Albania’s Approach to Countering Violent Extremism: Implementation, Outcomes and Alignment with the EU Approaches and Framework

Center for the Study of Democracy and Governance

Authors
Mandrit Kamolli
Arjan Dyrmishi

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*Mandrit Kamolli works as Project Assistant at National Democratic Institute and is a research associate with the Center for the Study of Democracy and Governance. He holds a bachelor degree in law and a master degree in Human Rights and Democratisation from European Inter-University Center (Italy) and Nottingham University (UK).
Executive Summary

This policy paper explores the conceptual and structural challenges of developing and implementing CT and CVE policies by the Albanian government over the last two decades. The analysis focuses on the CT measures, recent shift to CVE policy, the challenges faced, their design, implementation, and monitoring, flaws and their alignment with EU policies and approach. It also focuses on the effectiveness of Albania’s objectives on preventing CT and CVE by assessing the legislative framework, actors, actions and the outcome.

The strategic approach is crucial for setting priorities, focusing energies and resources strengthen operations, ensuring that government actors and other stakeholders work on objectives that lead toward common goals and ensuring assessment mechanism that adjusts the institution's directions in response to a changing environment.

The research shows that over the years, the Albania’s approach to CT and CVE policy formulation, implementation, monitoring and evaluation has been fragmented, inconsistent and has suffered from the lack of sufficient institutional capacities and expertise. Furthermore, the policy architecture has been poorly aligned with the EU’s policy approach and measures.

So far, policies in the field of CT and CVE have not been formulated based on a careful and in-depth evaluation of the factual situation, institutional capacities, financial resources, demands and political vulnerabilities. Similarly, the strategies have not taken in consideration the actual institutional capabilities and implementation challenges, leading therefore to patchy and inconsistent implementation.

Judicial response to terrorism and violent extremism has confronted Albanian prosecution and courts with challenges conveying the message that there is the need for improvements in the justice system to better respond to such complex cases. Additionally, in the face of potential threats, it is important to build law enforcement’s capacities that are able to prevent and tackle terrorism and VEm at the grass-root level.

While CVE currently is stated to be at the central focus of the government, it is necessary to rethink and revisit the policy approach to in order to further streamline it. Currently the implementation within the national institutional frameworks is faced with numerous limitations, stemming from the complexity of the phenomenon of violent extremism itself and the multidisciplinary nature of the policy response.
Introduction

The countering violent extremism (CVE) approach was introduced as a comprehensive, holistic approach to fight radicalization and prevent terrorism through combined efforts by states and non-state actors. The introduction of CVE has signalled a paradigm shift from a counterterrorism policy dominated by law enforcement and intelligence, towards a comprehensive strategy based on engagement of broader actors and communities.[1]

The evolving nature of the terrorist threat and the rising fear of home-grown radicalisation have gradually pushed the governments towards adjusting their approach to countering terrorism (CT). Policymaking on the field of CVE is focused on explaining what counter-radicalization is, how it should be conducted, and how the government can best devote its resources to address the contemporary security threat.[2] International practice regards policy approach to CVE as a tool that provides the states with a framework to improve the effectiveness in responding to violent extremism and its capacity to interact with other partners in these challenging environments.[3] CVE helps states to design and implement effective and evidence-based actions taking in consideration factors, drivers affecting the rise of violent extremism and those that favour the radicalisation of individuals.

Since 9/11 terrorist attacks in USA, the approach to terrorism has focused on institution strengthening, law enforcement, intelligence services, diplomacy, financial controls, and military operations. The recent developments have marked a theoretical and policy shift from CT to CVE, introduced first in United Kingdom in 2011 and in France in 2012,[4] followed by the USA in 2015 [5] and the UN Security Council Resolution on foreign fighters and the Plan of Action to Prevent Violent Extremism.[6],[7]

The European Union also has acknowledged the importance of addressing violent extremism (VEm) and radicalization under the prevention component of the EU’s 2005 Counter-Terrorism Strategy. The ‘Prevent’ pillar of the EU CT Strategy sets out the EU’s commitment ‘to prevent people turning to terrorism by tackling the factors or root causes which can lead to radicalisation and recruitment, in Europe and internationally’. [8]

The EU Strategy for Combating Radicalisation and Recruitment of Terrorism was revised in 2014 to address new means and patterns of radicalisation, including

issues posed by individuals supporting extremist ideology linked to terrorism, lone actors, home-grown terrorists and foreign fighters, as well as the key role of the internet and social media for mobilisation and communication.[9] Additionally, in 2014 EU Commission issued the communication on Preventing Radicalization to Terrorism and Violent Extremism: Strengthening the EU’s Response aiming to address the cooperation between the EU institutions, member states (MS) and the MS duty to take measures to prevent radicalisation.[10]

In Albania, the policy approach to fighting terrorism was introduced in early 2000. The first policy document fighting terrorism adopted by the Council of Ministers in 2002 is the ‘National Action Plan on Fighting Terrorism’.[11]

The escalation of the war in the Middle East, the creation of ISIS and the proclamation of ‘caliphate’ in Syria and Iraq, attracted tens of thousands foreign fighters from all over the world, including from Albania. The arrest of 9 persons, including two self-declared imams who used mosques in the suburb areas of Tirana for recruiting persons to committing terrorist acts or finance terrorism, revealed Albania’s problems with home-grown radicalisation and lack of effectiveness of the existing policies to tackle the problem of radicalization.

Discussions on the importance of adopting CVE measures in Albania were first introduced after the White House Summit on CVE,[12] leading to the adoption of the National Strategy on Countering Violent Extremism at the end of 2015.[13]

While CVE is currently at the focus for policymakers, its implementation within national legal and institutional frameworks faces numerous limitations due to the complexity of the phenomenon of violent extremism and the multidisciplinary nature of the policy response.

To begin with, despite the consensus on the need to address it, there is a lack of global consensus around the definition of CVE which poses challenges to practitioners and policymakers in conceptualizing, implementing, and resourcing target programs designed to counter VEm.[14] This is best exemplified in the United Nations’ Plan of Action to Prevent Violent Extremism, which acknowledges that “violent extremism is a diverse phenomenon, without clear definition,” and emphasizes that developing a definition of violent extremism is the prerogative of each member state.[15]

Other important challenges are of institutional and cultural nature such as the enforcement and intelligence cooperation (e.g. limited information-sharing), and
other new challenges which require hybrid responses that combine instruments more typical of foreign policy, development or psychology.[16]  

This policy tries to analyse and assess the conceptual and structural challenges of developing and implementing CT and CVE policies by the Albanian government over the last two decades. The analysis focuses on the CT measures undertaken in the early years since the emergence of the problem in Albania, the more recent shift to CVE policy, the challenges faced with the policy design, implementation, and monitoring, the flaws identified and the alignment with EU policies and approach.  

The aim of the paper is threefold. First it aims to examine the CT and CVE framework in Albania. The focus of the analysis will be on the strategic framework and its conceptualization including strategies, action plans and alignment with EU approach. Particular attention will be dedicated to the identification of gaps and omissions of the Strategy and Action Plan. Secondly it aims to analyse the legal framework, as the means and measures to archive the goals and objectives set out in the strategies as well as the implementation and the achieved outcomes. The analysis will focus also on the institutional framework and capacities on fighting terrorism and CVE as well as their coordination and oversight. Thirdly, the paper aims to identify the conceptual, legal, institutional, and implementation shortcomings regarding fight of terrorism and CVE and provide recommendations for improvement.  

The data has been obtained through desk research by analysing strategic documents of Albania and EU and the existing research and articles. Legal analysis of the law conducted from an interpretative point of view and focus on the application and implementation. Furthermore, we have collected information from interviews with relevant stakeholders[17] and information obtained from public institutions under Freedom of Information Law. Lastly, additional information has been collected from open sources such as media outlets about cases of radicalization and violent extremism and discussions generated in conferences on this field.  

