

# EUROPEAN LEGAL STANDARDS FOR THE SUPPRESSION OF INTERNATIONAL TERRORISM

**Duško Dimitrijević, PhD<sup>1</sup>**

Institute of International Politics and Economics, Belgrade, Serbia

**Abstract:** The subject study contains an analytical overview of the most important legal acts on the suppression of terrorism adopted under the auspices of European regional organizations - the Council of Europe and the European Union. These acts essentially complement the United Nations legal framework, which aims to contribute to the universal fight against terrorism as an international crime that threatens international peace and security. Hence, in contemporary international relations, European countries have accepted the obligation to cooperate with each other in taking preventive and prohibitive measures and actions in the fight against international terrorism. Given that there are general standards in assisting in the detection, extradition, prosecution and punishment of perpetrators of terrorist acts, Serbia, as a candidate country for membership of the European Union, is obliged to harmonize its internal legislation with European legal standards for the suppression of international terrorism. This is due to the fact that Serbia through this process demonstrates its ability to engage in dialogue with all EU Member States on the implementation of the objectives of its Common Foreign and Security Policy, as well as on the fulfilment of the obligations arising from the pre-accession Chapter 24 concerning the harmonization of the domestic legal and institutional system with European standards in the area of freedom, justice and security.

**Keywords:** Combating Terrorism, Council of Europe, European Union, Serbia, Common Foreign and Security Policy.

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<sup>1</sup> dimitrijevic@diplomacy.bg.ac.rs

## A FEW INTRODUCTORY REMARKS ON TERRORISM

In the international community for decades, there has been a failed debate about the essential determinations of the international crime of terrorism. The fight against this international crime has begun under the auspices of the League of Nations. Unfortunately, due to the lack of ratifications and the outbreak of the Second World War, the 1937 Convention on the Prevention and Punishment of Terrorism of the League of Nations has never entered into force (*League of Nations Official Journal*, 1938; Hudson, 1972: 862; Franck & Lockwood, 1974). After the Second World War, several anti-terrorist conventions were passed under the auspices of the United Nations. However, the international community has not reached an agreement on one general definition of terrorism due to the ideological breakdown between developed and developing countries. The main obstacle was his “chameleon nature”, that is, in the fact that terrorism appeared in a large number of forms that, depending on the circumstances, could have represented various types of international crimes - from war and crimes against humanity to a separate international crime (Dinstein, 1989; Cassese, 2003; Saul, 2008). The important distinction that separated terrorist acts from other international crimes was the fact that those acts were incriminated in most of the national legal systems, and then that they dealt with the most serious crimes such as murder, kidnapping, hostage taking, bombardment, torture, as well as other severe forms of torture directed against a certain group of persons, States, and even international organizations with the aim of provoking general fear and uncertainty. Unlike purely political crimes that were motivated by political reasons and which, by their very nature, have exclusively political goals, terrorist acts as extremely serious and severe acts of violence could have been motivated not only by political but also religious and other ideological reasons, for which they had to be treated differently by international law (for example, in the past, acts of “freedom fighters”, that is, various categories of national liberation movements that fought for the realization of the right of the people to self-determination were interpreted differently) (Reisman et al., 2004: 262; Aust, 2010: 266; Hudson, 2014: 19). It was therefore considered that no agreement on the definition of terrorism could be achieved until the historical, social, political and economic causes on which this crime was based had previously been eliminated (Cassese, 1989). Neither the attempts made in the negotiations in the adoption of the Statute of the International Criminal Court that international terrorism included in the crimes falling under its jurisdiction also did not lead to positive results, due to the lack of consensus on its definition. For political reasons, terrorism is not included in the jurisdiction of this, or other international courts (Guillaume, 2004: 541). Namely, it is still considered that it is most effective to persecute perpetrators of terrorist acts at the national level, and in the event of the need for concerted action by more States at the regional level. A positive international legal order that regulates the problem of combating international terrorism is reflected in numerous multilateral

international treaties. International treaties are in most cases concluded under the auspices of the United Nations or under the auspices of significant regional organizations. (Dimitrijević, D. 2016: 61-78). However, even though these international instruments have a “sectoral” approach in regulating specific aspects of terrorism, in most cases they prescribe the universal jurisdiction of States in terms of the prosecution of perpetrators of terrorist acts found on their territory (Higgins, 1994). In other words, the instruments are applied irrespective of the fact on which territory the terrorist act is committed, regardless of the nationality of the perpetrator and the motives were decisive in the execution of this incriminating act (Lambert, 1990, p. 234).

