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Renata Rusche

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in Kosovo & Metochia
and Independence of the Province***

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CENTER FOR INTERNATIONAL RELATIONS

ul. Emilii Plater 25, 00-688 Warszawa
TEL.: (22) 646 52 67, FAX: (22) 646 52 58
www.csm.org.pl, info@csm.org.pl

Renata Rusche

ACTIVITIES OF THE CRIMINAL GROUPS IN KOSOVO & METOCHIA AND INDEPENDENCE OF THE PROVINCE

In the times of global war on terror and organized crime, the world perceives the Middle East or other Muslim communities as the main threat. Despite the events of the recent years (terrorist attacks in New York, Madrid or London), it is the countries as Saudi Arabia, Afghanistan or Iraq that are considered the source of the biggest threat. However, it must be kept in mind that not only these countries pose potential threat. It might be the case that the epicenter of another danger is located in the closer neighborhood. In Europe there are other focal points, one of them being the Balkans, and more accurately: Kosovo & Metochia, called in short Kosmet. Two cultures, two traditions and two strong nations meet there: the Serbs and the Albanians. Both nations believe that Kosmet should belong to them. Considering the great cultural clash and the vast differences of mentalities and traditions, the problem seems irresolvable. The name of the province is as controversial as the whole area. The word “Kosmet” (the full name of the province is Kosovo & Metochia) has been known and used only in the Balkans, it does not occur anywhere else. The Serbs believe that not using the name of the Southern part of the province is a friendly gesture towards the Albanians, who ignore the name “Metochia” because of associations with monasteries and the medieval Serbian culture.¹

Kosovo is relatively small – 10,887 km². It has 2 million inhabitants (i.e. 20% of Serbia & Montenegro population), of which 98% are ethnic Albanians. The province has hardly any independent economy; almost all products are imported from the neighboring countries. The Kosovo income amounts to less than 50 million euros per year. The question arises – how is the budget planned? How can the unemployed inhabitants pay taxes and make a living? It seems thus obvious that there must be some other, not necessarily legal, source of revenues. And here we enter the muddy waters. No one in Kosovo uses the term “grey zone” openly, but that it does exist is acknowledged by everybody, including the international community, OSCE, NATO. It

¹ In the text the name of the province will be used interchangeably: *Kosovo* or *Kosovo & Metochia* and in all cases it will refer to both geographical entities: Kosovo & Metochia.

has been estimated that the revenues from illegal sources can amount even to 400 million euros per annum, what indicates that the relation between the legal and illegal income would be 1:8. Kosovo is also the area of Muslim influence, lately controversial, what can also positively impact the economic situation and cash influx. For example, one of the countries financing building new mosques is Saudi Arabia.

The province is undoubtedly the grey zone, it is the asylum of the organized crime and mafia, and the international forces are indispensable to keep order and guarantee public security. It might be because of smuggling and money laundering that the inhabitants live so well. Although the US financial and humanitarian assistance cannot be forgotten as well.

At present, the province awaits to get its political status defined. The UN and international community are to assist Serbia & Montenegro and Kosovo Albanians in finding an optimal solution. It must be remembered that a possible independence of Kosovo & Metochia (almost set) is a very dangerous move. In this context, one has to realize the cultural, sociological and historical background of the problem.

The Serbs constantly refer to all Albanian criminal actions as “terrorist”, “separatist” or “extremist”. The least significant incident, provoked by a member of Albanian community, is almost always shown as ethnically driven terrorist attack directed against the persecuted and discriminated Serbian minority. It must be admitted that the range of designations used by the Serbian media to describe a common criminal act or the types of extremist activities is truly impressive. It should be noticed though that to a great extent it is propaganda. It should be nevertheless admitted that these definitions are proper in many cases and for many activities. To understand the complexity of the problem, some of its aspects need to be looked at more closely.