The paper is structured as following. The next section provides an overview of the CT and CVE strategic approaches in Albania over the last two and half decades to be followed by an analysis of the legislation adopted. The subsequent section analyses the institutional capacities and capabilities developed to tackle the terrorism and violent extremism threats. The last section draws some conclusions and recommendations.
I. CT and CVE in Albania

Following the collapse of communism and the restoration of the freedom of religion in the early 1990s Albania entered the path of revival of religious practice and the restoration and rebuilding of religious institutions.

These developments coincided with the emergence of religious motivated terrorism, predominantly originating from Islamic countries as a world security threat. Albania with its weak institutions and structural socio-economic problems could not escape this world trend. Many foreign religious organizations and humanitarian foundations arrived in Albania to help rebuilding the religious institutions, some of them with dubious aims and links to international terrorism networks.[18] Albania’s weak institution that emerged after the fall of communism, lack of border control, fragile laws, corruption and 1997 social unrest provided fertile ground for the terrorist networks to grow and spread their ideas.

Some measures were taken by the Albanian government in 1998 when the State Intelligence Service (SHIK) ‘captured’ and deported 5 members of Egyptian Islamic Jihad in joint cooperation with to CIA.[19] Following the 9/11 Al Qaida attacks against the USA and the start of global war on terrorism Albanian authorities started to take some actions. The response consisted of adoption of policies and legislation which have been described commonly as counterterrorism measures.

Besides the strengthening of intelligence and law enforcement capabilities, legislation on terrorist financing was adopted in 2004.[20] The National Security Strategy recognised terrorism as one of the top threats.[21] The Albanian military joined the global war on terror by participating in the international military missions in Afghanistan and Iraq.

Despite the global efforts the threat from terrorism continued to remain formidable. The 2011 Arab Spring uprisings and the descending into conflict and internal clashes in a number of the Middle Eastern countries (Iraq, Syria, Libya,). lead to chaos and power vacuum that enabled terrorist groups to expand their foothold in many countries of the region.

Creation of ISIS and the declaration of ‘caliphate’ in Syria and Iraq[22] attracted tens of thousands foreign fighters to join the fights from all over the world, including Albania. The number of Albanians who joined the Syrian conflict during 2012 – 2015 as part of different terrorist groups, including ISIS reached to 144,[23] although some of them returned soon after.[24] Comprehensive information


[19] The capture and deportation of the 5 members has been descrived as illegal latter on. All five were sent back to Egypt convicted, two of them with death penalty. See further: Fred Abrahams, Modern Albania: From Democracy to Dictatorship in Europe (New York University Press, 2015) 232-235


[21] Strategjia e Sigurisë Kombetare e Republikës së Shqipërisë. Miratuar me ligj Nr:9322, date 25.11.2004


[23] Interview with Gledis Nano, Anti-terror Director, Ministry of Interior Affairs, (Tirana, 11 January 2018)

Regarding the typology of Albanians who joined the conflict in Syria is provided in the following table:

<table>
<thead>
<tr>
<th>Persons</th>
<th>Left according to the years</th>
<th>Currently in the conflict zones</th>
<th>Suspected to have been killed</th>
<th>Returned</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2012</td>
<td>2013</td>
<td>2014</td>
<td>2015</td>
<td></td>
</tr>
<tr>
<td>Men</td>
<td>7</td>
<td>55</td>
<td>17</td>
<td>0</td>
<td>23</td>
</tr>
<tr>
<td>Women</td>
<td>0</td>
<td>20</td>
<td>7</td>
<td>0</td>
<td>20</td>
</tr>
<tr>
<td>Children</td>
<td>0</td>
<td>33</td>
<td>5</td>
<td>0</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>7</td>
<td>108</td>
<td>29</td>
<td>0</td>
<td>73</td>
</tr>
</tbody>
</table>

Source: Information received from Prime Minister’s office under Freedom of Information Law (on 13th of July 2018)

The late events in the field of terrorism were accompanied also by a doctrinal shift from classic ‘antiterrorism’ measures to a more comprehensive approach as CVE. [25] CVE is an inclusive approach aiming to involve a number of different actors mobilized to counter/prevent violence which can be conducive to terrorism.

In order to better understand the issue of terrorism it is important to place events on context and time. Albania so far has witnessed few terrorist related incidents domestically all of which with no causalities. Key developments in the field of terrorism and violent extremism since the identification of the issues in terms of events and measures by authorities in a chronological order are presented in Box 1 at the end of this section. [26]

In order to be able to plan and implement their attacks terrorists need recruiters, supporters, funds, guns, unrestricted moving, material and logistical support and access to their targets. Furthermore, extremists are also no longer acting only as part of organised, hierarchical organisations but also within smaller cells and sometimes as lone wolves. All forms of extremism have become more globalised taking full advantage of the opportunities of the interconnected world. Consequently, terrorist or violent extremist actions are becoming harder to detect and to predict by the authorities, making traditional law enforcement techniques alone insufficient to deal with these evolving trends, particularly in relation to tackling the root causes of the problem.

Anti-terrorism measures, therefore, have become part of a broader policy architecture that defines the scope of CT and CVE measures, including positions in


[26] A non-comprehensive list of terrorist act within the territory of Albania since 1990 until 2011 is provided in the Inter-Sectorial Strategy on Fighing Terrorism 2011-2012
relation to the values, goals, the legal framework and institutional procedures and
that governs it. In this respect it is relevant to examine the Albania’s policy
architecture and CT and CVE measures and tools, particularly its alignment with
the EU approach and framework as Albania has made significant steps towards
achieving EU membership.

Box 1. Albania’s measures on CT and CVE

1998: Albania Secret Service captures and hands to CIA 5 members of
Egyptian Islamic Jihad suspected of creating terrorist cells in Albania and
aiming to attack foreign embassies.

2002: The Albanian government with a decision of Council of Ministers
adopts the first anti-terrorism strategic document “The National Action Plan
on Fighting Terrorism”.[27]

2003: Creation of the Inter-Ministerial National Coordinating Committee
tasked for fighting terrorism among other criminal issues. The Committee
was designed to function with the participation of CSO.

2003: The assassination of the secretary general of Albanian Islamic
Community, Sali Tivari. Although, the case was never solved the main track of
investigation in that time was a possible terrorist act, because, Tivari had
reportedly been threatened by Islamic extremists before his murder.

2004: Establishment of Serious Crimes Court (both first instance and appeal),
responsible for the adjudication of terrorism related crimes.

2004: Adoption of the first legal provision in the Criminal Code defining
terrorist organization as a special form of criminal cooperation.[28]

2004: Adoption of the law defining “Measures against Terrorist
Financing”[29] and froze of assets by the government of Albania of terrorist
financers curtailing the activities of suspected Islamic NGOs.[30]

2008: Government introduces new amendments on Criminal Code defining
“Acts with Terrorist Aims”. [31]

2008: Adoption of Inter-Sectorial Strategy against Organized Crimes,
Trafficking and Terrorism.

2009: First terrorism-related case was initiated by the Criminal Court in the
city of Durrës where A.K. was found guilty for “incitement and public appeal to
commit criminal offenses with terrorist aims” sentencing the accused with 5
years of imprisonment. However, the charge was acquitted by Durrës Court
of Appeal and A.K. was convicted instead with 2.8 years of imprisonment “for
incitement of hatred or quarrel between nations, races, and religions”.

2009: Signing of Stabilisation and Association Agreement between EU and
Albania where counter-terrorism and financing of terrorism are a priority
field under Chapter III.

[27] Decision of Council of Ministers no. 12, The
National Action Plan against Terrorism, (28 January
2002)
[28] Law No. 9275, dated 16.9.2004 “For the
amendment of the Criminal Code”
[29] Ibid
against terrorism financing
[31] Law No. 9686, dated 26.2.2007, “For the
amendment of the Criminal Code”

2012: Albanians started to go to Syria after the outbreak of the conflict to fight in support of Free Syrian Army as they were named in that time.


