy, disincentives to personal ambitions, an anchor much like that of a ship in order not to give in to the today's dreams of pushing toward the need for personal reputation and political opportunism.<sup>24</sup>

Rarely happens for religion to be practiced in isolation. Religion is organized, and to say the least, very public. Believers can feel driven by their religion to practice it wherever and whenever given the chance. It may seem to them that the secular state promotes values that directly offend their faith. They may want for the rest of society to recognize and reinforce their views.<sup>25</sup>

Political discussions about religion are not very frequent because participants in the elections and different state officials avoid discussions about the values of religion out of fear of insulting others, i.e. people of other faiths. Even the few discussions that are made about religion in public debates always treat the negative aspect of religion. Eventually there are some superficial debates over the practicing of religion but without dwelling in the true positive values that religion has in a society. Therefore, by avoiding debates on religion, we create a void which automatically creates the opportunity for persons with limited knowledge and more narrow vision of religion to resentfully exploit this opportunity for their own dividing purposes.<sup>26</sup>

To overcome these problems associated with the influence of religion, the debates between people with secular and religious tendencies must be more frequent whereby the tensions and differences between the two parties would be faced against each-other with honesty and both parties should agree to some ground rules for the purpose of the debate.<sup>27</sup> Only a lie needs the support of the state, because the truth is

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<sup>23</sup> Barak Obama, 'The Audacity to Hope', DudajPublishing House, Tirane 2008, Translated by Diana Ndroqi, page 249-266.

<sup>24</sup>Page 254.

<sup>25</sup>Page 259.

<sup>26</sup>Page 259-260.

<sup>27</sup>Page 261.

well able to stand its own, maybe even better without the support of the state.<sup>28</sup> History, geography, culture, tradition, and religion of every country are unique. The miracles of globalization may also generate economic instability, and spread pandemics and even terrorism. Globalization does not relate only to challenges of the economy but also with the new challenges in the field of security.<sup>29</sup> Terrorist networks may spread their doctrine in the twinkling of an eye; They will seek to affect the weakest links of the economic system knowing that an attack in London or Tokyo will affect New York or Hong-Kong; weapons and technology that once were the exclusive property of the states can now be purchased on the black markets and easily be available to terrorists, and their design models can be just as easily downloaded in the internet. The free movement of people and goods through borders, as a vital element of global economy, can be used for murderous purposes.<sup>30</sup> There is still a serious risk that weapons of mass destruction will fall in the hands of terrorists because of the different criminal regimes, the falling of different states (FSRU, Syria) and the high corruption among military persons, poverty of scientists, and the full destruction of control systems, create the possibility that dangerous nuclear materials and technology fall in the hands of terrorists and could therefore be used by them.

### **Human rights and fundamental freedoms in the fight against extremism leading to terrorism**

One of the most discussed issues in the fight against criminality in general and terrorism in particular is the respect of human rights and freedoms. There have been frequent accusations by individuals, human rights groups, and the media about serious violations of human rights in the fight against terrorism. The governments of the states' accused have consistently denied the allegations, but there have also been cases of major scandals involving the ill-treatment of suspected terrorist. Such cases have taken place in Abu Ghraib prison in Iraq, in Guantanamo, but there has also been accusation of torture of Palestinian prisoners in Israeli prisons.

The common forms of torture used, not only in questioning terrorism suspects but in general, are diverse, and the main purpose is to inflict a powerful physical and psychological shock on the person against whom torture is practiced. Physical torture involves systematic beatings in different parts of the body, electric torture, and various means of water boarding, removal of the teeth, and deprivation from food and water. Psychic torture involves deprivation of right to contacts other people, deprivation of right to sleep and rest, humiliation, ridicule, threats, or even imitation of execution.<sup>31</sup>

An act of torture means the commission or non-commission of an act for the purpose of causing serious pain or suffering, whether physical or mental, against a person for the purpose of obtaining the information or statement from such person or by

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<sup>28</sup>Page 264.

<sup>29</sup>Page 344.

<sup>30</sup>Ibidem, Page 363.