1.THE CLANS

Albanian nation is organized according to the strict rules of national community and kinship. Therefore, the characteristic of the Albanian crime structures is that they are based on the respect for territorial divides, which reflect the spheres of influence of clans. According to this divide, the “basic” membership in the abovementioned groups is *fisu*, i.e. a larger family, which controls the given territory. Several *fisus*

make a clan. This division of the Albanian society is rooted in the traditional clan hierarchy, in the closed character of the impermeable relations in the strict discipline of the family members. If we look at the Albanian house from the perspective of the medieval code *Leke Dukadjinija*, in its ethnologic and socio-cultural aspects, then it becomes a very important institution. And in the situation where there is no state, it has the key role in maintaining national identity and autochthon culture. In a sense such a house can be seen as a “microstate”, where the chief of government is the master of the house, the head of the family, the host. There are also other important people, who play the role of ministers and who accomplish important tasks assigned by the head of the family. The everyday life is sanctioned by the legal norms of the *Leke Dukadjinija* code and the religious norms. “Political life” takes place in special rooms called *oda*.² In Kosovo, the *odas* functioned as a type of parliament, where the issues were discussed; *oda* was also the place of the council, which members were older and more experienced people. Different rules would apply here; people knew what was allowed and what was not allowed. The decisions of the head of the family and of this special microparliament were the only regulation the Albanians accepted freely and eagerly (Filipović 2002).

Taking into account the fact that the clans are based on the blood relations, what limits the number of the people in the clan, these relations are very strong, and accession or penetration by other people is practically impossible. Representatives of other communities, especially national communities, can be adjoined only as contractors to perform defined, one-time and secondary tasks. Moreover, the Albanian mafia families are organized in 3-4 levels, what makes it possible to keep the organization working even when its member or group has been uncovered.

Today Albanian society faces a serious problem; the family, the only institution that could guide and govern the people, has been completely destroyed by the resettlements and migrations of the inhabitants. This has demolished the social norms and existing regulations.

In opposition to the fact that the clans respect a precise territorial divide, where each family controls a certain area and criminal sphere, the individual clans engage

² *Oda* is a name of a room in the Albanian house, where the important meetings with family members coming from afar are held. These rooms are closed to women, and even the meal is served by the youngest boy in the given community.

in competition. This is the outcome of political differences or the endeavors of different groups to control the vastest territory possible.

Despite the international protectorate in Kosovo has begun its sixth year, and the fact that many appropriate legal provision have been introduced in this period, the medieval custom law of Leke Dukadjinija still persists with its vendetta, clan revenge, clan honor and kin relations. The threat of the mandatory clan revenge (*krvna osveta*) for traitors or people who breach an agreement, ensures protection for the terrorists and at the same time it is the most common motive of homicides among the Albanians. It does not matter if someone belongs to the higher caste or not, the right of vendetta is practiced in all social classes. The Leke Dukadjinija Code forbids killing children, women, the elderly mentally ill or a person, who is in the area belonging to a *jamija*³ or an orthodox church – everything that is near the building is sacred. For ages the conditions of the Code would fill the vacuum caused by absent judiciary and legal provisions. The Code is binding together with the regulations defined by the state administration. In the circles, where the clan relationships are very strong, the new law loses with the ancient rules. The rules of the Code when referring to homicide leave no place for doubts: the family of the victim is obliged to kill one male member of the assassin's family; "the blood is paid for with blood." Such a law could only lead to killing all male representatives of the family. The male family members of the person responsible for the killing could leave the house only having had the guarantee of security provided by the other clan (so called *besa*, i.e. the word). Some analysts underline that in the times of lawlessness, the Code would regulate and even limit the number of homicides. Vendetta is still very important and it influences the regulations of everyday life, especially in the mountain regions and in the underdeveloped, remote and difficult to reach areas. The new legal system has not found its place in the mentality of the people following the ages-long traditions. The politicians try not to comment on this phenomenon. The respect for the old Code can be observed also in Montenegro, still in 2005 there was a known case of two families, Kaludjerović and Marković, who had followed vendetta for 14 years. The cases of vendetta occurred in Nikšić, Podgorica, and even among the emigrants in Detroit. In Albania of Enver Hodja, the vendetta was severely punished. It is said however, that after 1997 there have been ca. 1800 homicides related to this custom. The common

³ *Jamija* (Turkish) – a Muslim temple.

belief has it that the family revenge is characteristic merely for Albania and Montenegro. However, it seems turns out that the custom is still alive also in other Balkan territories.