## EUROPEAN LEGAL FRAMEWORK ON THE SUPPRESSION OF TERRORISM

### European Council in fight against terrorism

The Council of Europe’s activities in the fight against terrorism are, *inter alia*, based on the strengthening of legal action against terrorism, which should lead to the elimination of its causes. Under his auspices, a number of legally relevant acts were adopted. Our analysis is therefore limited to those most important conventions:

1. European Convention on the Suppression of Terrorism, Council of Europe of 1977, adopted in Strasbourg (E.T.S. 90), supplemented by the 2003 Protocol (E.T.S. 190);
2. The Convention on Laundering, Search, Seizure and Confiscation of Proceedings from Crime adopted in Strasbourg in 1990 (E.T.S. 141);
3. The Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism adopted in Warsaw in 2005 (E.T.S.198);
4. The Convention on the Prevention of Terrorism adopted in Warsaw in 2005 (E.T.S.196).

All of these Conventions aim to strengthen the fight against terrorism on the national and international levels through enhanced cooperation among States. Thus, the 1977 European Convention on the Suppression of Terrorism, as well as its Additional Protocol of 2003, focuses on the punishment of acts of terrorism (their perpetrators, accomplices, organizers, etc.) (Jovašević, 2017: 318). The Convention confirms the conviction of the States that extradition, i.e. the extradition of persons considered to be the perpetrators of these acts as an effective means of achieving this goal. According to the Convention, legal assistance between States cannot be refused solely because the perpetrator’s work relates to a political criminal offense or a criminal offense related to political offenses or a criminal act inspired by political motives. The Convention and the Additional

Protocol emphasize the duty of extradition for acts covered by universal legal instruments of the UN, namely: The Convention on Offences and Certain Other Acts Committed On board Aircraft (*Aircraft Convention*) adopted at Tokyo 1963 (UN Treaty Series, 1963); The Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Civil Aviation Convention) adopted at Montreal 1971 (UN Treaty Series, 1963); The Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation from 1988 (UN Treaty Series, 1990); The Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons including Diplomatic Agents (*Diplomatic Agents Convention*), adopted in 1973 (UN Treaty Series, 1973); The Convention on the Physical Protection of Nuclear Material (*Nuclear Materials Convention*), adopted in Vienna in 1988 (UN Treaty Series, 1980); The Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (*Maritime Convention*) adopted at Rome 1988 (UN Treaty Series, 1988); The Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (*Fixed Platform Protocol*) (UN Treaty Series, 1988); The International Convention for the Suppression of Terrorist Bombings (*Terrorist Bombing Convention*) adopted in New York in 1997 (UN Doc. A/RES/52/164); The International Convention for the Suppression of the Financing of Terrorism (*Terrorist Financing Convention*) adopted in New York in 1999 (UN Doc. A/RES/54/109). If the States Parties do not have bilateral agreements on extradition and provision of legal assistance, they may treat this Convention as the legal basis for the extradition of persons accused of having committed, tried, coerced or organized crimes that constitute an attack on the life, physical integrity or liberty of a person entitled to international protection or diplomatic personnel, and also criminal offenses involving abductions, hostage taking, arbitrary deprivation of liberty, use of bombs, missiles, grenades and automatic weapons and explosives. In that sense, the Convention also provides for certain restrictions on the extradition of persons considered to be prosecuted and punished for racial, religious or political reasons, or because of the fact that the condition of such a person would be difficult (for example, if it were subjected drastic torture, life imprisonment without the right to pardon or the death penalty). In this regard, the Convention with the Additional Protocol is on the line of solutions contained in the European Convention on Human Rights. The principle of protecting the rights of persons accused of having committed terrorist acts is hereby confirmed. States generally reserve the right to lay down certain reserves that will apply on a case-by-case basis, which they can withdraw in whole or in part by sending a Statement to the Secretary General of the Council of Europe. Thus, each State Party may, when accepting the Convention, limit its application to a specific part of its territory, as it may extend its application by withdrawal of the reserve. In addition, States Parties may express their reservations when filing a ratification instrument relating to the extradition of the perpetrators of terrorism if they find that it is a criminal offense that is politically motivated. Refusal of extradition is conditioned by the obligation to consider and assess the nature of the offense as