<sup>31</sup>Prof. Dr. Vesel Latifi, "Politika Kriminalne", Prishtina 2008, page 102-104.

a third person, which is intended to punish such person for an offense which he or the third person has committed or is suspected of having committed, or intimidate or intimidate the person or the third person. The act of torture does not include any act or omission, derived solely by the inevitable acts of legitimate sanctions.<sup>32</sup>

Regarding the use of torture and threats in the treatment of suspects for terrorism, the vast majority of actors dealing with terrorism are of the opinion that these are prohibited and unacceptable methods. But even in this case things are not to be considered as black and white. Despite the fact that the United Nations General Assembly has approved the Declaration on the Protection of All Persons from Torture and Other Inhumane and Degrading Treatment or Punishment, and on that basis in 1984 has also approved the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,<sup>33</sup>, it cannot be said that these conventions are fully applicable.

The abovementioned Convention defines torture as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed (Article 1 of the Convention). The act of torture is considered a flagrant violation of human rights, which must be prohibited by any state. The Convention also envisages complex preventive activities in the form of educational and informative activity, systematic oversight of investigative bodies and prisons, the right to complain and compensation for torture victims (Articles 17-24).<sup>34</sup>

But what are the torture acts that international organizations for the protection of human rights and freedoms, the media and the accused of terrorism (or their defenders and their relatives) claim to have been committed by officials from different countries? Since it is impossible to count all the methods used, which are difficult to distinguish on whether they are legal or illegal, we will only mention one of them, which has led to the discovery of Osama bin Laden's whereabouts.

The Waterbordig method has been widely used in recent years at Guantanamo Prison, and in prisons in Iraq and Afghanistan. This method, even from President Obama at the beginning of his first term in 2009, was considered as torture, but surprisingly over time, not only this method but other methods that were previously considered as torture were revised and a new expression was used for describing them. These methods were called "advanced interrogation techniques" and, as such, were presented to the US Congress and the public.<sup>35</sup>

The Waterbordig method is applied against suspects of terrorism in such a way that the suspects are tied up to a chair, the mouth is widely opened and a handkerchief (or some other clothing) is placed over the mouth and then a large amount of water is poured into the mouth. The suspect's organism cannot withstand and control the amount of water it is forcibly ingested, which causes a powerful physical and psychological shock. Physical injuries to internal organs are significant, while the greatest effect is

<sup>32</sup> Criminal Code of Kosovo, Article 199, Paragraph 3.

<sup>33</sup>This Convention entered into force about 3 years after the approval, specifically this became binding from 26 June 1987.

<sup>34</sup>Dr. Ejup Sahiti, "Psikologjia Gjyqësore", page 90, Prishtina 2007.

<sup>35</sup><https://en.wikipedia.org/wiki/Waterboarding>

achieved in the suspect's psychology, whereby is created the illusion of being in the middle of a lake and unable to swim and move, and will therefore die quickly. This method is used several times during interview sessions, until the suspected person begins to give the information requested from him.

At a lecture in Tashkent, Uzbekistan, on 17 April 2000, US Secretary of State Madam Albright stated the following on the use of torture and human rights violations: "one of the most dangerous temptations of a government dealing with threats of violence is responding to that violence harshly by violating the rights of innocent citizens. Terrorism is a criminal act and should be treated accordingly, which implies that the law should be applied fairly and consistently. From experiences throughout the world, we have noted that the best way to overcome the threats of terrorism is building the capacities of law enforcement agencies, and at the same time, promoting democracy and human rights."<sup>36</sup>

The Constitution of the Republic of Kosovo, in the provisions of Article 23, clearly empowers human dignity as the basis of all its fundamental rights and freedoms, while Article 26 establishes the inviolability of the physical and psychological integrity of any person located or living in the Republic of Kosovo. The provision of Article 27 of this Constitution, guarantees that no one shall be subject to torture, cruel, inhuman or degrading treatment or punishment. Thus, both the Criminal Code and the Criminal Procedure Code protect these fundamental rights and freedoms of every citizen of the Republic of Kosovo.