Not long ago, the inhabitants of Kosovo witnessed the vendetta in the political milieu. The Haradinaj family officially accused Musaj family that they have been in close relations with Serbian authorities since 1999, what was supposedly the main cause of the abuses the Haradinajs suffered in that period. It was most probably a political conflict and it started in 1999. Sinan Musaj was one of the witnesses during the process of the UÇK Dukadjini group (the commandant of that group was Ramush Haradinaj). The group was accused of kidnapping, torturing and killing of four members of the competing group called The Armed Forces of the Kosovo Republic. Dukadjini group was supported by the Haradinaj clan. Five witnesses in the process, including Sinan Musaj, were killed already in 1999 in the action ordered by the Dukadjini group. In 2000 there was an exchange of fire, where two brothers, Ramush and Daut Haradinaj were injured. Before the beginning of the process, in 2003, Ismet Musaj was killed in unknown circumstances. At the beginning of 2005, during an attack in Peći, Sadik Musaj was deadly injured. Ramush Haradinaj, who at that time was the Prime Minister of Kosovo, rejected all allegations that his family or he himself had anything to do with Sadik's death. In April 2005, Enver Haradinaj, Ramush's⁴ brother, was killed. In July 2005, Djeljadin Musaj and his grandson were assassinated. There has been no further revenge since then.

The second most known contemporary conflict was the dispute between Zemaj and Haradinaj clans. Tahir Zemaj organized training for ca. 500 members of FARK – a formation competing with UÇK of Ramush Haradinaj and Hashim Taqi. In the mid-1998, Zemaj and his soldiers “dared” to quarter in Glodjane – the Ramush Haradinaj's home village. In consequence, because of the bad relations with the UÇK commandants, Zemaj had to stay for a long time in Albania. Zemaj was a witness in the process against Dautov Haradinaj, and that was the reason why in 2001-2002 Ramush and his supporters tried to kill him. The attempt succeeded only in January 2003, when apart from Tahir, also his son Enis and nephew Hisen got killed.

⁴ Prime minister of Kosovo & Metochia.

The brutality observed in the clan fights was also showed in the slaughter of the Keljmendi family in Peći (2003). The sentence was delivered by the members of Luka clan.

2. FORMS OF CRIMINAL ACTIVITIES

And thus we are approaching the core of the issue – terrorism and organized crime in Kosovo & Metochia. Both activities are very strongly related to each other in the Balkans; one cannot function without another. It is extremely difficult to separate the mafia activity from the activity of the organized criminal groups, or the terrorist or extremist activities linked to ethnicity. What is the difference between the two concepts in the first place? To put it most generally, mafia has the objective of gaining influence in the circles of power, its objectives are supranational, it is not interested in the borders or ethnic conflicts; the crime focuses on the direct profits from the activities. The clans do not necessarily need to be driven by a higher objective as gaining control of the province; they are mostly interested in their own zones of influence. The mafia's aspirations can be more global. Unfortunately, both one as the other constitute a big danger in such unstable areas as Kosovo, or even the Balkans in general.

According to one of the popular Serb analysts, Tomislav Kresovič, the Balkan terrorism and organized crime can take on several different forms of activities:

1. terrorism of Albanian separatists: ideas of the "Great Kosovo" and "Great Albania", the forms of so called "red-black" terrorism manifest themselves; it is a continuation of the radicalism and neofascism of Enver Hodja,
2. Albanian and Serbian underground closely cooperating on the "white terrorism", i.e. Drug trafficking; the activity is definitively international, it joins the politics, crime and mafia in the fight against official authorities,
3. "green terrorism", i.e. Islam radicalism, can be a great threat; it can merge with the Albanian separatist movement and the Albanian-Turkish mafia in Serbia and in the region of Southern-Eastern Europe; Islam terrorism might have a wide range of influence: from Bosnia & Herzegovina, Sandjak, Kosovo & Metochia, parts of Montenegro and Southern Serbia,

4. “blue terrorism” is the “sponsored” violence, crisis endorsement and destruction of democratic governments; it is related to the interests of individual international mafias with business affairs in Serbia (Kresovič 2003).

It is commonly known that the most sensitive issues in the province are drugs and their distribution. These are also the most widely known topics in the context of illegal activity. Drugs are an easily available good; there is a constant demand for it. According to the information given by Interpol and other world organizations, Albanian mafia running drug business is one of the best in the world. It is very well organized, professional, international. It must be also remembered that as far as national issues it has its own code of behavior and it does not engage in ethnic conflicts or struggle for independence. For example: the relations between Albanian and Serbian mafia were very deep, even in the times of the conflict between Serbia and UÇK. It is clearly the underground that can be interested in destabilizing the situation in the region and in realization of the objectives complying with its interest. In this context the term “Great Albania” or “Great Kosovo” can be analyzed.