2014: In a coordinated operation police arrested 9 persons, two of whom were self-declared imams of two mosques in the suburb areas of Tirana. The arrested were accused of “recruiting persons for committing terrorist acts or financing terrorism”, “incitement, public appeal and propaganda for committing criminal acts with terrorist aims”, and “inciting hate or contention between nationalities, races and religions”.

2014: Amendment of Criminal Code to address the issue of ‘Foreign Fighters’ by adding three articles that prohibit joining an armed conflict outside state’s territory or training/recruiting and prohibition of propaganda to join a foreign conflict.

2014: Creation of Counter-terrorism Directorate, as part of the Albanian State Police, extended in 12 regions. The structure replaced the Counter-terrorism Sector within the Directorate for Serious Crimes of the Department of Criminal Investigations.[32]

2015: Adoption of the National Strategy on Countering Violent Extremism and Action Plan.

2015: First Instance Court of Serious Crimes (the Court) started the judicial process against the 9 individuals accused of “recruiting persons for committing terrorist acts or financing terrorism”, “incitement, public appeal and propaganda for committing criminal acts with terrorist aims”, and “inciting hate or contention between nationalities, races and religions”.

2016: Prime Minister appoints the National Coordinator for Issues of Violent Extremism aiming to create mechanisms for engaging all actor in all levels to prevent radicalization and violent extremism.

2016: First Instance Court’s decision on ‘Imam’s Case’ after a marathon process of a total of 47 court hearings, filled with tensions and allegations. The punishments provided by the Court ranged from 7 years imprisonment the lowest to 18 years the harshest.

2017: Council of Minister decides to establish the Coordination Center for Fighting Violent Extremism (the Center).[33] The aim of the Center is to coordinate the dynamics in the communities in harmonisation with public institutions structures as the best response against the phenomenon of radicalisation and extremism.[34]
II. The Albanian response - Assessing the Strategic Framework and their Alignment with EU Strategy

This section outlines the most important policy steps undertaken by Albania and the shifts that have occurred in the policy landscape of the country in the last two decades regarding policy approach to CT and CVE. It will assess the policy documents over the years, analyse their constituent elements. Furthermore, attention is paid to government actions, alignment of the policies with EU approach in the revision of existing strategies and the design and implementation of the new strategies.

A. The 2002 National Action Plan on Fighting Terrorism

The first policy document of Albania on fighting terrorism dates back in 2002, when Council of Ministers adopted the ‘National Action Plan on Fighting Terrorism’. The document laid out duties and tasks for different ministries and agencies and their roles in the process of implementation. The naming of this policy documents as ‘Action Plan’ is not completely accurate because the document has gaps regarding crucial elements that an action plan must contain such as clearly defined goals, objectives, timeframe of activities, outcomes, monitoring and evaluation etc. Further, the ‘Action Plan’ is not based on a strategy, however, it includes elements of a strategy and furthermore throughout the text it sometimes is referred as “the strategy”. It laid down some geo-political and geo-strategical analyses of the situation in Albania with focus on the region, some national security interests, threats and risk assessment and measures to guarantee national security. Additionally, the `Action Plan` provides guidance and measures to be taken by 12 different ministries and their directorates including the Secret Services. However, the document does not provide what are the mechanism for assessing and measuring the effectiveness of the proposed policies.

The analysis of the content of the ‘Action Plan’ shows that the document fails to identify the root causes of terrorism within the country. The document reveals that Albania has no clear stance with regard to challenges it faces in fighting terrorism, stating that “[t]he international financial network of Bin Laden, and also other international narcotic trafficking networks, have clearly demonstrated the need for a re-evaluation of the situation, particularly the Albania’s position in this environment ...”.[38] Rather, it rightly makes a general analysis of the fragile security environment and gives a general overview of the threats and risks that Albania faces.


[36] Ibid


security situation in the regions as it was at the time, describing it “...Albania is in a strategic position that can be seen as a country for transit, not only for trafficking and illegal activities, but also for the spread of terrorism syndrome, particularly the one based on religious fundamentalism”. The document goes further revealing the tensions in the region “…neighbours interest may be different, aiming to identify Albania as a country that shelters, protects, trains and sponsor terrorism”. Taking in consideration the described situation, the ‘Action Plan’ defines two main types of terrorism: internal and external terrorism. Internal terrorism, the document states, “could be of different characters and origins, encouraged, supported and organized by domestic terrorist elements aiming to destabilize Albania”. External terrorism is defined as “…the international terrorism within the territory of Albania, planed, supported and undertaken by foreign elements, which constitutes a concern due to weak border control”. An interesting fact is that the ‘Acon Plan’ is the only policy document that accurately foresees a phenomenon envisaged only a decade later, the FTFs. International terrorism states the document includes also the Albanians exercising activities outside the territory of Albania. “This could be a field of concern, because there is a possibility that Albanian criminal elements can be used in other countries for different terrorist aims, which will bring grave human consequences, and above all damage the nation’s interest.” The ‘Action Plan’ specifies that the engagement of Albanian institutions will be concentrated in two main fields, “undertaking legal initiatives” and “undertaking operative measures” to estimate possible terrorist cases.

While the ‘Action Plan’ assigns tasks and duties to ministries, it doesn’t provide for the mechanism to assess and measure the implementation of the assigned tasks. Furthermore, the ‘Action Plan’ tends to overemphasise the threats, while it fails to provide a deeper analysis of the root causes, which are crucial for understanding the problem and designing longterm solutions.

B. The 2004 National Security Strategy

The 2004 National Security Strategy proposed by Council of Minister and adopted in Parliament,[42] provides little reference to the issue of fighting terrorism. First the strategy defines the institutions that will be directly involved in fighting terrorism as is the State Police, Secret Services and Armed Forces[43] without making any reference to the existing ‘Action Plan’. The Strategy states that these institutions in cooperation with specialized international mechanisms will work to improve the legislation and restructuring the institutions with the aim to maximising the efficiency. Furthermore, the document makes reference to the

[40] Ibid
[41] Ibid
[43] Ibid
geostrategic position of Albania which can constitute a threat of being used as logistic base or network base for different terrorist groups.[44] Similarly as the Action Plan, the Strategy doesn’t address the root causes of terrorism rather it limited to the mere definition of terrorism as a threat. The apparent explanation for such approach is the understanding by the Strategy of terrorism merely from an international perspective. Such an ‘accommodating approach’[45] on its engagement in the war against terrorism, where there is a reaction to an internationally defined problem but with no proper analysis of the domestic context, appears to be a general trend in the Albanian policy making realm.

C. The 2008 Inter-Sectorial Strategy on Fighting Organized Crime, Trafficking, and Terrorism

Within the framework of the ongoing efforts by the international community such as the United Nation,[46] the Council of Europe,[47] as well as the efforts of individual various instruments of legal and political character have been elaborated and adopted with the aim to unify the stance on terrorism, to determine terrorist activities and related factors, to designing measures to be taken for the prevention, detection and prosecution of these activities and forms of interstate cooperation to fight terrorism.

Nevertheless, until 2008 the one of the main actions undertaken by the Albanian government has been the seizure of assets suspected of being used to financing NGOs linked to terrorist financing.[48] Until 2008 the country lacked a well defined policy on counter-terrorism that would have framed its efforts within a border institutional and societal context.

In 2008 the Council of Ministers adopted the Inter-Sectorial Strategy on Fighting the Organized Crime, Trafficking and Terrorism (the CT Strategy).[49] The CT Strategy is the first official policy document that provides for a strategic approach to fighting terrorism. It is also stated in the strategy that for the first time the government sets the stage for a full cooperation of all institutions to fight the phenomenon of terrorism providing also for combined approaches of prevention and disruption of terrorist activities.[50] The Ministry of Interior is put on charge for the implementation of the CT Strategy.