The Criminal Code of Kosovo has sanctioned as a criminal offense any act of an official person who, using violence, physical force or threat, attempts to obtain information from the interrogated person. Any official person who, by abuse of official duty, uses serious force or threat or other prohibited methods for the purpose of obliging the suspect, the defendant, the witness, the expert or other person to give any statement, shall be punished.<sup>37</sup> Although the CCK does not specify what are the prohibited means and tools, as such are considered the use of medicines, which make the person ascertain things against his or her will. It should be emphasized that obtaining a statement by use of force, threat or torture is also prohibited under the provisions of the CCK, and such evidence are unacceptable by the courts.

### **Freedom of opinion, conscience and religion**

The fight against terrorism imposes decisions and actions over state institutions which may result in the prohibition, restriction or even the violation of certain fundamental human rights that are protected by the constitution and other international acts.

The development of different activities against terrorism in different areas could bring upon us a situation where rights such as the freedom of movement or other similar rights are restricted. However, there cannot, any under any circumstances, be the situation where state institutions would prohibit the freedom of opinion, expression or freedom of choice and practicing of religion. This would be the most

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<sup>36</sup>Keith Weston, "Law Enforcement in a Democratic State", Madeleine Albright, US Secretary of State, University of World Economy and Diplomacy, Tashkent, Uzbekistan, 17 April 2000.

<sup>37</sup>Criminal Code of Kosovo, Article 197, paragraph 1.

erroneous act by a state, if by using any type of violence and pressure, in the name of combating terrorism, would commit such actions thus making the fight against such phenomenon even more difficult and complicated whereby the support of the public opinion and other partner states to state institutions would be smaller.

Freedom of thought, which means the freedom of opinion, whereby expressing that opinion is a constitutional category. Freedom of expression is guaranteed. Freedom of expression is guaranteed. Freedom of expression includes the right to express oneself, to disseminate and receive information, opinions and other messages without impediment.<sup>38</sup>

However, it must be understood that the freedom of expression and opinion has its own limitations, particularly when the misuse of this right in certain situations can lead to acts of inciting or promoting violence and hatred based on racial, national, ethnical or religions belonging. In such cases, the state may intervene and limit these rights.<sup>39</sup>

### **Preventing violent extremism leading to terrorism**

Given the proliferation of terrorism, the flexibility of terrorist groups to adapt to the ground conditions and the advantage provided by the free movement in the globalization process, it can be concluded that it is impossible for a single country to siege an effective fight against terrorism, regardless of which country that is.

Although terrorist groups for decades have, in a way, remained loyal to their ideas, however, flexibility has been noted in the application of new tactics, methods and equipment. This constant change has to do with the application of new attack methods, and not only that, because terrorist groups for years have sophisticated their methods in terms of communicating with their supporters, sending messages through the written, visual and electronic media, they have improved the ways of recruiting new members, funding and managing the organization, and the methods of selecting targets

Terrorism in many parts of the world is emerging as a new form of conflict, far different from conventional wars or guerrilla warfare. Some features of the guerrilla war have been modified by terrorist groups, but these groups usually have a small number of people involved in any operation, light weapons, explosive devices, no uniforms, apply kidnapping tactics, use car-bombs, use hostages as human shields, do not limit their activity to a particular area but rather spread into regional or even international level.<sup>40</sup>

The biggest challenge in the fight against terrorists and insurgents is identifying them. They do not wear camouflaged military or police uniforms or equipment, which would help identify them. Instead, they are hidden amidst civilian population in urban areas rather than in the deep mountains, as was the case with guerrillas in the past decades. To successfully deal with terrorist and insurgent groups, security

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<sup>38</sup>Constitution of the Republic of Kosovo, Chapter II, Article 40, paragraph 1.

<sup>39</sup>Constitution of the Republic of Kosovo, Chapter II, Article 40, paragraph 2.

<sup>40</sup>A. Merari in V.S. Ramachandran, "Encyclopaedia of Human Behaviour", Volume 4, (San Diego, CA., Academic Press, 1994), page 401 with amendments by T. Maley in 2008.

forces have been re-designed and small number of units, equipped with functional weapons and trained for conflict in urban areas, have been created.