3. GREAT ALBANIA AND MAFIA'S DRUG BUSINESS

There have been several stages in the history of Kosovo which are perceived by Serbs as a clear attack on their national identity and the attempt to get control over the lands, motivated by the national and “great Albania” slogans. The first case is the I Prizren League created in June 1878, after the Russian-Turkish war. The agreement promoted integration of Albanian lands and Muslim and Albanian domination in the region. These objectives were to be reached through the struggle against the Ottoman Empire and other neighboring countries. II Prizren League was established during the IIWW (1941) as a subordinated state of the Third Reich. It is hypothesized that in this way the Germans wanted to gain access to the Kosovo natural resources. Another example of the Albanian national aspirations was the Albanian-American Civic League created in 1989 in New York by the congressman Joseph Diogardi.

The “Great Albania” concept has been often identified with the ambition of all Albanians, as a nation. Nothing more misleading. Contemporary Tirana has never had such policy; moreover, the Albanians from Kosovo and Albanians from Albania are almost two diverse nations. What makes the difference is the culture, the standard of living.⁵ Moreover, it would be curious to look for such ambitions in the state, which is facing many internal challenges – the weak economy, political and social conflicts and the mass exodus of Albanians to Greece or Italy.

It is exactly the criminal underworld for which the project of “Great Kosovo” and “Great Albania”.⁶ It depends to a great extent on the dynamics of Albanian mafia, its objectives, and aspirations of individual clans. It is believed that the project might be even an attempt to create a drug state (Albanian federation with drug cartels playing the role of financial and then political centers). According to Americans’ warnings there is a possibility that “Colombian syndrome” could emerge in the Balkans, what means that the organized crime could take over the total control not only over Kosovo, but over all areas inhabited by Albanians, as well as several social life spheres. The intention to create a great Albanian “grey zone state” has been skillfully disguised under the slogans of national rights for Albanians and the struggle for independence. Should even some of the plans be realized, the influence of the mafia on the Balkans would be unimaginably strong. It might even chase out the Italian and the Russian mafia from the South Eastern Europe. Of course, the Albanian mafia cooperates with other similar organizations – Serb, Bulgarian, Italian and Russian mafias. It is one of the largest in Europe and it has a significant influence on the political life in the Balkan countries mostly by establishing a “criminal bridge” with other mafias in the region. Italian police claims that the Albanian mafia in Italy is so numerous and powerful that it has been capable of win the fight with the Turkish drug dealers and it turned out to be a good partner for some Italian mafia organizations, e.g. the Sicilian Cosa Nostra, the Neapolitan Camorra, the Calabrian N’dranghetta, and Sacra Corona Unita from Apulia province. The Albanian drug

⁵ The problem has been discussed in depth in a socio-cultural journal *Kranogruda* pt: „Albania, Kosovo, Macedonia”. The individual articles indicate the differences conditions by the historical, social, cultural and religious factors; *Albania, Kosovo, Macedonia*, „Krasnogruda” no 15, Sejny 2002.

⁶ The ideas of a great state which exist in the Balkans can be understood in many ways. The idea of the Great Kosovo or the Great Albania can be perceived from a different point of view, to understand it as a thesis promoted by Serbia, and which aims at keeping the Serbian territorial claims to the province alive. According to this argument, any crisis in Kosovo or on the South of Serbia can be used to persuade the international community that any disintegration in the Balkans leads to a greater destabilization.

dealers have become organizers of the criminal network, which right now employ criminals of other nationalities.⁷ Undoubtedly, the Albanian mafia can be interested in destabilizing situation in the Balkans, as well as different forms of criminality – including political assassinations and support for paramilitary organizations, as AKSh.⁸ It can be “justified” by vendetta and the slogans of the national struggle for independence. The future independence of the province, almost decided now, will provide a vast freedom of movement. The presence of the international organizations or NATO is not a problem either. In reality, these are additional factors driving the economy, providing the demand for not necessarily legal services (e.g. prostitution) or goods. In the inglorious part of their history, the international organizations had to take legal responsibility for their representatives’ engagement in smuggling, human trafficking, money laundering or “ordinary” corruption. We can suppose that the objective of the Albanian criminal structures is to gain control over the key spheres of the public life – politics and business. The problem has been also pointed at by the Czech “Hospodařské Noviny”. The journalists turn out attention to the influence of the drug criminal organizations on the political life, on the relations the contemporary Kosovo politicians have with the illegal structures and the illegal cash flow.

