

ASPECTS OF THE HAZARDOUS EFFECTS OF TERRORISM AND ORGANIZED CRIME AT INTERNATIONAL AND REGIONAL LEVEL

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The extremely serious events that changed the world (New York, Madrid, London) were generated and integrated approach to the new security concept according to which the global is threatened primarily by terrorism, as a side effect globalization. Through the irresponsible and unprecedented attacks, once again is confirmed the legalization of terrorist act on the common people, innocent, by which it aims to amplify the emotional states at national level but also of state authorities. The terrorism, as international crime, do not singular acts, but into connection with his other crimes or crimes committed in internal or international community, which can be identified in a large conceptual framework, the one of organized crime.

Keywords: terrorism; criminality; XXIst century; indissoluble connection; threats.

Not every criminal behavior that causes terror is an act of terrorism¹ as no any actions undertaken by united people in various groups reveals the organized crime². However, these two types of crime falls in the crime category, one for political purposes, and the other with financial and economic purposes, the difference of them being however fundamental at the level of objectives: terrorism wants to change the system, while the organized

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¹ Graham Evans, Jeffrey Newnham, *Dicționar de relații internaționale: englez-român / Dictionary for International Relations: English, Romanian*, Dalsi Universal Publishing, Bucharest, 2001, pp. 541-542 or: What is terrorism? Online: <http://www.terrorism-research.com/> accesed in 2012-01-18

² National Security Council, *International Crime Threat Assesment*, online: www.terrorism.com/documents/2006

crime have a profit³. However, to continue their illegal activities, both of them need money. In this regard, the political crime has used the violence, thing that it would not have done if it was financed. For the organized crime, the violence is not an objective itself but a means to achieve its aim, if she could carry out the affairs silently, would not resort to violence and, otherwise, this decreases when the criminals can make profits without any danger.

Organized crime is a major threat to the fundamental elements of democracy, which may create, based on the size and its area of expansion, an alternative political class, thereby placing in danger the social peace and the effective development of the country in which it manifests, development which is directly related to the very solidity of its security on multiple levels.

The international terrorism remains an extremely major challenge of our age. In addition to international terrorist networks has been extended to almost all parts of the planet, we should note improvement of strategies, tactics and weapons used by them. Particularly worrying is the prospect that the international terrorism to equip itself with items from the weapons of mass destruction arsenals. Into the local conflicts, these were multiplied at the turn of XX-XXI centuries. They accompanied the dissolution of the ex Yugoslavia Federation. And now, the international formulas applied in the Western Balkans (Kosovo and Bosnia-Herzegovina), without a real Euro-Atlantic integration, can affect the regional stability.

Terrorism and organized crime in the XXIst century

At the beginning of XXI century the terrorism is marked by the American tragedy from September 1, 2001 caused by the most feared and powerful terrorist organization of today.

Approaching the theoretical side of terrorism, is submitted, along with the anxiety that suggest such a danger, the birth of a dilemma arising from the Clausewitz definition according to which the war is the continuation of policy or the war is an end of policy.

The very serious events that "changed the world" (New York, Madrid, London) had generated and integrated approach to within the new security concept according to which the world security is threatened, primarily, by terrorism, as a side effect of globalization. Through the irresponsible and unprecedented attacks once again is confirmed "the legalization " of terrorist

³ G. Bică, A. Neagu, *Crima organizată și terorismul / Organised crime and terrorism*, Documentation and Information Bulletin no. 3 (86), M.A.I. Publishing House, Bucharest, 2008, p. 216. To see this regard and Florica Marin, *The financing of terrorism*. Links with organized crime, Criminal Law Review no. 4/2010, Bucharest, R.A. Official Monitor Publishing House.

act on the common people, innocent, through which is aims to amplify the emotional states at national level but also of state authorities.

The terrorism, as an international crime, does not single acts, but in connection with other crimes or crimes committed in connection with an internal or international community, which can be identified in a broad conceptual framework, the one of organized crime.

The element that approach the terrorism to organized crime, is the existence of an organized criminal group acting after the establishment previously of the roles to each subject of this group in the criminal activity.

Besides, considered from another point of view, as an indissoluble link, as the part to whole, the acts of terrorism being included within the wider and comprehensive concept of organized crime, these can be considered part of many ways / events with the largest effect of organized crime. The element that probably closest more the terrorism to organized crime is *the acquisition of indispensable funds to design, organize and complete of the criminal activity*. Thus by drug trafficking, weapons, through money laundering, through human trafficking, smuggling of migrants, through diversion of aircraft for ransom, the assassinations, kidnappings, robberies, the financial and economic crime and cyber-crime⁴ to the detriment of public or private agents from a state, through illicit operations to the detriment of the banking system, currency counterfeiting, identity fraud or smuggling community, as well as similar, even mafia, are extorted and obtained funds which then are invested in the organization of activities and terrorist acts⁵.

This subchapter is intended to be approach among other things the idea that the media is "accomplice" of terrorists, because it is echo chambers for terrorist acts, these echoes could cause a "contagion" phenomenon in public. One formulation of this concept, says Joseph Băraru in the paper: "The crimes of terrorism" is in the famous statement by former Prime Minister of Great Britain, Margaret Thatcher, namely: "terrorists feeds from media advertising." It might be having justice ? If we look at logically the development of actions that must be implementing the terrorist act as well as its preceding ones, we realize that through the terrorist acts is generating emotional states with serious implications for interpretation procedures, evaluation, documentation

⁴ Florin Postolache, Mihaela Postolache, Current and ongoing internet crime trends and techniques. Preventive and legislation measures in Romania, The 5th International Conference „European Integration- Realities and Perspectives”, EIRP 2010, Danubius University Galați, <http://journals.univ-danubius.ro/index.php/eirp/index>

⁵ Dumitru Virgil Diaconu, *Terorismul: Repere juridice și istorice / The terrorism: Legal and Historical Landmarks*, All Beck Publishing House, Bucharest, 2004, p 150

of nature terrorist acts. Thus, each actor, mass media and terrorist act is based on mutual benefit⁶, or directly says, the initiators of terrorism legitimizes their actions through the media.