Other challenges in the fight against terrorism are: ceasing the funding of terrorist groups or organizations; reducing the support for their activity and ideology, because without a broad-based support, both in conflict zones and far away, it is impossible for a terrorist group or organization to engage in activities on continuous basis; radicalism is a great challenge, and in many cases, the main challenge in successfully fighting terrorist groups and organizations; the lack of political stability of states who run the risk of terrorism, and the lack of security structures capacities; the lack of public opinion support for measures undertaken or even inadequate laws and by-laws and ineffective strategies.

It is hardly believable that terrorism will be eradicated once and for all. The likelihood of such a thing is far less than the likelihood of eradicating violence in interpersonal relations or inter-state relations. However, maximum efforts must be made to counteract this phenomenon, either by preventing its consequences or by capturing and punishing perpetrators of terrorist acts.<sup>41</sup> The fight against terrorism will be long and costly. This war should focus on the main reasons that lead to terrorism. It is very plausible that terrorism is a response to injustice, where terrorists are driven by desperate action, unmanageable conditions of poverty, lack of hope, or political and social oppression.

If we take these excuses into consideration, the only way to remove or at least to reduce terrorism is to address its resources. So, we must first address their complaints and frustrations before we simply face them by using brute force, as an American linguist once said, "Dry the swamp and mosquitoes will disappear".<sup>42</sup> Special attention should be paid to the economic development of problematic areas, education of that population, infrastructure investments, health, social welfare and other measures of a political and criminal character.

Similar policies have been followed by Colombia and Turkey and the results have been tangible.

## Conclusions

While preparing this paper I have researched domestic and international literature. From the overall analysis, we have derived in the following conclusions:

- Violent extremism and terrorism represent the greatest challenges to security in any country individually and regions as entirety.
- We have identified reasons and causes assisting the appearance of violent extremism and terrorism.
- Enhancing the educational level, opening new jobs, serious lectures against extremism by relevant security institutions and specialized NGOs, opening of new perspectives for youngsters and quality healthcare and social services help reduce the concerned phenomenon;

<sup>41</sup>Dr. Sc. Haki Demolli, "Terrorizmi", Prishtina 2002, page 273.

<sup>42</sup>Walter Laquer, "Roots of Terrorism", PTSS 10-03, #2613-E, page 1, "European Centre For Security Studies", "George C. Marshall", Garmish- Partenkirchen, Gjermani.

- Timely response by domestic institutions is of vital importance in terms of addressing terrorism and violent extremism.
- Issuing of modern laws that foresee new situations, i.e. new methods used by extremists and terrorist.
- The laws issued must be implementable in practice because simply copying laws from other countries and trying to implement them in our country will only bring failure. A law cannot be implemented if the state does not have sufficient financial and human capacities similar to the country from which the law was copied.
- The laws must comply with one-another and under no circumstances should they contradict each-other because this would be used by extremist and terrorist groups.
- In addition to legal acts, a lot of bylaws such as ordinances, instructions, decisions etc., must be harmonized, in order to regulate in details issues and technical details of implementing the laws.
- Building state institutions and preparing them professionally in the fight against violent extremism and terrorism is of particular importance if we are to be successful
- The cooperation between state institutions is also crucial in the fight against extremism and terrorism
- International cooperation with security organizations and institutions such as NATO, INTERPOL etc., but also with political organizations such as OSCE, EU, CE, UN, UNHCR, etc.
- Least but not less important, the drafting of a national strategy for combating such phenomenon. Extremism and terrorism cannot be fought with sporadic and uncoordinated actions. Only with a clear, implementable strategy can we be successful in addressing this challenge, which is likely to be the key security challenge for most countries in the coming decades.

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Ligji për Gjykatat.  
Ligji nr. 03/L-225 për Prokurorinë e Shtetit.  
Ligji nr. 03/L-224 për Këshillin Prokurorial të Kosovës.  
Ligji nr. 03/L-223 për Këshillin Gjyqësor të Kosovës.  
Ligji nr. 03/L-052 për Prokurorinë Speciale të Republikës së Kosovës.  
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