Considering the above information, it becomes clear that the interests of the mafia and other criminal groups can be very close, and they can often merge in the real world.

But even the most qualified criminals cannot work wonders if the so-called natural factors are not on their side. In the case of Kosovo, it is its geographical position – almost perfect for this type of activities. The Balkans, including Kosovo & Metochia, lie on the routes of many communication corridors joining the Middle East with Europe and “the rest of the world”. The most known is the so-called Corridor no 10 going through the territories of six countries, from Salzburg to Thessaloniki. The corridor no 10 is of a great economic and communication importance, it is a network of roads joining Greece and Turkey with the Western Europe. Its joint length is 2360 km, of which 800-km go through Serbia. It has also the ramifications going to Budapest and Sofia. The Corridor no 8 joins Albania, FYRM, Bulgaria, Greece and Turkey. It goes from the Albanian port Durrës through Skopje to the Bulgarian port

⁷ Vecernije novosti, *Narko-mreža OVK*, “Večernije novosti” 14.11.2003, www.novosti.co.yu/vest.asp?vest=549&rubrika=Feljeton

⁸ AKSh (Alb. Armata Kombetarë Shqiptare) – Albanian National Army.

Burgas, to finish in Istanbul. The East-West direction of the corridor aims at establishing the communication between the Adriatic Sea and the Balkans and the Black Sea and the Middle East. These are the two most important communication routes. The two less important, but also significant, are Corridor no 7 (Danube river) and the Corridor no 5 going to Venice via Trieste, Kpar, Lubljana, Budapest, Uzohorod and Lviv. The last route has the ramifications joining Rieka, Zagreb and Ploča – Sarajevo – Osijek – Budapest.

Until the beginning of the armed conflict in the former Yugoslavia, the major part of the European and American drug market had been covered by the drugs coming through so called Balkan Route. The Route led from the “source” countries as Pakistan, Afghanistan, Turkey, where the goods were produced, to Greece, Bulgaria, Social Federation of Yugoslavia, and Romania to the Western Europe. The start of the war in Yugoslavia posed some complications; the need to organize new ways of transport emerged. Thus two alternative routes were created: the Southern one – from Turkey through Bulgaria, FYRM, Kosovo, Albania to Italy; and the Northern one – from Turkey via Bulgaria, Romania, Hungary and further on to Western Europe. When the military activities in Yugoslavia ceased, the old route was back in use, but the smuggling was kept also on the new routes. Thus the network got much wider.

One of the channels, through which the drugs are transported from Turkey to Italy, and then to Europe, goes via Tropojë and port Drač (Durrës) and Vlora in Albania. The drug and weapon smuggling occurs also through the official border checkpoints as e.g. General Janković (Hani Elezit), Jažince, Čafa Prut, Morin and Tropojë, thanks to the cooperation of the criminal groups with corrupted custom officers or TMK and KPS representatives. Americans have even introduced a special name for the Albanian mafia structures specializing in drugs. In the CIA and BND documents, “Kamila” is the name of the cartel specializing in heroine sells, one of the five most powerful in the world. In 1994, the Paris group for “investigating” drugs claimed that the Albanian mafia from FYRM and Kosovo sells heroine to buy weapons for their kinsmen in Kosovo and Metiochia. Drug basis were to be situated in Skopje, Scadar and Pristina, the drugs were directed to Switzerland, Germany, Italy and Greece.⁹

⁹ „Glas Javnosti”, 11.03.2003.

The drug trade means great profits and high cash flow. In this context the question of activities run by mafia or terrorists or organized crime emerges. Leaving aside such activities as trade of excised goods, robberies and brigandage. The money received from the drug trade often becomes a payment for the illegal weapons, which in turn are ordered by extremist groups. In consequence, the mafia can be involved in terrorist action, so called struggle for independence, and realization of political aims using neither really peaceful nor democratic methods. Corruption is a similar case – a big sum is surely a convincing argument for many politicians, representatives of the state institutions etc. Assuming the mafias are professional and have global objectives, it might be supposed that a proper protection of the influences in all key state structures is highly probable. A good position on the international crime scene makes the realization of strategic, political and economic objectives easier. It must be reminded though, that despite the fact that mafia is not a centralized structure, it can present enough of a threat for the regional and European security.