In Romania, the media consumer, eager for dramatic, there is only a small degree educated in anti-crime, and the reaction is based on instinct or adventurous spirit.

The link between terrorism and organized crime, which includes drug trafficking, is highlighted later in the Security Council Resolution No 1373/2001 on combating international terrorism, in which in paragraph 4 "It is noted with concern the close connection between the international terrorism and organized crime at a transnational level, illicit trafficking in drugs, money laundering operations, illegal weapons, illegal transportation of nuclear, chemical, biological and other materials potentially lethal", highlighting "the need to strengthen the efforts coordination at the national, under-regional, regional and international levels in order to enhance the international reaction to this serious threat to international security"⁷.

The connection between terrorism and organized crime - either national or international - is so close that often border between the two criminal activities is difficult to establish. This difficulty increases as a consequence of that often the same organization carries out specific activities of organized crime and terrorist activities.

However, in order to operate such a tiebreaker is necessary to consider the whole elements of the crimes, with the goals they pursue. Thus, through the criminal act is intended to generate a profit, which may result in material or other nature benefits toward which he tends criminal activity either directly or indirectly. Terrorist act envisages a political purpose, aiming at changing or influencing the social system through policies which targeting in particular the system. Also, in terrorist act, the terror can be considered the main goal, being the dominant element, the substance of the terrorist act. In the criminal act is followed only the outcome of the crime which sometimes through the ways of its deployment, can generate by itself a certain terror but with a lower intensity in terms of scope and impact on the community.

Referring to another form of terrorism reflection, namely the phenomenon of ethnic separatism, it has risen in several areas: Transnistria, Chechnya, Abkhazia, South Ossetia, Nagorno-Karabakh, South-eastern regions of Turkey, Northern Cyprus, Balochistan, North-eastern states of India, the southern

⁶ Isabelle Marrou-Garcin, *Media vs. Terrorism*, Tritonic Publishing, Bucharest, 2001, cited by Iosif Bararu in the monography: "Infracțiunile de terorism: Legislație și procedură penală" / Terrorist offenses: Law and Criminal Procedure, Legal Publishing House, Bucharest, 2010, p 10.

⁷ Security Council – S/Res/1373(2001)

provinces of Thailand, Aceh province in Indonesia, Sri Lanka Tamil areas, eastern Democratic Republic of Congo, Sudan's Darfur province etc. There are examples of murderous actions of territorial ethnic separatism⁸.

Terrorism in its many forms is difficult to predict and ruled, while organized crime appear to constitute a vast and highly complex phenomenon. The legal framework for cooperation in combating organized crime and terrorism in the Black Sea Economic Cooperation Organization (BSEC), the economic cooperation organization most representative and most developed in terms of institutional representation, on a geographic area of 20 million square kilometers (the Black Sea countries, the Balkans and Caucasus), which provides the basis for strengthening practical cooperation between the competent authorities of Member States in combating these risks asymmetric⁹.

In one of his papers, Clark L. Staten describe the terrorists such as natural microorganisms which experiencing natural changes to acquire resistance to adverse conditions in which they live. The aim of terrorists through their continuous transformation is to find new ways to more effectively design their force against civilians, and, not least, to survive¹⁰.

In other words, according to assessments of C. Jura, *the main transformation that can be seen in the international terrorism is a shifting of terrorist motivation. This move is based on the other changes of terrorist phenomenon in the last years. It is about changing the structure of terrorist organizations, but also the change in the operational level, with serious consequences for the effects of terrorist attacks*¹¹.

The most dangerous present threat is considered the terrorist threat. The statement seems circumstantial, because, as you well know, not terrorism produces most of the victims, but hunger, poverty and malnutrition. However, terrorism deserves its grade of major threat right next to nuclear weapons, weapons of mass destruction, because of some particularly important features: unpredictability and astonishment, violence, cruelty; action in mosaic, complex character.

⁸ Maria Postevka, *Politică și Energie în EST : Cazul Ucrainei / Politics and Energy in the East: The Case of Ukraine*, Top Form House, Bucharest, 2010. p 20

⁹ Mihaela Postolache et. al., *The presence of North Atlantic Treaty Organization in the Extended Black Sea Region - Realities and perspectives*. Kuala Lumpur, Malaysia, 2011.

¹⁰ Clark L. Staten, *Asymetric Warfare, the Evolution and Devolution of Terrorism*; Emergency Response & Research Institute, SPECIAL REPORT Part 1 and 2, Risk Assessment Services, Chicago, Monday, 27 April, vol. 1 – 003, 1998 Online : http://emergencynet-news.com/pdf/assymetric_warfare98.pdf

¹¹ Cristian Jura, *Terorismul internațional. / The international terrorism*. All Beck Publishing Bucharest, 2004, p. 3.

Conclusions and proposals

We suggest:

- the identification of conditions leading to the spread of terrorism by improving national and international programs conflict prevention, negotiation, mediation, conciliation, maintaining and building peace.
- the granting of important initiatives that promotes inter-religious and intercultural tolerance, reducing the exclusion of vulnerable groups such as youth, and which promote the social inclusion.
- the United Nations member states should consider the needs of the victims of terrorism by the adoption of support systems at national and regional level.
- the initiation or further of states actions to prevent the terrorist access to resources and to protect certain vulnerable targets.

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