well as its severity (for example, does the crime constitute a collective danger, whether it is damaged persons who are not related to the motives from which the offense was committed or whether they terrorist act used cruel or perfidious methods. The implementation of the Convention is in practice supervised by the European Committee on Criminal Matters. In the event of a dispute over interpretation and application, the Convention provides for an arbitration procedure. The arbitration body in these cases shall be formed from the representatives of the States in dispute who elect the third arbitrator. In case of opposing views on the selection of a third arbitrator, the President of the European Court of Human Rights makes a decision. Otherwise, decisions made by arbitration by a simple majority are final for the parties to the dispute. It follows that the Convention with the Additional Protocol was of great importance for the development of European law in the field of the fight against terrorism (Bodrožić, 2016: 212.)

The Convention on Laundering, Search, Seizure and Confiscation of Proceeds from Crime of 1990, adopts minimum standards for the establishment of international cooperation in the investigation, search and seizure of profits, which are essentially considered measures to combat various forms of organized crime. The next Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism from 2005 expands the scope of incrimination and terrorist acts related to organized crime.

With the Convention on the Prevention of Terrorism of 2005, the Council of Europe has legally synchronized the measures that Member States should take in the fight against terrorism. The Convention focuses on the suppression of terrorism and its negative consequences in relation to the overall enjoyment of human rights, and in particular, the right to life. The States Parties have undertaken to take appropriate measures at the national and international levels, while respecting international obligations accepted by international treaties. Special emphasis is placed on national policies where States provide for special training measures for members of law enforcement bodies and other bodies, as well as conditions in the fields of education, culture, information and the media. In addition to these obligations, States are obliged to exchange information, improve the physical protection of persons and facilities, strengthen training and contingency plans and promote tolerance by fostering inter-confessional and intercultural dialogue. In addition, States are obliged to strengthen and promote public awareness of the causes and seriousness of the threats that constitute the crimes of terrorism and other acts listed in this Convention. The Convention specifically incriminates public provocation, recruitment and training for the purpose of committing terrorist acts (Kolarić, 2013: 54-55). These crimes are characterized by a specific intent that must be proven in each specific case. However, for the existence of the criminal offense itself, it is not necessary that the criminal offense of terrorism to which a person is publicly promoted, for which it is recruited or trained, is actually and done. States Parties are obliged to incorporate into their legislation the solutions to sanction these offenses, in particular their attempt, complicity, organization and deliberate contribution to the execution of one or more of

these acts. It is significant that the Convention adopts additional criteria for the liability of legal persons for the aforementioned criminal offenses, and in that sense prescribes the obligation of harmonization of internal law (criminal, civil and administrative). Penalties for those acts at the national level should reflect the principles of effectiveness, proportionality and prevention. According to the Convention, victims should primarily be financially compensated by the States in whose territories terrorist acts were committed. Means of achieving satisfaction may be covered by specific national programs adopted in accordance with national legislation. This equation of criminal law regulation in the fight against terrorism allows for more effective international legal assistance in criminal matters, as well as more effective extradition mechanisms, which is best reflected in the provisions of the Convention, in which, in the absence of international treaty solutions and adequate solutions in domestic legislation, the Convention itself may supersede the legal basis for the extradition of perpetrators of terrorist acts and terrorist acts related to terrorism.

### European Union in fight against terrorism

Terrorist acts represent the most serious forms of violation of the universal values of human dignity, freedom, equality and solidarity and the enjoyment of human rights and fundamental freedoms. In view of this fact, the European Union, as a supranational organization, based on human rights ideas, has worked continuously to strengthen cooperation in criminal and security matters. It also adopted a number of legal acts in order to suppress international terrorism. As the terrorist acts changed over time, the European Union also gradually changed, abolished and supplemented earlier legal acts aimed at improving the fight against terrorism. This was for the purpose of eliminating any negative consequences of terrorist acts directed against democracy, the rule of law and values that are common to all member States. Due to methodological reasons, the author devoted special attention to the following legal acts of the European Union:

1. Council Framework Decision of 13 June 2002 on combating terrorism, 2002/475/JHA (Official Journal of the European Communities, L 164);
2. Council Framework Decision 2008/919/JHA of 28 November 2008 amending Framework Decision 2002/475/JHA on combating terrorism (Official Journal of the European Communities, L 330/21);
3. Council Decision 2005/671/JHA of 20 September 2005 on the exchange of information and cooperation concerning terrorist offences (Official Journal of the European Communities, L 253/22);
4. Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA (Official Journal of the European Communities, L 88/6);

5. Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (Official Journal of the European Communities, L 309);

6. Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (Official Journal of the European Communities, L 141/73);

7. Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (Official Journal of the European Communities, L156/43);

8. Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism (Official Journal of the European Communities, L 344);

9. Council Regulation (EU) 2016/1710 of 27 September 2016 amending Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism ("Official Journal of the European Communities, LI 259/1).

