

Introduction to a Special Issue on Criminal Justice and Security in Southeastern Europe

Throughout the world, crime and deviance have many faces. In a globalized, commercialized and networked world, crime and how nation states seek to deal with crime, has taken on many shapes and identities. Many of these changing approaches have focused on how to deal with organized and networked crime. Whereas in the past local communities were primarily concerned with locally initiated (home-grown) crime, today crime while still local in its impact often has its roots elsewhere. At the same time, globalized and networked crime invariably draws its sustenance from organized and coordinated criminal enterprises often far beyond the reach of any single jurisdiction or legal system. Crime has left the “cottage industry” model of local development and control and has become industrialized and indeed broadly cast.

The impacts of organized crime in Eastern and Central Europe have developed over many years being affected by, among other things, shifting politics and borders, the complexities of population dislocations and assimilations, and shifting legal developments; forces often challenging these emerging democracies and the fledgling democratic institutions that have replaced prior political regimes and alliances. Change in this region of the world is complex, implicated by longstanding histories, languages and cultures, some of which overlap, some compete, and some are at times in conflict. Changes in the geopolitics of the region oftentimes opened often longstanding social, cultural, economic and legal divisions or vulnerabilities to criminal organizations and patterns of organized crime. Emerging legal systems have attempted to keep pace of networked and global crime, while justice agencies have made transitions from centralized control emphasized in prior political configurations in the region to more decentralized, country specific, and institutions embracing the need for balancing social control with the rule of law. Such transitions take time to congeal, of course; in the interim the shifting landscape of crime and justice matters takes on some urgency as civil populations cope with new social, legal, economic and criminal orders. As crime has changed in the region, so too have approaches to dealing with crime.

In this part of the world, and especially in the Western Balkans, criminal behavior has become increasingly organized, systemic, reaching across borders and having implications for what might be called “traditional” crime, as well as new patterns of criminality emerging over the past several years. In the Western

Balkans attempts to better understand unlawfulness must be sensitive to organized criminality, while at the same time being paired with approaches to address crime that transcend individual borders, legal doctrines and regions. In important ways regional organized crime activities require regionalized criminal justice responses.

This issue of the *Journal of Criminal Justice and Security* is focused on variations in organized crime and the ways Western Balkan countries are addressing such matters. This particular edition includes analytics and policy discussions from Bosnia-Herzegovinian, Macedonia, and Slovenia, as well as broader discussions affecting a larger range of ECE countries. Topics include the organization, methods and tactics, and routes used by organized crime to exploit this region, as well as the dynamics of crime groups such as the Albania Mafia in the Republic of Macedonia, or how corruption associated with organized crime impacts the development of sustainable tourism, and the corresponding rise in international and public-private cooperation to address such challenges, police attitudes and their effect on sex trafficking, and the rise of witness protection efforts to address organized crime. In some important ways this volume considers the rise of “new criminality” and “new criminal justice” – necessity being the mother of invention.

The volume begins with research in Bosnia-Herzegovina examining law reinforcement attitudes toward sex trafficking conducted by Muftić. It is reasonably well established that how the law gets implemented depends on how the police see the law and interpret its application to social events they encounter. Muftić’s study examines the attitudes of 363 Bosnian Border Police (BP) toward sex trafficking. The study finds that officers’ support for trafficking interventions and the handling of sex trafficking victims, offenders and the traffickers are indeed influenced by individuals’ adherence to prostitution myths, whether the officer received training concerning sex trafficking, and importantly the sex of the individual officer. Her findings suggest that if sex trafficking is to be fully approached by the police in Bosnia-Herzegovina, stereotypes and myths of prostitution and the sex trade need to be confronted with more systematic and factual information. Adherence to such myths is found to result in more punitive orientations toward victims, and less so toward customers and traffickers. Improvements in the effectiveness of anti-trafficking programs will need to confront such long-standing biases and myths.

Ilievski and Dobovšek next consider how the Albania mafia has operated within the Republic of Macedonia. Using a review of extant literature, official records and interviews with those close to organized crime development in Macedonia the authors consider the role of the Albanian mafia in in the trafficking of humans, illegal arms and drugs in Macedonia and throughout Europe. They also consider the ways in which these organized criminal elements have dominated such organizations as the National Liberation Army (NLA), posing a serious threat to the sovereignty and territorial integrity of Macedonia. Of critical importance, the authors outline consider how the NLA has transformed itself into a political party, the Democratic Union for Integration, thereby increasing the political legitimacy of what was formerly a clearly criminal confederate. The links between criminal enterprise and political activity is under scored in this analysis.

Illegal trafficking in this region has historical roots. The “Balkan Route”, examined by Dimovski, Babanoski and Ilijevski, has been recognized as a pathway for criminal activity since the seventh century. Historically, this route stretching from Afghanistan, through the Balkans and onward to Western Europe has witnessed the continual smuggling of illegal goods, such as heroin, and immigrants from the East to the West. Most recently, however, highly mobile and flexible criminal groups have revitalized the Balkan Route using it as a transit and stockpiling system for the shipment of drugs, weapons and people as border security is relatively weak and cooperation among policing systems poor. In Macedonia the authors suggest that the country’s transition to a “free market” coupled with the opening of borders, expanded opportunities for a growing “black market”. At the same time wars in the former Yugoslavia has continually stressed the region and hampered the development of regional cooperation necessary to address such organized criminal activity. The authors conclude their discussion of the “Balkan Route” by considering how it can also become a route for terrorism.