However, similarly as with the previous documents even the CT Strategy pays not so much attention to the issue of fighting terrorism and it fails to analyse the internal situation within the country while makes no assessment of the specific

[44] Ibid, 11

[45] At a seminar organised by the Centre for the Study of Democracy and Governance (CSDG), “National Security Policymaking and Strategic Culture: European and Albanian Perspectives” in Tirana on 5 July 2018, the accommodating approach was defined the trend by the Albanian policy maker to “accommodate” the discourse with the international community without substantial analysis on how the policy relates to the country and without pursuing coherently and substantially the adopted policy.


[48] See the Inter-Sectorial Strategy on Fighting Terrorism 2011-2015 for the full list of NGOs or individuals whose funds were sized by government of Albania.


[50] Ibid, 3
threats posed by the terrorist activities. Additionally, the CT Strategy is not engaged on defining the terminology of CT or to make reference to any global or academic discussion on the issue. One reason behind this is that the strategy is combined with the fight against organised crime and while organized crime and trafficking are discussed as domestic concrete threat terrorism is broadly perceived as an international issue which can affect Albania only from outside.

Underestimating any potential threat the strategy naively states that “[t]he fact that in Albania there are no cases of terrorism or risk of terrorism is also related to the human character of the Albanian people and its people’s desire to live in peace and harmony with other people”[51]. On the other hand, there are no clear explanations on the anti-terrorism strategy was mixed in the same document with the organized crime and trafficking strategy but we can simply deduct from the text that the there was an understanding of a potential overlap of the societal problems that drive terrorism with and organised crime and trafficking.

The CT Strategy lays down the measures to be taken on the issue of terrorist financing with the implementation of the legal framework and emphasis on money laundering. Furthermore, the strategy defines the objectives (short, mid and long-term) on fighting crime and terrorism that cover the period between 2008 and 2013. All the objectives do not lay down any concrete measures regarding terrorism that could have resulted bought results within the country and communities; rather the emphasis is put on international cooperation on the issue and the alignment of the legislation with EU. Another major shortcoming of the strategy is that it does not have an action plan to defining the roadmap for the implementation of the CT Strategy. The absence of an action plan or of any report on the implementation of the CT Strategy makes it impossible to track and analyse its implementation and aimed outcomes.

D. Inter-Sectorial Strategy on Fighting Terrorism 2011-2015

With the progress of Albania EU integration process and the signing of Stabilisation and Association Agreement (SAA) in 2009, the fight against terrorism becomes a priority and the SAA dedicated a specific attention.[52] The SAA put emphasis on the importance to fight on terrorism and highlights Albania’s commitment towards the international obligations in this area. Nevertheless, the EU Progress Report of 2009 highlighted that Albania had no concrete measures in place – a separate strategy for fighting terrorism and no strategic framework that would have
enabled a coordinated approach toward fighting terrorism.[53] It was almost three years after the signing of SAA, ten years after 9/11 attacks in US and 6 years after EU’s CT Strategy that the government adopted for the first time in 2011 a dedicated counter-terrorism strategy and action plan; the Inter-Sectorial Strategy on Countering-Terrorism (ISCT) 2011-2015 and the Action Plan. The ISCT was adopted by Council of Ministers Decision.[54]

Rather than a necessary policy adopted as a result of a deep analysis of the country’s needs, the adoption of the ISCT may be seen as an action to fulfil an international obligation, as emphasised in the introduction part of the strategy. The raising trend of extremism in Albania starting from 2010 shows that ISCT had little impact to preventing or curbing it. In fact, the ISCT has received little attention by the government and other stakeholders, as the document is not even mentioned in the 2014 National Security Strategy,[55] which refers once to the 2013 Inter-Sectorial Strategy on Fighting Organized Crime, Illegal Trafficking and Terrorism.[56] In terms of structure, the ISCT adequately addresses the structural elements of a strategy. It includes an assessment of the situation, it analyses the risks posed by terrorism, lays out measures to be taken by each institution and includes an Action Plan as an implementation tool. The ISCT is also the first policy document on security and terrorism adopted by Albanian Government to make a reference to the 2005 EU Strategy on Countering-Terrorism.[57] It was also closely modelled on the EU’s CT Strategy and includes the four so-called ‘pillars’: prevent, protect, pursue, and respond.[58]

The ISCT outlines six main goals:

- identify the terrorism phenomenon through analysing causes and factors;
- document the activity of all institutions involved;
- assess the current situation and identify measures to pursue, prevent, protect and react;
- outline objectives for detecting and preventing;
- outline the road for the implementation of the strategy;
- identify the financial sources for the implementation of the measures.

Further, the ISCT provides some risk assessment of the situation in Albania

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[58] Ibid
analysing it in three dimensions as national, regional and international threat. There is also an evolution of the terminology because the ISCT for the first time uses the term ‘extremism’, however, without defining what it means or why it is used along with ‘terrorism’ which is an already defined term.

The strategy also defines a couple of factors that have affected the spread of violent extremism/terrorism phenomena in Albania. These include:

- taking advantage of religions by individuals who come from outside mainly Arab countries, who have helped spreading extremism ideologies;
- low awareness in the community about the risk of terrorism and extremism; poverty that has provided room the embrace of extremism phenomena;
- geographic position of Albanian being at the cross road between east and west;
- shallow reaction by public authorities;
- lack of legal framework and necessary institutional infrastructure; and lack of experience and cooperation between allies to have appropriate expertise.

The final part of the strategy outlines the institutions responsible for the implementation and provides general descriptions of their tasks and obligations.

However, the ISCT has failed to identify and craft follow up policies that would have effectively prevented the increase of radicalization and extremism in Albania in the following years. Despite its modelling according to EU’s CT Strategy by including the four pillars prevent, protect, pursue, and respond, the strategy has failed to understand the substance of these terms and deliver accordingly. Therefore, ISCT appears to have served more the counter-terrorism and CVE discourse, rather than to have been driven by the understating the factual implementation of the four pillars approach, which have also been widely applied in the EU MS. Starting form 2011, the situation of extremism in Albania deteriorated reaching the peak when 144 Albanian citizens joined the conflict in Syria and Iraq. This has resulted to a large extent from the failure of the Albanian authorities to implement a realistic and dedicated action plan on countering terrorism, contrary to what the EU had recommended. Until 2012 no difference was made on the threat posed by domestic (home-grown) and international terrorism.
E. National Strategy on Countering Violent Extremism

With the latest terrorist attacks in various European cities and the concerns posed by the radicalisation and FTFs phenomenon, the notion of CVE gained increasing traction in 2015 around the globe and has come to be perceived as a crucial component of a sustainable counterterrorism strategy.

At the end of 2015, the Albanian government adopted the National Strategy on Countering Violent Extremism.[59] The discussion started seriously after the White House Summit in 2015, and then the government initiated the process to develop the strategy and action plan. The CVE strategy intended to offer a broader approach to VEm and was adopted with the support of international organizations, due to the fact that the authorities had no previous experience in dealing with VEm.[60] The CVE Strategy is implemented along with the existing CT measures which continue to be part of the 2014 National Security Strategy. The CVE Strategy aims to look beyond the law enforcement agencies and includes a broader approach with key actors of the community such as schools, religious communities, civil society, other agencies of the government, etc.

In terms of structure, the CVE Strategy begins by laying out the fundamental freedoms and values as Albanian’s commitment to fighting VEm, and the measures undertaken until 2015. The Strategy sets as it main goal to successfully prevent the spread of violent extremism by combining the efforts with religious, cultural and educational networks, including civil society maintaining a tailored proactive approach to addressing the phenomenon. The CVE Strategy includes definitions of (counter) radicalisation, VEm, and FTFs.