5. HUMAN TRAFFICKING

While discussing the criminal activities in the former Yugoslavia, it is impossible to forget about the phenomenon of human smuggling and trafficking. Because of the wars and conflicts, the problem has not been rather known, it has passed almost unobserved in the region. In the Serbia of Slobodan Milosevic, the human trafficking “had no reason to exist”, it was unwelcome and politically inconvenient. The whole region is facing the problems of permeability of borders, political instability of some of administrative units, and in consequence – the lacking strong security policy that would make illegal migrations difficult. The socio-economic situation has a huge impact on the very existence of such business. The people in the lowest social strata see their chance for a better living in migration. Therefore the smugglers have no problems finding clients.

It must be noted that human smuggling is strictly related to human trafficking, however these are two distinct activities. In most cases, smuggling becomes trafficking. Smuggling is a service directly related to the payment for illegal border

crossing of the client. Trafficking is about recruiting and smuggling in a person to a place using violence and force, to exploit her sexually or economically. Smuggling is about the illegal border crossing; trafficking means human rights violations through exploitation. The basic difference is that a smuggled immigrant crosses the border at his own free will, whereas the victim of traffickers is only merchandise, for which the destination is chosen. Another difference is that smuggling involves actual border crossing, while trafficking can take place on a territory of one state.

All types of smuggling routes meet in the Balkans. “The Balkans is the main route of the asylum seekers, who want to get into the Western Europe”– says Louise I. Shelley, the head of the Transnational Crime and Corruption Center Washington.¹⁰ The Department of State defines in detail the “smuggling status” of the individual countries: Serbia & Montenegro are defined as a country of exit, transit and destination for the trafficked victims, and a country of internal trade of Roma children forced to beg. Kosovo & Metochia have a similar status. As for Albania, women and children are most often smuggled out for sexual exploitation and slave work – Greece, Italy, the UK and France being the destination countries. Bosnia & Herzegovina is also a country of exit and transit.¹¹

In the last two years, the police discovered two routes used to smuggle nationals of China, Iraq, Afghanistan, Sudan, Kurdistan and Egypt. The first route led from Albania through Kosovo and Serbia to Hungary; the second one led from Turkey through Bulgaria and Serbia to Croatia and further on to Slovenia. There is also the third route going from Moldavia through Romania and Serbia & Montenegro to Italy. The prices of the third route were decisively higher than in the case of the other two; they oscillate between 2,500 and 4,000 euros. The service is most expensive for the Chinese, who want to get to the EU countries: they have to pay up to 10,000 USD.

Until the closure of the sea passage from Albania to Italy, ca. 95,000 immigrants had managed to use that route to get to the EU. Since then, the land routes have gained on importance, especially the border with Kosovo.¹² The Northern border of Albania is most commonly used for smuggling and trafficking.

The impermeability of the borders is conditioned by existing smuggling routes. The less intensive checks on a crossing, the higher possibility that it can become an

¹⁰ www.ekonomist.co.yu/magazin/perspektive, 4.03.2006.

¹¹ www.okc-media.org

entry point of a smuggling route. Such a phenomenon has been observed at the airports in Sarajevo and Tuzla (B&H), where, after the introduction of visas and stronger border controls, the crime groups had to look for an alternative smuggling route. In this way the center of the activity was moved to the airport in Pristina.¹³

At the end of 2005, thanks to the joint action of the Greek, Albanian and Macedonian police, a network dealing with smuggling from Albania through FYRM to Greece was smashed. The cost of a “trip” was ca 1,000-1,500 euros. In November 2003, thanks to a common action of the Hungarian and Austrian police, two organized groups of smugglers were disrupted: Romanian-Moldavian, and Serbian-Albanian (all together 42 people). The group was acting through travel agencies, and its clients were mainly Albanians from Kosovo. A client would be transported to Hungary first, and then through the green border he would get to Austria. What was interesting and significant in this particular case was that the criminals were organized in international groups. The phenomenon was thus unusual, especially for the Serbian-Albanian group, constituted by two, according to many analysts, enemy nations. It proves the thesis that the organized crime is an international phenomenon, and its objectives are not to be identified with the national ambitions or individual nationalist aspirations.

