

ORGANIZED CRIME AND NATIONAL SECURITY

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Introduction¹

After the Second World War up to the end of years '90, Europe was divided in two political blocks: Capitalistic West and Communist East. There was a rivalry between them for influence areas, and the Cold War had begun. Each block had provided a national security system based on group security for the participant countries.

The two military organizations of group security in Europe were: NATO and WARSAW TREATY, which were led by two leader countries: USA and Soviet Socialist Republic Union.

After the World War II National Security of Albania is determined by geographical position, her neighbors, and by different security Alliances that were joined and broken during 48 years of Communist system.

Public order was at high levels because of the dictatorship that existed in Albania. Attention of law enforcement agencies was mostly concentrated on the so-called "political crimes", which posed a threat to the party and to the state dictatorship of working-class. Public order in other countries of communist block was almost the same, but it seemed a little bit watered down.

After collapse of communism in East and the end of Cold War many countries noticed a rapid and unprecedented increase of organized crime in their countries. This is also noticed in Albania.

Organized crime constitutes now a challenge for democratic governments all over the world. Now it poses an immediate and direct threat for national security.

Due to the jeopardy of this phenomenon this study undertakes to analyze the causes, tendencies, efforts, ways and methods that uses organized crime in Albania, the consequences and risks for national security, and to inform: state institutions and civil society about this problem.²

Organized crime, its characteristics

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There is not a final definition for organized crime, although many international meetings are held. American law enforcement agencies accept as a definition for organized crime as ***“a condemnable criminal activity, a continuous and self-acting one, having an organized structure, fed by fear and corruption and motivated by crave for money”***.^{2/1)}

In the Convent of United Nations against organized crime in 2000 is given this definition on organized crime: ***“a group that consists of 3 or more persons that has existed for a period of time and operates in collaboration, aiming at crimes commitment or other serious penal deeds, in order to profit directly or indirectly a financial profit or other material profits”***.

Despite of different definitions, it is accepted that organized crime is characterized by essential features.

1-1. Organized crime characteristics

a. Requesting a financial profit. A business needs profits to survive. The functioning of organized crime is quite the same. Craving for having everything and lots of profits determines the decision and actions of the greatest criminal groups. Craving too much money and the power that follows it brings forth the support of organized crime.

b. Requires fidelity from members of the organization. With a view of being loyal among each other, in many cases members of criminal organizations belong to the same family, tribe, or ethnic group. Anyway, these are not always absolute. Being members of the same family, tribe or ethnic group means that the members of organization know each other very well and so the infiltration of police in their organization would be difficult.

c. Corruption of officials and statement. The success that many criminal organizations have reached in their illegal activity comes exactly as a consequence of corruption of officials and of the persons in charge of their investigation and their procedure. Sometimes the relation between them becomes closer and it is difficult to distinguish the criminal and the official that he has corrupted. ^{2/2)}

d. Hierarchic structure. Generally groups of organized crime have a determined structure, having the leadership role and the role of the independent, by means of which the organization reaches its goal.

e. Crime diversity. One of the main characteristics of criminal activity is the involvement in different kinds of crime.

f. Organizational maturity. There exist a permanency in groups of organized crime, despite the entering and the leave of one or some members.

1-2. Peculiarities of Albanian groups of organized crime

The above characteristics of organized crime are universal. Some peculiarity distinguishes Albanian crime organizations from other organizations. These are:

1. Organizations do not pretend to be alone in the territory they operate within the country. Some organizations that respect each other in silence by avoiding conflict operate in a territory based on the principle “there is a lot for all of us”.
2. Criminal groups in Albania do not have hierarchy toward each other, there is no running clan, but they operate on their own. Maybe later if the environmental factors change, the structural organization of criminal organizations will also change.
3. The same person does not lead the same group, so they pass on from one group to another. These movements were typical especially in 1997.
4. Criminal groups, which operate in west, are recognized as violent ones. According to foreign experts, if criminal groups of other ethnic groups start negotiations with each other for solving problems, and if they cannot solve them, they solve problems by means of arms. So criminal groups achieve their goals by using arms and by obliging them the other group to start negotiations in inferior position.³⁾
5. In many cases, Albanian criminal groups, which operate in west, are organized according to cities ex: Lacianet, Peqinasit, Fieraket.
6. In money circulation, generally Albanian groups prefer the circulation in cash and not the one through banks.
7. They are not careful when they have phone calls, and they use nicknames. So in west countries where exist the technical possibilities to bug their telephones, there was no difficulty in attacking Albanian criminal groups.