The Albanian National Strategy proposes 10 measures, organized under three priority areas, for developing capacities, policies, and mechanisms to address violent extremism and radicalization. These three priority areas include:

a) community outreach and engagement;

b) countering extremist propaganda while promoting democratic values;

d) developing long-term comprehensive CVE policies.

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[59] The decision of Council of Ministers no. 930, For the Adoption of the National Strategy on Fighting Violent Extremism and the Action Plan (18 November 2015)

The analysis of the document shows that the ten measures under the priority areas are too broad, ambitious and some of them may require years of careful implementation and evaluation to achieve the set priorities. The assessment of their implementation would be beyond the scope of this study. However, such ambitious measures would require a detailed plan with clearly defined goal(s), objective(s), and the timeframe of activities.

However, the implementation section in the Strategy is not detailed. It only details the leading institutions including the Prime Minister’s office, ministries and each priority with corresponding measure and proposed action. No timeframes for specific institutions are provided for the completion of the foreseen activities. Moreover, the CVE Strategy states that the Government of Albania will develop corresponding procedures and regulations as well as an inter-agency structure in order to effectively implement it.

A few of the foreseen activities have been implemented, predominantly within country mainly through isolated interventions supported by international donors. While the ‘inter-agency’ element, stated in the CVE Strategy is currently being developed under the National Coordinator for Countering Violent Extremism, although there are more than two years since the adoption of the strategy.[61]

Among the policy-making community, the phenomenon of policy ideas that sound great in theory often fail under conditions of field implementation is widely known. The implementation process has a life of its own, therefore, failing to take it into consideration can jeopardize expected results and meeting the community needs.

[61] Information received from the Prime Minister’s office under Freedom of Information Law (on 13th of July 2018)
Another challenge in Albania could be the difficult task of inter-sectoral cooperation through the large and inflexible administrative bureaucracy.

F. EU strategy: Albania’s Alignment with EU

The EU’s counter-terrorism agenda has been to a large extent ‘crisis-driven’, and was heavily influenced by various major shocks: 9/11 attack on US, the Madrid and London bombings, the rise of the Islamic State in Iraq and Syria (ISIS), the terrorist attacks in France of 2015 and 2016, and the attacks in Brussels and Berlin in 2016.[62] The past ten years have shown a steady increase in the number of terrorist attacks in Europe. Attacks by separatist and left-wing extremist movements have been on a steady decline, whereas in the last years there is an increase in right-wing extremism and jihadist extremism.[63]

Before the 9/11 attacks in the USA, terrorism was hardly a priority on the common EU agenda but this event proved to be a turning point as ten days after the attacks, in an extraordinary meeting, the European Council (EC) declared the fight against terrorism to be an EU priority objective. Despite the gradually converging threat perception regarding terrorism within the EU post-9/11, it was not until 2004 and 2005, when Madrid and London were hit by terrorist attacks, that a more coherent EU counter-terrorism policy would take shape, modelled on the structures and processes of the most concerned and active states, namely the UK and France.[64]

In 2005 the EU adopted its Counter-Terrorism Strategy aiming to have a comprehensive approach to the issue of fighting terrorism.[65] The EU CT Strategy was the first time EU public policy documents of this nature began referring to ‘countering’ rather than ‘combating’ terrorism.[66] With its 2005 Counter-Terrorism Strategy, the EU outlined a strategic commitment to combat terrorism globally while respecting human rights, and make Europe safer, allowing its citizens to live in an area of freedom, security, and justice.[67]

The Strategy was closely modelled on the UK’s own strategy and consisted of four so-called ‘pillars’: prevent, protect, pursue, and respond.[68] Prevent concerns policies to anticipate people from “turning to terrorism and to stop the next generation of terrorists from emerging”. Protect is about better defending against attacks and the impact of attacks. Improvements with regard to (external) border security, and transport and other critical infrastructure is central under this pillar. Pursue refers to “disrupt terrorist activity and pursue terrorists across borders” and

[66] Civil Liberties, Justice and Home Affairs Committee, The European Union’s Policies on Counter-Terrorism Relevance, Coherence and Effectiveness (February 2017)
revolves around the strengthening of capabilities for improved police and judicial cooperation. Police and judicial cooperation as well as countering terrorist financing are key aspects here. Respond involves dealing with the consequences of terrorist attacks and refers to crisis management arrangements. The Strategy settles on the scope of counter-terrorism, but also positions it in relation to the values, goals and institutional procedure that govern it.

The four pillars are preceded by a ‘strategic commitment’ that sets out the values and goals of the strategy: “To combat terrorism globally while respecting human rights, and make Europe safer, allowing its citizens to live in an area of freedom, security and justice”. The role and responsibilities of the EU as a counter-terrorism actor is then outlined. It clarifies that the Member States have the primary responsibility for counter-terrorism, and that the EU mainly serves in a supporting role. This role is envisaged as (1) the “strengthening of national capabilities” through the sharing of information and best practices, (2) “facilitating European cooperation”, (3) “developing collective capability”, both in terms of understanding and EU policy responses, and (4) taking international action in the context of the United Nations and with third countries.

The Committee of Permanent Representatives in conjunction with the EU Counter-Terrorism Coordinator and the Commission, are in charge for monitoring the implementation progress of the Strategy. Furthermore, the 2005 strategy is written in a form of composite policy supported with some other sub-strategies that work out in more detail specific aspect of CT, and several EU Directives dictating states legal means to counter terrorism and fight VEm.

As the civil war in Syria went on and the rise of ISIS attacks increased a large number of FTFs from EU who joined this insurgent terrorist groups. In 2015 it is estimated that the contingent of foreign fighters originating from EU Member States (and mostly from Belgium, France, Germany and the United Kingdom) was between 3 922 - 4 294 individuals. In 2014, EU updated its CT Strategy to place FTFs at the centre of its priorities, reflecting an effort to establish a coherent European response to the issue that was further catalysed by the attacks in Paris on November 2015.

The implementation of the 2005 CT Strategy and other measures have not proceeded without criticism. Researchers believe that currently, too many actors are involved in the design and implementation of this policy area and the tasks of the individual actors at times overlap. Furthermore, no impact assessment is conducted to assess the impact of the adopted directives.
While Albania was quick on bringing the terrorism discourse on the public fora with the 2002 Action Plan on Fighting Terrorism, no similar approach was taken when it comes to concrete measures and policies. Albanian did not adopt a dedicated national strategy on terrorism until 2011, although the EU adopted its strategy in 2005 while under the 2009 SAA with Albania, fighting of terrorism was stated as a priority. [78] The lack of strategy that would have enabled a coordinated approach to fighting terrorism was pointed out also in the EU Commission Reports.[79] The graph below shows the EU’s strategies, action plans, and measures etc., adopted since 2000 (Graph 1).

![Graph 1: Strategies, action plans, measures etc. adopted per year, 1996-2017](image)

**Source:** Civil Liberties, Justice and Home Affairs Committee, The European Union’s Policies on Counter-Terrorism Relevance, Coherence and Effectiveness

Shifting to policy formulation, the EU has followed a 5 step policy cycle for the development of the counter-terrorism policies which includes: (1) analysis of terrorism threat (studies), (2) policy needs assessment, (3) design of policy with clear SMART objectives, (4) implementation of the policy, (5) monitoring the impact and effectiveness.[80]

Content of the strategies is another weak point on Albanian’s policy approach as


[80]Civil Liberties, Justice and Home Affairs Committee, The European Union’s Policies on Counter-Terrorism Relevance, Coherence and Effectiveness, 25
also seen above. The formulation of strategies lacks coherence and they fail to make reference to each other, demonstrating an absence of continuity and accountability towards the pledged goals and objectives. Furthermore, the lack of needs assessment reports has led to unclear identification of threats, poor assessment of potential risks and failure to properly consider field implementation. Some of the Albanian policies to fighting terrorism sound great in theory but fail to take in consideration the field implementation. The failure to adequately consider field implementation coupled with lack of adequate capacities and expertise of the public administration has lead to the situation where most of the policies have remained just words put on papers. The core elements of the strategies including goals, objectives, plans, monitoring process and indicators are not clearly defined. The only strategy making reference to EU CT Strategy is the Inter-Sectorial Strategy on Fighting Terrorism 2011-2015, formulated after the EU strategy, which puts the emphasis on four pillars: prevent, protect, pursue, and respond.[81] Nevertheless, faced with political and administrative instability, this strategy was side-lined by the political events and the government rotation after the 2013 general elections.