The aforementioned legal regulation of the European Union represents a legal framework for generally acceptable legal solutions in the fight against international terrorism. The determination of the criminal offense of terrorism and related crimes is aimed at harmonizing national legislation of the Member States and the legislation of candidate States for accession to the European Union, such as the Republic of Serbia. In this respect, in the next part of our work, the author will focus on the analysis of the basic concepts and categories that are covered by the legal regulations of the European Union.

The Council Framework Decision of 13 June 2002 on combating terrorism, 2002/475 / JHA, defines terrorist acts as acts that can cause serious harm to the State or international organization and are carried out with the intent of serious intimidation of the population, in order to apply coercion to the government or international organization as well as for serious destabilization or destruction of the basic political, constitutional, economic or social structures of a country or an international organization. Terrorist acts include crimes committed to life, physical integrity or freedom. They may include acts carried out by abduction or taking hostages, the destruction of State or public facilities, traffic systems, infrastructures including information systems, fixed platforms located in the epicontinental zone, abduction of aircraft, ship or other means of public transport or transport of goods, production, possession, the supply, transportation, supply or use of nuclear, biological, chemical or other weapons, explosives, nuclear or

radioactive materials or devices, or the research and development of nuclear, biological or chemical weapons, the release of hazardous substances, fires, floods or explosions that could endanger the lives of people, interrupting or discontinuing water supply, electricity, or other basic natural resources that could endanger people's lives. The threat of doing one of the aforementioned acts is covered by this incrimination as well. The Framework Decision of the Council of the European Union also defines criminal acts related to terrorist acts such as acts of serious theft, forgery and extortion.

With the Council Framework Decision 2008/919 / JHA of 28 November 2008 amending the Framework Decision 2002/475 / JHA on combating terrorism, the existing list of accompanying criminal offenses has been extended to public incitement to commit terrorist acts, recruitment and training for the commission of terrorist acts. Public incitement to commit terrorist acts involves the distribution, or otherwise making available to the public of messages, in order to encourage the commission of a terrorist act, regardless of whether or not the offense is committed. Recruitment for terrorism signifies the search of other persons who will commit an act that constitutes a criminal offense of terrorism. Terrorism training means the delivery of instructions for the manufacture or use of explosives, weapons or harmful and dangerous substances, or the giving of instances of specific methods or techniques in the intent of committing a terrorist act. An incriminated act appears to be intended to be used exclusively for these purposes. Hence, terrorism-related offenses can lead to the commission of serious terrorist acts by terrorists or terrorist groups, which largely justify the incrimination of such behaviour.

After the terrorist attack in New York and Pennsylvania on September 11, 2001, a global "war on terrorism" has been considered (Dimitrijević, V. 2004: 80). The European Union, as the most important supranational organization on the European continent, brought about a series of measures that emphasized the importance of a common fight against terrorism in all its forms. Thus, for example, the European Council adopted Decision 2005/671/JHA of 20 September 2005 on the exchange of information and cooperation concerning terrorist offences. The decision regulates cooperation between operational services responsible for the fight against terrorism: the European Police Office (*Europol*), the European Union's Judicial Cooperation Unit (*Eurojust*), the intelligence services, the police forces and the judicial bodies. Starting in principle from the respect of human rights and fundamental freedoms, the Decision extends the cooperation of the Member States to the exchange of information at all stages of the criminal proceedings. Each Member State has an obligation to establish a special body or service and take appropriate measures in order to collect and distribute the necessary information. Delivery of information appears in accordance with domestic law and international standards. As Member States cannot independently achieve appropriate results in this plan, the European Union may adopt measures on the basis of the principles of subsidiarity and proportionality to achieve the objectives set out in this Decision.

Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on Combating Terrorism and replacing Council Framework Decision 2002/475 / JHA and amending Council Decision 2005/671 / JHA, defines minimum rules concerning the definition of terrorism and sanctions for these crimes are related to terrorist groups and terrorist activities. In this respect, the Directive shows the real State and the existence of a new category of terrorists called: foreign terrorist fighters, who go abroad to commit terrorist acts. Starting from the development of terrorist threats, this Directive points to the need for a new definition of terrorist acts at European Union level, then related to terrorist groups and criminal offenses related to terrorist activities. According to the Directive, this would additionally approximate the behaviour of Member States in relation to acts related to foreign terrorist fighters and to acts related to the financing of terrorism. These forms of behaviour should be sanctioned if they are made *via* the Internet and through public media. The Directive contains an exhaustive list of terrorist offenses such as an attack on life, deliberate acts that can be classified as terrorism when they are committed with a specific terrorist target. In this sense, terrorist acts could be directed at intimidating the population or by unlawfully forcing governments or international organizations to act or omission that could be aimed at seriously destabilizing or destroying the political, constitutional, economic and social systems. Criminal offenses not specified on the list shall not be considered as terrorist acts under this Directive. Otherwise, the Directive has extended the meaning of the offending criminal offenses. Hence, public incitement to commit terrorist acts includes the glorification and justification of terrorism or the spread of messages or images on the Internet and beyond, *inter alia* those related to victims of terrorism, in order to receive help for terrorist ideas or serious intimidation of the population. Such conduct should be punishable when it causes the danger that the terrorist acts might be committed, which in each particular case is assessed and considered in the light of the particular circumstances of the case and the context in which the offense was committed. Recruitment under the Directive includes the attendance of training for terrorist acts. Training means acquiring knowledge and practical skills, as well as obtaining information with the intention of conducting terrorism. Self-study, *inter alia via* the Internet or the use of teaching documentation, could also be considered as attending training if, as a result, it arises with the intention of committing terrorist acts. The Directive also introduces a novelty such as that relating to the incrimination of travel abroad for the purpose of committing terrorism. In this regard, preparatory actions are especially incriminating, which may include planning and association for the execution of terrorist acts. Also, special incrimination is also provided for helping to organize trips abroad and to attempt to travel for the stated purpose. The Directive emphasizes the need for the exchange of information collected by the competent authorities and bodies of the Member States for the purpose of conducting criminal proceedings in relation to individual and group perpetrators of terrorist activities. Under the “criminal procedure”, all stages of the proceedings shall be considered as from the moment when a per-

son is suspected or accused of committing a criminal offense until the moment when the judgment becomes final. The directive defines the “terrorist group” as an organized group with more than two persons organized to act for a longer period of time for the commission of criminal acts of terrorism. In other words, the Directive prescribes the obligation of member States to sanction acts related to terrorist groups, such as: conducting a terrorist group and participating in its terrorist activities, among others, in the collection of information or material resources necessary to finance its activities in any way, aware of the fact that such participation may contribute to its criminal activities. In line with such a solution, the Directive reaffirms the earlier adopted Directive 2005/60 / EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of purifying money and financing of terrorism (Third Directive ) and Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purpose of piracy or financing of terrorism, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60 / EC of the European Parliament and of the Council Directive 2006/70 / EC (Fourth Directive), which establishes common rules on the prevention of the use of the European Union financial system for money laundering or terrorist financing. It also addresses the decisions adopted in Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism committed to the implementation of Common Foreign and Security Policy (CFSP). From this Regulation and the supplementary legislative acts adopted in the following period, first of all the amendments contained in Council Regulation (EU) 2016/1710 of 27 September 2016 amending Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending the Directive (EU) 2015/849 on the prevention of the use of the financial system for the purpose of purifying money or terrorist financing, and in the amending Directives 2009/138 / EC and 2013/36 / EU (Fifth Directive), there is a clear intention to introduce special measures to prevent the implementation of new forms of terrorist acts and the financing of terrorism in the territory of the European Union. (Dimitrijević, D. 2015: 167-178). The said solutions are in some way extorted, since the latest terrorist attacks have indicated the emergence of new trends regarding the way terrorist groups finance and carry out terrorist acts. Technological advances have led to the emergence of alternative financial systems and virtual (crypto) currencies that, with the connection of organized crime and terrorism, have remained beyond the reach of national jurisdictions, which in itself represents a new security threat not only for EU Member States, but for the third States. In order to keep pace with the changing trends, the Fifth Directive elaborated precise rules for taking additional measures needed to achieve greater transparency in the financial transactions of companies and all other legal entities as well as trusts and other legal entities that function equally (so-called “similar

legal arrangements”), with the aim of improving the existing legal framework and more effectively combating terrorism financing. According to the Fifth Directive, it would also be important for States to take into account the application of the principle of proportionality in relation to existing security risks when undertaking additional measures.