Ratko Mihaljović, operation officer on the Rudnica checkpoint (Northern Kosovo), claims that the aim of the immigrants is the Croatian border and further on the Western European countries; “They get off the cars before the checkpoint, then they walk to Raška on foot, and the driver legally crosses the border in the empty car. He waits for the passengers few kilometers beyond the checkpoint. The network is very developed, the helpers, whose task is to facilitate the border crossing, are engaged in every part of Serbia.”¹⁴ He stresses that the smuggled persons have nothing to do with terrorists, they are unarmed; their only aim is to cross the border.

Compared to trafficking, the human smuggling does not require such a significant operational and logistic engagement, mostly because of the less complex objectives of the activity. The hierarchy within the crime organizations can be defined by the preferences, objectives and requirements of the clients. The mid-rank criminal

¹² Albania and Kosovo border is 174 km long, mostly unguarded land. Only in the first 9 months of 2004, 365 attempts of illegal crossings were noted.

¹³ *Izvestaj o stanju u oblasti organizovanog i privrednog kriminala u Jugoistocnoj Evropi*, (Serb.), European Commission, CARPO regionalni projekat, Strazburg 2005, p.31.

¹⁴ www.avp.vranje.yu (21.02.2005).

groups can have the capacity to secure the whole trip (from the acquisition of false documents to crossing the border with travel agencies and tourist operators, often linked to the crime underworld). The high-rank criminal groups have even the capacity to provide the migrant with the logistic support in the destination country.

A problem *per sé* is the trafficking of women and children destined to work in sex industry. The scale of this activity is very high. Such a situation is favored not only political factors (permeability of borders, lack of legal regulations), but mostly the catastrophic economic situation in the region. Young women are offered attractive job and good wages abroad – in bars as waitresses or dancers, as domestic workers or nannies. Women do not realize that in reality they are recruited for the sex industry. According to the UNICEF data, the victims of trafficking are sold to Bosnia, Kosovo, FYRM and Western Europe (Čolak 2003). What is important, in the case of immigrants, the smuggling is based on illegal border crossing, while human trafficking can include legal crossing. The groups of traffickers responsible for the delivery to a given country of destination make a special effort to cross the border legally. Thanks to that, the business goes unnoticed by the border guards, what becomes a great facilitation considering the complexity of the service.

The reports of IOM State that the victims of trafficking are aged between 14 and 30, they have low level of education, and they come from families in a difficult economic situation. It is very often political situation, economic recession, and restriction of migration to cause the disillusioned people to look for solutions abroad. Serbian police estimates that 1,000,000 people annually become victims of trafficking, of which 200,000 only in the Balkans.

The Balkans is the area of many transit roads and routes. Montenegro is the transit country between Serbia and Albania and Western Europe. One of the Montenegro channels goes across the Lake of Scadar to Albania, further on the route leads to Greece, FYRM and Kosovo. The smuggling between Serbia and Bosnia & Herzegovina is perpetuated mainly along the Drain River. On the East border of Serbia, human smuggling goes through the Danube or mountain roads to Romania and Bulgaria. Macedonian IOM reports that there are two main channels of women trafficking – one from Kumanovo, where the women are sold to FYRM and Greece, Albania and Turkey; the second – through the Macedonian-Bulgarian border. The Balkan Route is one of the most known itineraries; it is used for smuggling of goods

and people. Because of the restrictive visa regime in the EU countries, the women trafficking goes mainly to Balkan states, which borders are not so much of a barrier.

For the mafia and the criminal organizations, human trafficking and sex slavery became a priority in 1999, when thousand of women from Kosovo ran away to Albania. Council of Europe representatives believe that the growth of sex business was partly fueled by the presence of the foreign army in the province. The presence of the international military forces created a great market for the sex services, and in consequence the women trafficking had to increase. In the end of the 1990s, 18 items figured on the list of bars and places allegedly involved in human trafficking published by the UNMIK. By 2001, the number had grown to 75, and in January 2004, the list included over 200 items.¹⁵ Only in 2004, in Pristina, over 50 hotels and similar objects were closed down, under suspicion of illegal sex services. In September 2005, the Director of USAID in Pristina, Ken Yamashita, pointed to the alarming statistical data in the province – the number of female victims of trafficking equaled the number of all trafficked from abroad.¹⁶ Such situation had never occurred before. There is one more possibility – in the face of growing controls and fight against illegal prostitution, the business might have moved from bars to private houses, what makes any control much more difficult.

