

Predrag Jurekovi_ and Frederic Labarre

PREFACE

When we started to discuss possible topics for the next Reichenau workshop a year ago, we decided after some deliberation for the topic of Organised Crime. It was one of the proposals jointly brought forward by our colleagues Minna Nikolova and Prof. Plamen Pantev. We had some heated discussions in Vienna as to the subject, and some had second thoughts.

On the one hand, we were well aware of the importance of the issue of crime and criminality as a danger to the stabilisation process in South East Europe: we had been following the developments regarding organised crime in South East Europe with interest over the last few years. On the other hand we had strong doubts if our Study Group which has been renamed last December from "Crisis Management in South East Europe" to "Regional Stability in South East Europe", and which consists mainly of security-political analysts, political scientist, military and historians, would be the right forum for discussion an issue which usually is dealt with by the Ministry of Interior or Interpol. But this qualitative shift is telling and relevant. More and more, the region is achieving deeper levels of security, and if international presence will be required for a long time to come, the indicators of success can be measured in the amount of references to EU enlargement to the new countries that the civil wars have created. Slovenia is, for all intents and purposes, ready for membership. Croatia is waiting in the wings. This testifies to the success of international intervention so far, but the uncertainties and fog surrounding organised crime begs further analysis from experts.

Another reason for our doubts was that we feared that putting the weight on crime might underline the negative stereotypes usually connected to the Balkans in Middle and Western Europe. This negative stereotype considers South East Europe as being mainly a chief exporter of problems and instability. We might have lost sight of the small, but

decisive positive steps taken through the stabilisation process and focus too much on negative perspectives. Transnational organised crime is not only a Balkan feature, it is also a burden to developed societies in Western Europe and North America, and the urgency of tackling this issue should be more felt by developed societies, where the negative effects of criminal activities are also felt.

The assassination of the Prime Minister of Serbia, Zoran Djindji_ has shown that the crime factor is not only a relevant security issue for South East Europe, but above all a phenomenon with direct consequences on democratisation and the political culture.

The first impressions of somebody watching the development of society in Serbia over the years was deep shock on how far the influence of criminal groups had progressed into the interiors of state structures. On the other side, it was breathtaking how fast the Serb government rediscovered its strength after the tragic murder of Zoran Djindji_ and how fast it got rid of its passive stance regarding organised crime and switched to a policy of energetic fighting against the clans. Regarded from the outside, the last two months seemed rather like a life and death struggle between the Serb government and organised crime. Though this impression might be overdone a little bit, it is a fact that many Serbs experienced this struggle as a liberating move after a long – perhaps too long – period of apathy and legal uncertainty. Only now, after the key players of organised crime seem to have been neutralised, the possibility of establishing a democratic post-conflict order seems to have become an option. One must not forget that many of the criminals arrested over the last weeks were celebrated war heroes of the Milosevic era, celebrated because of their patriotic deeds in Croatia, Bosnia and Kosovo. For these people, even the reform government formed after Milosevic's fall did not seem to pose a serious threat – up to the assassination of Djindjic. Serbia seems to have stepped away from a fatal brink, and it doesn't even realize it, because the symbiosis between criminal elements and underground figures is so complete in the region that the line between legal and illegal is frequently blurred and this enhances the prospects of so-called State capture by criminal elements who infiltrate and assimilate legitimate political trappings so well as to command the resources of the state. After years of dictatorship, itself

criminal in nature, Serbia has narrowly avoided a fall back into the abyss, where organised crime would reign supreme over civil society. Other societies are even more at risk and this is an additional reason why inquisitive analysis and discussion is needed.

The security implications of organised crime are made more acute after September 11th, as measures are being taken to deal with terrorism, legislative amendments blur the line between an ordinary crime and terrorist support. There are indications that the proceeds of some crimes go to the financing of terrorist activities, and that furthermore, legitimate businesses are sometimes used as fund-generators for terrorism. The strategic position of the region between Europe and the Middle East adds a new dimension to the link with terrorism, and it cannot be ignored. In any case, the world cannot remain indifferent to the issue of crime, or terrorism, however defined.

Another problem is that today's terrorism requires some form of State capture to function, so that criminal or terrorist agents can act as *the de facto* State developers in such a way that they wield carrots and sticks with impunity within regions on the verge of collapse, or escaping failure. Commentators and scholars are just beginning to see the relationship between crime, super terrorism and State failure. State failure is required for terrorists to operate free from obstruction. Only in such a situation can criminals and terrorists impose their writ as the law of the land. And so the ultimate threat for Europe is a string of failed States on her doorstep that act as launchpads for terrorists and criminals enjoying the clout of illegitimate officialdom.