## CONCLUSION

The paper analyzes some of the most important legal instruments adopted under the auspices of the Council of Europe and the European Union. These instruments essentially complement international legal instruments adopted under the auspices of the United Nations, which aim to contribute to the universal fight against terrorism. In that sense, all the countries of these regional European organizations are obliged to cooperate in taking preventive and prohibitive measures against terrorism (Račić, 2015: 357). Given that there are general European legal standards for suppression of terrorism, Serbia, as a candidate country for admission to the European Union, is obliged to harmonize its internal legislation with European law. This is because Serbia through this process shows its ability to engage in dialogue with all EU Member States on the implementation of the objectives of the Common Foreign and Security Policy. This is because Serbia through this process shows its ability to engage in dialogue with all EU member states on the implementation of the objectives of the Common Foreign and Security Policy, as well as the obligations arising from the Accession Chapter 24 concerning the harmonization of the domestic legal and institutional system with the European standards in the area of freedom, justice and security. Security is the central issue that is being discussed in the process of accession to the European Union, so Serbia has a duty to gradually align itself with the European Union’s attitudes to the application of measures to prevent the financing of terrorist acts. This is especially important if we have in mind our policy towards Kosovo and Metohija where there is recorded activity of various terrorist groups. Therefore, the European Union rightly expects Serbia to support the Common Foreign and Security Policy through the application of adequate measures against persons and organized criminal groups who are seriously suspected of terrorism. Serbia is bound by internal legislation and concluded international treaties and conventions, as well as a medium-term political program set out in the National Strategy for the Fight against Money Laundering and Financing of Terrorism, adopted by the Serbian Government on 12 October 2017. (Dimitrijević, D. 2018: 156-174)

## REFERENCES

1. Aust, A. (2010). *Handbook of International Law*, Cambridge, University Press, 2010.
2. Bodrožić, I. (2016), „Terorizam kao krivično delo u dokumentima međunarodnih organizacija”, *Journal of Criminalistics and Law*, 1(1), 212.
3. Cassese, A. (1989). *Terrorism, Politics and Law – The Achille Lauro Affair*, Oxford, Polity Press.
4. Cassese, A. (2005). *International Criminal Law*, Oxford, University Press, 2003.
5. Commission Directive 2006/70/EC of 1 August 2006 laying down implementing measures for Directive 2005/60/EC of the European Parliament and of the Council as regards the definition of politically exposed person and the technical criteria for simplified customer due diligence procedures and for exemption on grounds of a financial activity conducted on an occasional or very limited basis, *Official Journal of the European Communities*, L 214, 04.08.2006.
6. Convention for the Prevention and Punishment of Terrorism, *League of Nations Official Journal*, 1938, 19.
7. Convention on Laundering, Search, Seizure and Confiscation of Proceedings from Crime, 8 November, 1990, E.T.S. 141.
8. Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, 16 May 2005, Council of Europe, E.T.S.198.
9. Convention on the Prevention of Terrorism, 16 May, 2005, Council of Europe, E.T.S.196.
10. Council Decision 2005/671/JHA of 20 September 2005 on the exchange of information and cooperation concerning terrorist offences, *Official Journal of the European Communities*, L 253/22, 29.09.2005.
11. Council Framework Decision 2008/919/JHA of 28 November 2008 amending Framework Decision 2002/475/JHA on combating terrorism, *Official Journal of the European Communities*, L 330/21, 09.12.2008.
12. Council Framework Decision of 13 June 2002 on combating terrorism, 2002/475/JHA“, *Official Journal of the European Communities*, L 164, 22.06.2002.
13. Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism, *Official Journal of the European Communities*, L 344, 28.12.2001.
14. Council Regulation (EU) 2016/1710 of 27 September 2016 amending Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism, *Official Journal of the European Communities*, LI 259/1 , 27.9.2016.

15. Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC, *Official Journal*, L 141/73, 5.08.2015.
16. Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA, *Official Journal of the European Communities*, L 88/6, 31.03.2017.
17. Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU, *Official Journal of the European Communities*, L156/43, 19.06.2018.
18. Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing, *Official Journal of the European Communities*, L 309, 25.11.2005.
19. Dimitrijević, V. (2004). „Terorizam i ljudska prava”, *Godišnjak Udruženja za međunarodno pravo SCG*, 80.
20. Dimitrijević, D. (2015). „Restriktivne mere protiv finansiranja terorizma kao deo Zajedničke spoljne i bezbednosne politike politike EU”, u: *Suprotstavljanje savremenim oblicima kriminaliteta, analiza stanja, evropski standardi i mere za unapređenje*, Beograd, Službeni glasnik.
21. Dimitrijević, D. (2016). „Prohibition of terrorism in international legal practice“, in: Dragana Kolarić (ed), *International scientific conference “Archibald Reiss Days”, Thematic proceedings of the Academy of Criminalistic and Police Studies*, (pp. 61-78), Belgrade, Pekograf.
22. Dimitrijević, D. (2018). „Evropski pravni okviri za suzbijanje međunarodnog terorizma”, *Evropsko zakonodavstvo*, (64), 156-174.
23. Dinstein, Y. (1989). “Terrorism as an International Crime”, *Israel Yearbook on Human Rights*, 1989, 19, 55.
24. European Convention on the Suppression of Terrorism, Council of Europe, 27 January, 1977, E.T.S. 90.
25. Franck, T.M & Lockwood, B.B. (1974). “Preliminary Thoughts towards an International Convention on Terrorism”, *American Journal of International Law*, 68, 69–70.
26. Guillaume, G. (2004). “Terrorism and International Law”, *ICLQ*, 53, 537-548.
27. Higgins, R. (1994). *Problems & Process: International Law and How We Use It*, Oxford, University Press.

28. Hudson, M.O. (1972). *International Legislation*, New York, Oceana Publication, 7, 862.
29. Hudson, R. (1999). "The Sociology and Psychology of Terrorism: Who becomes a terrorist and why?", *A Report Prepared under an Interagency Agreement by the Federal Research Division*, Washington, Library of Congress.
30. Jovašević, D. (2017), „Krivična dela terorizma – evropski standardi i pravo Republike Srbije”, *Vojno delo*, 1, 318.
31. Kolarić, D. (2013). „Nova koncepcija krivičnih dela terorizma u Krivičnom zakoniku Republike Srbije”, *Crimen*, 2013, (1), 54-55.
32. Lambert, J.J. (1990). *Terrorism and Hostages in International Law*, Cambridge, Grotius Publications..
33. Protocol amending the European Convention for the Suppression of Terrorism, Council of Europe. 27 January, 1977. E.T.S. 190.
34. Račić, O. (2015). *Međunarodno pravo: stvarnost i iluzije*, Beograd, Službeni glasnik.
35. Reisman, W.M., Arsanjani, M.H., Westerman, G.S., Wiessner, S. (2004). *International Law in Contemporary Perspective*, New York, Foundation Press.
36. Saul, B. (2008). "Reasons for Defining and Criminalizing 'Terrorism' in International Law", *Legal Studies Research Paper*, 8(121), 208.
37. The Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Civil Aviation Convention), *United Nations Treaty Series*, 1971, 974.
38. The Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (*Maritime Convention*), *United Nations Treaty Series*, 1988, 1678.
39. The Convention on Offences and Certain Other Acts Committed On board Aircraft (*Aircraft Convention*), *United Nations Treaty Series*, 1963, 704.
40. The Convention on the Physical Protection of Nuclear Material (*Nuclear Materials Convention*), *United Nations Treaty Series*, 1980, 1456.
41. The Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons including Diplomatic Agents (*Diplomatic Agents Convention*), *United Nations Treaty Series*, 1973, 1035.
42. The International Convention for the Suppression of Terrorist Bombings (*Terrorist Bombing Convention*), UN Doc. A/RES/52/164, Annex.
43. The International Convention for the Suppression of the Financing of Terrorism (*Terrorist Financing Convention*), UN Doc. A/RES/54/109, Annex.
44. The Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (*Fixed Platform Protocol*), *United Nations Treaty Series*, 1988, 1678.
45. The Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, *United Nations Treaty Series* 1990, 1589.