Considering the impact of organized crime on the development of sustainable tourism in this region, Mekinc, Kociper and Dobovšek consider the relationships between tourist destinations, sustainable tourism and organized crime and corruption using data from several international sources. The authors conclude that organized crime and corruption has a dramatic effect on sustainable tourism as eco-criminality often despoils the very palaces where tourism would be welcomed and useful. This paper is an interesting reflection on how eco-crime, often having its roots in organized crime and civic corruption continues to undermine both sustainable development and tourism. Using information from Transparency International and the World Economic Forum the authors juxtapose countries rankings of corruption with their rankings in competitiveness in travel and tourism, demonstrating the negative correlations between the two. The paper also considers the types of corrupt activities that undermine the development of sustainable tourism and concludes with the development of a model better explicating such dynamics.

Extending the previous discussion, Eman considers an increasingly more visible aspect of organized and while collar crime – environmental crime – and its development over time in Slovenia. In this paper using environmental crime data in Slovenia and the responses of 25 Slovenian experts in the field of environmental justice, the author finds that the number of detected environmental crime is relatively low, but represents such environmental crimes as illegal waste dumping, the torture of animals, game poaching and other environmental destructions. The number of detected offences is has increased over the last several years. Nonetheless, the number of criminal charges, while increasing between 2002 and 2006, has declined over the last several years. Public opinion about the threats that are posed by environmental degradation reveals that the public is indeed aware and concerned about such risks. Expert opinions about such matters have also increased with concerns being raised about the level of cooperation among governmental agencies in addressing environmental crime issues, suggesting that environmental crime needs to become a more visible national priority in Slovenia.

While organized, white collar and environmental crime are indeed pressing issues for this region of the world, how to address such issues is less clear. The final three papers in this volume consider more coordinated and robust ways of tackling these challenges.

Returning to Bosnia-Herzegovinian, Jusufspahić examines a witness protection program focused on organized crime. The author first considers the development of organized crime in Bosnia-Herzegovina following the collapse of the former Yugoslavia, and the resulting struggles for democracy and democratic institution development since. Criminal groups grew stronger during the war era; weak social institutions and corrupt governmental actors including the police resulted in a deepening crime problem, both domestically in the form of street and other forms of public crime, and in organized criminal activity. One response to the organized crime problems was passage of two pieces of legislation (2003–2004) affording witness protection for those coming forward in organized crime situations. This legislation was seen as an important mechanism for fighting organized crime in Bosnia-Herzegovina. The author traces the development of these mechanisms, and the resulting legal framework created for these laws, as well as examining witness protection programs in the US and throughout the European Union. Of particular concern in this discussion is the need for international relocation as a central element of such laws.

Of course the complexity of regional crime across ECE countries, including the Western Balkans, has required expanded international criminal cooperation particularly as it is related to extradition and surrender procedures. Šepec considers this development across the European Union, and the important legal and practical distinctions between extradition and legal surrender. As a means of criminal law cooperation, refinement of the legal institutions of extradition and surrender is required according to the author, recognizing that extradition is a political accommodation or form of cooperation among nations, while surrender is more associated with judicial processes and the harmonization of law across EU member states. Nonetheless, differences in the rights accorded those for whom extradition or surrender are being sought must also be included into these discussions, often making them more difficult, but solvable.

In the final article of this volume, the rise in public-private cooperation in the provision of security in Macedonia is detailed by Gerasimoski. Public-private cooperation is has been advanced by many as a major way to increase safety and security, most particularly in an era of restricted governmental growth and investment. Gerasimoski examines public-private cooperation in crime prevention for a 10 year period in Macedonia, using a content analysis of existing documents and data provided from the Macedonian Ministry of Interior. After reviewing the underlying rationale and activities associated with such public-private partnerships more generally, the author considers their application in Macedonia. He concludes that while there have been some efforts to forge these partnerships; they are relatively weak presently, representing more of a “possibility” rather than “reality”. Initially an unregulated private security industry in Macedonia became more associated with promoting than preventing criminality. Current partnership

efforts are more focused and controlled, offering the possibility of successful crime prevention in the years ahead.

Collectively the papers presented in this volume of the *Journal of Criminal Justice and Security* help frame and deepen understanding of the ways in which organized crime is made manifest in the Western Balkans, while at the same time providing a few glimpses of what the law, government agencies and private groups are doing to address such issues. Each in their own way sheds some needed light on these matters, while also calling for more systematic and focused data development and analysis. Taken together the authors presented here make an important contribution to examining organized crime and its effects in a part of the world perhaps less well studied.

This volume concludes with a description of the scholarly activities of the Faculty of Criminal Justice and Security at the University of Maribor providing interested readers with a portrait of criminological, criminal justice and security related scholarship, thereby creating the potential for collaborative, comparative research in the future.

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Guest editors