II. Legislation of Albanian on Terrorism – the legal means to achieve strategic goals and aligned with the EU

Terrorism and violent extremism constitute criminal acts under the Albanian Criminal Code. It can be said that on the issue of fighting terrorism the Albanian authorities have been most active on updating and adjusting the legal framework based on the EU and UN recommendations. The first interventions on legislation to criminalize terrorist acts are based on the EU Council’s Framework Decision on Combating Terrorism adopted in 2002.[82]

The Framework Decision requires Member States to ensure that a number of behaviours with relation to terrorist activities are criminalised under national law including directing or participating in the activities of a terrorist group, inciting or aiding or committing a terrorist offence, attempting to commit a terrorist offence, etc. The first amendments of the Albanian Criminal Code include provisions on punishing terrorist organizations as a special form of cooperation in committing criminal acts was introduced in 2004.[83] Terrorist related crimes are considered serious crimes in Albania and are prosecuted by Serious Crimes Prosecution and adjudicated by Court of Serious Crimes.[84] Since then, due also to the fact that these phenomena remain insufficiently known to the government, as well as due to the fact that the dynamics under which they operate are in constant change, the Code has undergone more amendments in relation to terrorism, radicalisation and violent extremism.

A comprehensive list of legislation adopted in Albania on the issue of CT, CVE and tackling terrorism financing is provided in Box 1 below.

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**Box 2. Albania’s Legislation on CT, CVE and terrorism financing.**

- Law No. 9086, dated 19.6.2003 "For the amendment of the Criminal Code", added article 230/a - "Financing of terrorism". Financing of terrorism or support in any form is punishable by imprisonment not less than fifteen years or life imprisonment and fine from ALL 5 million to ALL 10 million.
- Law No. 9275, dated 16.9.2004 "For the amendment of the Criminal Code", added article 28, which defines terrorist organizations as a special form of cooperation in committing criminal acts.
- Law No.9258, dated 15.7.2004, "On measures against terrorism financing" measure in line with requirements of Resolution 1373 (2001) of

- Law No. 9917, dated 19.5.2008 “On the prevention of money laundering and terrorism financing”, regulates the prevention of money laundering and products arising from the criminal offense.
- Law No. 10192, dated 3.12.2009 “On the prevention and combating organized crime and trafficking, through preventive measures against property”

The 2014 Amendments in the Criminal Code

In March 2014 in an operational intervention, the first of its kind, the police authorities in a coordinated operation in four cities Tirana, Elbasan, Librazhd, and Pogradec arrested 8 persons. All the arrested persons were suspected to have committed terrorism related crimes, case that later would be known as ‘imam’s case’. The 2013-2014 episodes revealed existing gaps in the Criminal Code (the Code), because joining, or recruiting people to join a foreign conflict did not constitute a criminal offense. The fundamental principle of criminal law “nulla poena sine lege” enshrined in the article 2 of Criminal Code constituted a major obstacle and confused law enforcement authorities in their work to prevent the phenomenon of FTFs onset.

An important step to address terrorism and violent extremism is to update the existing laws to better address a new and challenging phenomenon as the one of FTFs. To address the issue of FTFs in 2014, Albania amended the Criminal Code by adding three articles which prohibit joining an armed conflict outside state’s territory. The gap in the legislation was firstly an obstacle to the police and prosecution while investigating, therefore, the initiative to amend the Criminal Code came from police authorities. This amendment filled the gap in the Criminal Code where joining a foreign conflict was not sanctioned as a criminal offense.

With the new amendments, Criminal Code is perceived to be completed regarding terrorist offenses and it is in line with international standards.

[85] In this coordinated operation, 8 persons were arrested two of whom were self-declared imams of two mosques in the suburb areas of Tirana. In the following days, police will arrest another person with similar charges as suspected to have collaborated with the other part of the arrested rending the number 9 in total. Çonin luftetarë në Siri, pranga imamëve të 2 xhamive në Tiranë, Gazeta Shqiptare (Tirana, 11 March 2014) <http://shqiptarja.com/aktualitet/2731/-conin-lu-fitar-ne-siri-pranga-imamve-te-2-xhamive-ne-tiran-204537.html>

[86] Article 256/a/b/c, added with the Law no. 98/2014 (31 June 2014)

[87] Interview with Gledis Nano, Anti-terror Director, Ministry of Interior Affairs, (Tirana, 11 January 2018)

[88] Interview with Mr. S and Ms. B, Judges in the Court of Serious Crimes, (Tirana, 26 January 2018)
Albania has also not ratified the UN Convention against Recruitment of Mercenaries. While according to the Police the changes to the Criminal Code were the reason why the number of FFs joining the conflict in Syria started to decline rapidly, it can be stated that this changes, in relation to other global and regional conditions, might have produced preventative effects.

An issue which is not addressed in the law is the handling of returned FTFs from conflict zones. The returned FTFs are perceived to be a major terrorist threat. The concern is that foreign fighters with experience of handling weapons and explosives may plan and carry out terrorist acts on return to their home countries, or may set up new terrorist cells, recruit new members, or provide funds for terrorist acts or movements. This threat is commonly known as ‘blowback’. On the other hand, the issue of returned FTFs can constitute a huge human rights challenge, because the returned FTFs are Albanian citizens that have rights and need medical and psychological help, thus coordination between relevant institutions to provide assistance is needed. Furthermore, if returned FTFs will be sentenced under tough foreign fighter articles of the Criminal Code, this can lead to a situation where FTFs choose to not return home fear prosecution and imprisonment. As a recent UNDP survey concluded Albania has an underperforming justice system which may constitute a risk for summary judgments, slow judicial procedures, and imprisonment of returned FTFs.

Currently, the Albanian investigative authorities (police and prosecution) are monitoring the returned and returning FTFs, however, measures will be taken only if it is assessed that there is criminal responsibility in certain cases. Returned FTFs are a major issue that requires actions and involvement of different actors and factors of the society including all state authorities, i.e. local government, academia, media, civil society, religious communities and police in the front line while taking in consideration the National Strategy on the Fight Against Terrorism.

Furthermore, the Court of Serious Crimes was faced with some challenges during the trial of nine Imams accused of terrorism. The accused imams refused to be represented by defence lawyers. The refusal to have a defence lawyer and the refusal of the accused to comply with legal procedure delayed the judicial trial several times. This was perceived by judicial authorities as a legal gap which has recently been regulated by amending the Code of Criminal Procedure. With the new amendments made in 2017 in the Code of Criminal Procedure, it is obligatory to be represented with a hired or state assigned defence lawyer if
among others, the person is accused of a criminal offence for which the law provides for a punishment in maximum no less than 15 years of imprisonment.[97] This amendment of the Code was adopted to address the hindrance faced by the Court during the terrorism trials in order to prevent further disruptions and delays in other adjudication processes.