Therefore the workshop aims at encompassing the entire dimension of the crime phenomenon in South East Europe by putting the issue both into the domestic and regional as well as into the larger European context. At the beginning of the workshop, the **first panel** will centre on the question of how far various forms of organised crime – as the trafficking of human beings, drugs, weapons as well as corruption really put the stabilisation process in South East Europe in danger. The description of different forms of criminality and their relevance for the region by international experts with the help of statistics seems to be important for many reasons: first, it will give a more definite and

tangible shape to the rather abstract term of organised crime. Second, it will try to weigh and counter-weigh the relevance of the various issues. In addition, these speeches by experts will set the basis for the discussion of the question of whether South East Europe really is the chief exporter of organised crime or if this is nothing but Western prejudice.

In this context, we will have to look at the shared responsibility of Western Europe and the United States in helping to stop the expansion of organised crime in South East Europe. Above all, this responsibility cannot be denied for trafficking of humans, mainly women and children, as there is evidence that even members of Western police missions have been involved in these crimes.

The **second panel** will pose the question of how far individual countries in South East Europe are under the influence, if not seriously threatened in their stabilisation and reform processes by organised crime. Especially the individual successor countries to former Yugoslavia seem to be troubled with the problem of grey zones between the official political, police and military structures and criminal groups which seem to have large influence on state representatives. It is remarkable that those who benefit from these grey zones usually are war profiteers and real or potential war criminals. This factor leads to the assumption that real democratisation in the post-conflict societies in South East Europe will only be possible if one keeps working on solving the most recent past and refrains from sweeping it under the carpet. Considered from this perspective, the importance of the International Criminal Tribunal in The Hague is tremendous. Through its work, war crimes are being individualised, which is a tremendous help in diminishing collective *feindbilder*.¹ Another positive side-effect of the ICTY is that it contributes to establishing civil societies in the home countries of the war criminals. Once deported to The Hague, the war criminals are prevented from disturbing or endangering the reform and democratisation processes effectively.

¹ “Enemy image”, or a mental construct to which a pejorative generalisation is automatically ascribed. Note of the Editor.

As the second panel looks at organised crime mainly from the perspectives of individual countries, the **third panel** put the stress on the regional implications of these phenomena. Generally, they come to light through concrete security problems like in trans-border criminality between South Serbia and Kosovo. The panel will, however, not only look at the problem cases, but also try to work out positive aspects. Among them the numerous initiatives by the international community for establishing an overall system of co-operative security in South East Europe. It is a great pleasure to have representatives from several regional initiatives among us, who will hopefully provide first-hand information on their initiatives of fighting organised crime.

Panel four will finally expand the discussion by adding the aspect of European integration. Without exception, membership in the European Union has become an important aim in the foreign policy of SEE States. Some, like Romania and Bulgaria have already attained candidate status and made enormous steps on their way towards EU membership.

Other South East European countries like Serbia and Montenegro are working on signing a stabilisation and association agreement with the European Union in order to set the basis for further negotiations.

No matter how far the individual countries have come in their attempts of applying for EU membership, all are aware of the fact that deeper-reaching and more comprehensive reforms will be needed in order to become a full member of the Union. Success of these reform and democratisation processes is more than often dependant – as the Serb example has demonstrated clearly – upon the preparedness of the individual countries to prevent the instrumentalisation of state structures by criminal individuals or clans.

Another interesting aspect in this fourth panel could be the question, whether the closer security co-operation with the European Union by individual South East European countries, which are approaching EU membership along different speeds, might hamper co-operation or even establish barriers among the applicant countries. One consequence of Slovenia entering the EU could be that soon the Schengen regime might have to be applied between South East European countries.

It is partly this reason which prevents European disengagement from the region. But it must also be added that the efforts of the international community warrant continued involvement, if only for the fact that on the other side, in a South Eastern Europe emerging from the abyss, there are human beings too, whose rights and freedoms are inherent, and as responsible actors, it is a duty for international organizations, NGOs and Great Powers to remain involved.

In facing all these difficult issues, I am sure the workshop will achieve the following two aims:

- Firstly, the crime factor needs to be analysed in context with all relevant spheres of influence on the democratisation and stabilisation processes in South East Europe. Examples of this would be detecting possible connection between organised crime and problems in establishing civil societies or the relevance of regional co-operation in crushing organised crime. This multi-layered approach seems to be far more interesting from the analytical perspective than the real issue of how to tackle the problem of organised crime from a purely security-centred view.
- Another aim of the workshop could be to sum up all proposals and options in a Policy Paper and to offer this concept to those agencies having responsibility for stabilisation in South East Europe. After all the ad hoc intervention that the region has seen, we have the luxury to apply our skills in thinking how we can defeat organised crime in SEE, and to prevent it from spilling over our borders. This would provide not only our collective insights in the matter, but would lay the foundations for an effective plan for concerted action.

The Study Group on Regional Stability in South Eastern Europe is both proud and grateful to the participants to have taken the time to give their own impressions and experiences in the service of crushing organised crime in the region. It needs to be stressed that these individuals, from no less than 10 countries some of which were at war only a few years ago, have shared their views in a professional manner, with the hope of finding solutions. It remains that their presentations may sometime differ

from the official positions and policies of their organizations and agencies. Therefore their views cannot be taken to be similar and we are grateful for their insight and dedication.

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