



# WORLD CONFERENCE ON SECURITY STUDIES

Milan, Italy

10-12 October 2024

## Foreign fighters. The criminalization of the involvement in military operations in a foreign state, as an important prevention measure. The case of Albania

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### Abstract

In 2013, Albania, as well as several other countries in the region, such as Kosovo, Bosnia and Herzegovina, Montenegro, North Macedonia, or Serbia, faced a dangerous phenomenon, where some of their citizens left the country, to join the fighting in Syria. In this period, the Albanian authorities found difficulties in handling, investigating and prosecuting these cases because there was a legal gap in the Criminal Code of the Republic of Albania, where there was no provision for the prohibition of the participation of Albanian citizens in violent actions or armed conflicts outside the territory of the Albanian state. In December 2013, the Prosecutor's Office for Serious Crimes of Albania registered a criminal proceeding, referred by the State Intelligence Service, because there was identified a group of people, who exceeded religious beliefs in the citizens, encouraging them to carry out various actions with terrorist purposes. This criminal proceeding is used as a case study in this article, as a method to understand more deeply the phenomenon, the reasons behind and the situation faced by the authorities. On the other hand, the paper aims to make a legal analysis of the Albanian criminal legislation in relation to the foreign fighters. The paper has reached some important conclusions about the impact of the measures taken for the criminalization of the involvement in the military operations of other states as a preventive instrument.

**Keywords:** criminal code, foreign fighters, preventive measure, terrorism