In overall, the continuous ‘mending’ of the criminal legislation regarding terrorism, has resulted in provisions on terrorism to being more detailed than the ones regarding other forms of criminal cooperation.[98] Two have been the main issues regarding the legislation on fighting terrorism. First, the lack of strategic approach until 2011 has resulted in no concrete measures or coordinated approaches in the aspects of improving legislation. The 2009 EU Progress Report on Albania concluded “With regard to the fight against terrorism, no progress can be reported. The national counter-terrorism strategy has not been adopted yet. Overall, counter-terrorism efforts remain at early stages.”[99] Second, the approximation of legislation, particularly the legislation on terrorism financing in line with the EU acquis and its enforcement. As pointed out in the EU Progress Reports from 2009 to 2014, Albania failed to bring legislation and bylaws on fighting money laundering and financing of terrorism in line with EU acquis and recommendations. The further challenge with legislation on terrorism and violent extremism remains the law enforcement measures.[100]

[97] Article 49(5) of the Criminal Procedures Code, amended with law no. 35/2017 (30 March 2017)
III. Institutional capacities: Actors, actions and outcome!

Policy and legal framework would not be complete without the statutory institutions in charge of fighting terrorism, preventing and countering of violent extremism. It would be easy to track the state institutions involved in fighting terrorism since the early stages starting with the 2002 National Action Plan on Fighting Terrorism, however, assessing their role and evaluating their impact would constitute a challenge due to lack of available data.

There are three documents that provide general information about the institutional framework and actions in the 2010 and 2014 Reports,[101] submitted by Albania at Committee of Experts on Terrorism and a 2014 report drafted by Albanian Ministry of Internal Affairs.[102] With the drafting and adoption of National Strategy on CVE the institutions and responsibilities have changed. In the new policy environment and work on CT and CVE, new mechanisms have been established at a local level to improve the coordination and cooperation among state authorities.

Currently, institutions at local and central levels work together in the process of tackling violent extremism. In 2016, the Government of Albania appointed a National Coordinator for Countering Violent Extremism, who is charged with overseeing the implementation of the national strategy, collecting data and reporting archived results. The list of stakeholders and institutions analysed below reflects the holistic approach adopted through the involvement of various actors.[103]

1. National Coordinator for Countering Violent Extremism

In 2016, the Prime Minister appointed the National Coordinator for Countering Violent Extremism in order to establish the coordinating mechanisms for engaging stakeholders at all levels and to adequately address the issue of preventing radicalism and violent extremism. The key role of the National Coordinator is to oversee the implementation of the CVE Strategy on. During his mandate National Coordinator has participated and organized a couple of regional and national activities and conferences. With National Coordinator’s initiative on 17th and 18th of May his counterparts from Kosovo and Macedonia were invited in Tirana to coordinate the joint regional plan, based on the memorandum of understanding


signed between them, also detailing an agreed activity plan. The three countries, through the respective Coordinators, were presented at the Prague summit, with a joint detailed regional plan. In July 2018, a joint meeting was held in Prague with all the Coordinators of Western Balkans, led and coordinated by the Regional Coordinator of European Union on violent extremism issues based in Sarajevo.

2. ‘Ministry of Social Welfare and Youth’

Regarding the implementation, the CVE Strategy highlights that the priorities, measures, and actions outlined in the strategy are largely cross-cutting and inter-institutional. However, the Ministry of Social Welfare and Youth will be the lead institution in covering community outreach and engagement as well as targeting groups that are marginalized, vulnerable, unemployed, or in need of social assistance. Because it is believed that social problems are some of the triggers that bring youth closer to violent extremism. Nevertheless, after the 2017 Parliamentary Elections and with the reshuffle of the new government the Ministry of Social Welfare and Youth was dismantled and merged with Ministry of Health to become the Ministry of Health and Social Security.

The Ministry of Health stated that based on its obligation under the Strategy they have cooperated with Center for Coordination against Violent Extremism by providing feedback to the 2018-2019 draft action plan. Furthermore, the Ministry has charged the Directorate of Programs for Development of Health and Social Security to coordinate the issue related to VE. However, the Ministry has not provided any information regarding any action to address community outreach and engagement as well as targeting groups that are marginalized, vulnerable, unemployed, or in need of social assistance pointed out by the Strategy as the most important to fighting CVE.

Lack of institutional stability and programs taken over by different bureaucratic units that later disappear, jeopardize the sustainability of the policy’s results. Furthermore, negligence to address the crucial competences that former Ministry of Social Welfare and Youth had show a poor commitment of the government’s towards the stated policy.
3. Prime Minister (Coordination Centre against Violent Extremism)

Prime Minister’s office most likely has been the most publicly proactive institution with regard to measures and actions on CVE with the adoption of the Strategy, appointment of National Coordinator and the most important the establishment of Coordination Centre against Violent Extremism (CCVE). Last December, 2017, the Council of Ministers adopted the decision "On the establishment of the Centre for Coordination against Violent Extremism"[110] which was set up on January 1st, 2018.

The CCVE’s which will function as separate public institution under the Prime Minister. Accordingly, CCVE has two units under the supervision of the Executive Director (National Coordinator on CVE), the Coordination Sector for Education and Research and the Coordination for Civil Society and Security Sector.[111] The mission of CCVE is to develop the capacities of various actors involved in actions against violent extremism, the preservation and promotion of values of tolerance and religious harmony, protection of human rights, rule of law and democracy, and protection of the Albanian society from violent extremism.[112] Currently, the CCVE is working on the monitoring of the implementation of the Action Plan for the period 2018-2019 with all key ministries / institutional networks, adapting it to the current situation on the phenomenon of radicalism and violent extremism.[113] CCVE’s action plan, will be more detailed and according to the strategic objectives of the Strategy. The CVE Strategy’s Action Plan has foreseen 21 measures based on the objectives. The CCVE aims to have an inclusive approach in different coordination levels and apart from central and local official institutions it aims to cooperate with other actors and stakeholders that are not directly connected to the Centre. To this end, the CCVE will cooperate with networks based on fields of interest as Education network, Researchers network, Community Policing network, CSO network etc.[114] The establishment and functioning of the networks are based on voluntary contribution aiming to expand the map of involved stakeholders to secure a comprehensive countering of VE in Albania.

Lately the Centre has engaged through implementing a USAID fund pilot project on training for the local government employees on the issue of CVE in the city of Cerrrik and Bulqizë.[115]

4. Ministry of Education and Sports

According to the CVE strategy, educational programs constitute an important tool towards building community resilience and diminishing the threats of

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[111] Information received from Prime Minister’s office under Freedom of Information Law (on 13th of July 2018)


[113] Information received from Ministry of Health and Social Security under Freedom of Information Law (on 27th of July 2018)

[114] Ibid

[115] Ibid
radicalization and VE. The Strategy tasks the Ministry of Education with the role to guide the activities related to education, where teachers will have a primary role in implementing the objectives by targeting students, parents, and communities.[116] Until now the Ministry of Education has been involved only in one project targeting primary and high schools. Under the project “With Schools for more Secured Communities” 28 000 have been trained to be able to identify the early signs of radicalization and how to behave on such situations.[117]

5. Ministry of Internal Affairs

The Ministry of Internal Affairs plays an important role when it comes to ensuring safety and security for all citizens. Not much information and details are provided in the CVE Strategy about the role of Ministry of Internal Affairs stating that it “will oversee the information-sharing processes”. The Department of Public Security and Public Order Sectors in the Police Departments in the regions are the primary institutions dealing with violent extremism in the Ministry of Internal Affairs.[118] Public Order police departments are more active regarding the issue of public security and have the obligation to implement the Strategy and Action plan. Implementation by the State Police of the program "Fighting Violent Extremism through Community Policing" is one of the measures undertaken by the Police in the framework of the implementation of the CVE Strategy.[119] The Antiterrorism Directorate plays a secondary role regarding the implementation of the CVE Strategy.[120] The Antiterrorism Directorate has played a key role in investigating and initiating the arrest of 13 organizers in 2014 and also keeping close cooperation with regional partners involved.[121]