Representatives of the international community in Kosovo & Metochia are also concerned by the information that the UN staff in the province has been also involved in the network of human trafficking. In the end of 2005, three UNMIK policemen and four foreigners were arrested with charges of participation in trafficking. At the beginning of September 2005, they were released from prison by virtue of the decision of an international judge; the official reason for release was lack of evidence.¹⁷

Amnesty International claims in its last report that the women trafficking in Kosovo & Metochia is still a very serious problem. The Center for Protection of Women and Children in Pristina accuses international community that it is largely responsible for the blooming phenomenon known as sex trafficking. The AI, in the report on the protection of human rights (covering the period from January to December 2004), mentions that the international community is partially to be blamed

¹⁵ *Izveštaj o stanju...*, p.26.

¹⁶ www.orgkriminal.org/default.asp?st=c&str=1&lis=1&ci=1287451

¹⁷ www.orgkriminal.org/default.asp?st=v&str=1&p=1&lis=1&ve=1282591

for the present situation, because it is responsible for the border controls. Of course, the local authorities are also to be blamed. It is impossible that girls from Moldova or Romania would enter Kosovo & Metochia and the international representatives would not know what happens to them later on. In 2001, UNMIK published a regulation which foresees the penalties for traffickers and the clients using the services of the sex slaves. Of course, the number of the punished is very low, what can be explained by the links the accused have with the higher bodies. Neeraj Singh, the UNMIK speaker, said: "In 2004, 77 people were arrested with charges of human trafficking and prostitution. Till the end of February 2005, 13 people were arrested. According to UNICEF, Kosovo & Metochia is the transit and destination area."¹⁸

UNMIK and international community are aware of the weight of the problem. They try to fight it together engaging all resources available – collectively with other international institutions as OSCE or PISG.

5. INDEPENDENT REPUBLIC OF KOSOVO?

The struggle for independence of the province is still going on. Some analysts believe that it has been decided a long time ago, and that the present political negotiations concern mainly the status of the ethnic minorities. Dušan Bataković, the counselor of the president of Serbia, claims that the policy of Belgrade, which went against the will of international community (for ideological reasons), resulted in a situation where Serbia & Montenegro became "a destabilizing factor" in the Balkans. The internationalization of the Kosovo issue not only shows that the state policy was wrong, but also that the strategic vision has been different from the new Balkan political order based on fragmentarization. Considering the gradual accession of the Balkan states to the Atlantic program "Partnership for Peace", there is a real threat that Serbia & Montenegro will find itself surrounded by the states collaborating with NATO. In such case, the state territory may be further divided – by changes of internal borders, and by the demarcation of different external borders in the last stage. In this context, should unexpected outburst of violence occur, the Albanian

¹⁸ www.slobodnaevropa.org , 30.05.2005.

movement in Kosovo could become an internal barrier for the Serb aspirations and for the future of the Serbian rule on the given territory.¹⁹ The problem of the status of the province seems very complex. On one hand, the independence of Kosovo & Metochia is perceived as the next step towards the disintegration of the region and imperilment of the ethnic minorities. On the other hand, there are voices claiming that the independent Kosovo could facilitate integration of all ethnic minorities in one Kosovo society, what could open the way to real solutions for their problems. The artificial prolonging of the present *status quo* does not develop Balkan policy and does not improve the situation in the province.

It is rather unlikely that Serbia & Montenegro keeps the province within its borders. The future political status of Kosovo is a controversial topic and it has been a problem for the world leaders for many years. Some of them seem to have come to terms with the idea of a new country. Maybe in the context of the information provided above, the world should take a closer look at its new creation to be called Independent Republic of Kosovo.

¹⁹ www.balkan-archive.org.yu, D. Bataković „Kosovo i Metohija:istorijsko nasledje i geopoliticka ogranicenja”.

Human trafficking – the map²⁰



- - from Russia
- - from Ukraine
- - from Romania

²⁰ The map comes from the White Book published by the Serbia & Montenegro government in 2003, *Albanski terorizam i organizovani kriminal na Kosovu i Metohiji*, s. 50, www.media.srbija.sr.gov.yu.

- - from Moldova
- - from Bulgaria
- the final routes

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OUR ADDRESS:

ul. Emilii Plater 25, 00-688 WARSZAWA
tel. (0048-22) 646 52 67, 646 52 68, 629 38 98
fax (0048-22) 646 52 58
e-mail: info@csm.org.pl
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