6. The Prosecution

Albanian authorities had no experience in responding to the FTFs challenge. Moreover, being unprepared and due to legal vacuum, the prosecution’s intervention was procrastinated. Furthermore, investigative authorities delayed the intervention because they were making efforts to collect solid evidence in order to support the charges.[122] Being the first case of such kind, investigative authorities were worried not to leave room for failure. This may have also been one of the reasons why the number of Albanians who left to fight in Syria reached the peak in 2013. It was in 2013 that the Albanian authorities started to take serious measures to address this problem through an increased engagement of the law enforcement agencies that was followed by amendments to the Criminal Code,
which criminalized participation in a war. The first operational intervention by prosecution was conducted in March 2014 when 8 persons were arrested.[123] Currently, Albanian investigative authorities (police and prosecution) are monitoring the returned and returning FTFs, however, measures will be taken only if it is assessed that there is criminal responsibility in certain cases.[124]

7. The Courts

Judicial institutions that can handle terrorist cases are a critical piece of the nation’s counterterrorism arsenal. The criminal justice system must be able to respond to activities connected to terrorism with a fair and effective investigation, prosecution, and punishment in case of violations. It took more than a decade after the adoption of the first article on terrorism for courts to hand down the first guilty verdict regarding terrorism in Albania.[125] On 17 March 2015 First Instance Court of Serious Crimes (the Court) started the judicial process against the 9 individuals accused of “recruiting persons for committing terrorist acts or financing terrorism”, “incitement, public appeal and propaganda for committing criminal acts with terrorist aims”, and “inciting hate or contention between nationalities, races and religions”.[126] The trial began almost after a year from the arrests made in the early morning of 11 March 2014. It took the prosecution and the investigative authorities one year preparations before sending the case to the court. The Court turned out to be a process of a total of 47 court hearings, filled with tensions and allegations. The Court was able to reach a final decision only in May 2016. The verdict of the Court was perceived by many as a signal of victory in the war against terrorism and violent extremism in the country.

During the ‘Imams’ Case,’ the court was faced with a new criminal phenomenon as ‘foreign violent jihadism’ which posed new challenges to the judiciary system in Albania. The Court was faced with the issue of religious sensitivity of the case and the need to preserve religious balances to avoid transmitting to the public inaccurate messages that the accused were convicted because of their religion.[127] Administering the investigations and hearings was another challenge faced by the judiciary, because the accused refused to recognize fundamental principles that are essential to a judicial process such as democracy, rule of law, obligation to be under investigation without prejudicing the principle of being innocent unless proven the contrary, right to fair trial etc.[128]

During the trial the defendants refused to recognize the procedural and material
law, refused to respect the solemnities of the Court and used to abandon the courtroom if their requests were refused by the trial panel.\[129\] During the hearings, the Court, apart from facing a lack of previous practice and jurisprudence in the field of terrorism and violent extremism, was also confronted with inadequate literature and a lack of expertise for some issues related to violent extremism. The Court had difficulties to decode the language used by accused in their religious talks and lacked the expertise to provide a technical and ideological analysis of certain terms such as \"selefizm\" or \"takfirism\".\[130\] The absence of this technical and ideological expertise puzzled the Court’s work in the effort to prove the charges on instigation of hatred. The decision of the First Instance Court of Serious Crimes was later appealed to the Appellate Court of Serious Crimes, which reduced the sentences with few years for five of the convicted.\[131\]

\[129\] Ibid
\[130\] Interview with Investigative Judge of Imams Case, (Tirana, 26 January 2018)
\[131\] Note that the decision of the Appeals Court is not final because some of the convicted have appealed the case to the Supreme Court; Decision no. 118, 30 November 2016, Appeals Court of Serious Crimes (<http://gjkr.gov.al/?crd=0,3,3,4,0,80>)
IV. Conclusions

The increased influence of rigid interpretations of Islam religious and extremist ideologies which have taken roots in the tumultuous religious and social environment of Albania in the last three decades will continue to pose a threat to Albanian’s religious coexistence and national security.

The FTFs crisis served to illustrate how the rise of home-grown radicalisation had gone unnoticed and how the overall Albania’s policy approach was ill prepared to face the evolving nature of the terrorists threat.

The current challenges include the handling of FTFs and the financing of terrorism, the prevention and the countering of radicalisation and extremist ideologies, reinforced border checks and illegal trafficking of firearms and light weapons. Furthermore, the government must manage to strike a balance between security concerns and fundamental human rights on compliance with the domestic legal system and international obligations.

Without coherent, inclusive, effective national strategy, the success in the fight against VEms will be questionable. Failure may ultimately not mean only the eventual suffering of casualties, but may also affect negatively Albania’s efforts to join the EU by contributing to the overall EU efforts.

As stated in the introduction, it is difficult to measure the effectiveness of Albania’s objectives on preventing CT and CVE. Yet through mapping policy approach – strategies, action plans – legal and administrative measures certain conclusions can be made that would serve to inform on the existing strategies, and the approaches needed in the design and implementation of the new strategies.

This research shows that Albania’s approach to CT and CVE has been fragmented, inconsistent and has suffered from the lack of adequate capacities and expertise of the institutions. It shows that the lines between these steps are blurred. Throughout the time collecting data and writing this study we did not came across any report conducted by the current government authorities analysing the terrorism threats, either a needs assessment report or study report measuring the impact and effectiveness of the CT measures taken so far.

It is essential for Albania, being on the verge of opening the EU integration negotiations, to carefully assess and implement a coherent, inclusive and effective
policy approach to CT and CVE. The fight against terrorism and VEm has been set as a priority objective for Albania in the country’s road toward EU integration process as was also reinforced recently in Sofia Summit, London Summit and by Council of EU on its decision regarding opening of integration negotiations.

The strategic approach is crucial for setting priorities, focusing energies and resources strengthen operations, ensuring that government actors and other stakeholders work on objectives that lead toward common goals, and ensuring assessment mechanism and adjust the institution’s directions in response to a changing environment.

In the future, policymakers need to carefully evaluate the factual situation, institutional capacities, financial resources, demands and political vulnerabilities. The drafters of the strategies should be conscious about institutional capabilities of the administration and challenges of field implementation because their disregard could make the policies unable to implement or create difficulties as it is happening with the current CVE Strategy.

Judicial response to terrorism and violent extremism has confronted Albanian prosecution and courts with the understanding of the need for improvements in the justice system in order to better react to such complex cases.
V. Recommendations

Based on this study the following recommendations can be drawn:

- The National Strategy on CVE should be revised to reflect the new political, institutional and context (field) developments that have changed since its adoption in 2015. The revision process should be inclusive with wide consultations with stakeholders.
- Detailed Action Plan of the CVE Strategy should be adopted that would include timeframes, budget, implementation (responsible) institution/s with clear mandates and accountability measures.
- The 2011-2015 Strategy is not even addressed in the 2014 National Security Strategy which itself includes fighting terrorism as a priority field. Therefore, policy makers in the future ought to carefully evaluate factual situation, institutional capacities and demands and political vulnerabilities.
- The Government should ensure the timely implementation of the CVE and CT Strategy.
- The implementation of the CVE and CT Strategy should be closely monitored and implementation should be evaluated.
- The Government should carefully assess the institutional demands on their efforts to fight terrorism and VEm, factual situation, stakeholder’s demands and political oversight.
- The government should ensure financial/material/technical support for the implementation of the activities related to CVE and CT.
- Government and law enforcement agencies expertise should be strengthened in order to prevent counter VEm and terrorism.
- While intervening, institutions must manage to strike a balance between security concerns and fundamental human rights on compliance with the domestic legal system and international obligations.
- Returned FTFs are an issue that requires actions and involvement of different actors and factors of the society including all state authorities (i.e. local government, academia, media, civil society, religious communities and police) in the front line while taking in consideration the National Strategy on the Fight Against Terrorism.
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