1-3. Factors that enabled the rapid spread of organized crime

a. Changes after the Cold War, which led the country toward the political barriers’ fall in Europe, enabled the free movement of people and capitals. This gave the opportunity to criminal organizations to camouflage and intensify their activities without difficulty. At this time Albania passes from “barracks’ system into a “khan”, so it gives the opportunity to the criminals from Albania to cross the border freely. It also gives the opportunity to foreign criminal organizations to consider Albania as a new undiscovered market and as a safe shelter.

b. Liberalization of market and economy. Criminal groups gained advantage from the difficult economic transition of ex-communist countries. These states aimed at transforming their economy and leading them toward privatization. Criminal organizations began to penetrate their fragile economies by finding partners within the country. Albanian economy, which collapsed by the beginning of years’90, had either

possibilities or the necessary infrastructure to check: the purity of capitals that were invested in Albania and the persons who represented these capitals.

c. Technological breakthroughs also helped reinforcement of organized crime. Networks of organized crime are easily using modern systems of information, telecommunication and e-mails. Such sophisticated equipment give the opportunity to criminal organizations to tie up deals, to transact lots of transactions. The speed and security that these sophisticated equipments of communication provide to criminal organizations also provide them with entire security and “immunity” from activity of law enforcement agencies. In many cases the electronic infrastructure that criminal organizations possess is more sophisticated than that of law enforcement agencies, which aim to lay the blame on criminal organizations.

d. Lack of specialized structures and experience to face these new ways of criminality in Albania, has permitted the diffusion and consolidation of organized criminal structures in Albania. Reliable structures, which aim at fighting against crime, are established after the year 1998. The highest structure in State Police is called “sub directorate of organized crime”, which is established in 2002.

e. Lack of legislation for war against crime in general and especially for war against human being traffic, which is widespread in Albania gave the possibility to criminal organizations to run this activity in order to profit, to invest within 10 years and not to be punished legally. Law prohibited human being traffic only in the end of 2001. ⁴⁾

f. The geographical position of Albania has also given the opportunity to Albanian criminal groups to strengthen within and without the country. Being a bond between the ex-communist east and west, Albania was used as a transit passage for drug and clandestine. Albanian groups had their own profits from their traffics. The goods, which were considered, as “top qualities” were sent west. So Albanian criminal groups began to sell it themselves in west and to sell it to other traffickers. This strengthened these groups in west and helped them to dominate over other groups.

Security. Group security. National security. Their peculiarities as evident in our country.

The concept “security” generally means the same in other countries, having any small difference. In Albanian language it means “**being out of danger and unexpected things, a state without a risk or unexpected harm**”.⁵⁾ The word security is a term, which has different dimensions in psychology, health public protection, defense, military case, in information and finance. ⁶⁾

In different countries different definitions are given to concept of “national security” but in fact it implies the same, and concretely “to defend the nation from any attack or danger, being ready to keep the state secret”. In many other countries such as in France, “nation security” implies the interior and exterior security. ⁷⁾

In Albania, the concept “nation security” implicates “the main instrument of state power used to lead the national interests forward. These instruments are: active diplomacy, wellbeing, economic progress, law and democratic institutions reinforcement and the development of protective capacities of the country. ⁸⁾ (Statement of Alfred Moisiu, President of the Republic), - published in the Military Strategy of Albanian Republic.

The objectives of National Security in Albania are: The protection of Albanian citizens’ lives, guaranteeing the territorial integrity, sovereignty, and national identity; the promotion of human rights and minority rights; the protection and development of constitutional democratic institutions, the contribution on new architecture of the regional security; the support of international agreements and obligations of Albania.⁹⁾

The concept of “group security” is related to “national security” concept. Group security is the military defense from means of a wide base of alliance among many countries that are engaged to defend each other against aggressor.¹⁰⁾

2-1. National security in Albania after the 2nd World War

Albania is among the rare countries, which is bounded by Albanian population. The relations with neighbors and what is said above have determined in the national security of Albania.

Our country has always been at variance with Yugoslavia, because it has defended the rights of our co-nationals who lived in their country, in Kosovo. On the other side, Greece, the south neighbor has historically pretended to own the south part of Albania, that it called ‘Vorio Epirus’. Time and again Albania has raised its voice for the properties of Albanian ethnic population who was displaced from Cameria. Albania has always considered a serbo-greek Alliance, which aimed at dividing Albania, as a potential threat for its national security. ¹¹⁾

Immediately after the 2nd World War, the policy of National Security of Albania was focused on the interior security and on the extension of Albanian Communist Party’s authority from south to the north part of the country where its authority was not completely established. Exterior security was not on the foreground.

The Albanian communist party, as the only political leading power entrusted the exterior security of the country to the Alliance with its neighbor, Yugoslavia. This unnatural alliance broke in 1948, taking into consideration the historical relations between the 2 countries after the Yugoslavian efforts to include Albania as her seventh republic.

After 1948 Soviet Socialist Republic Union became the main ally in the exterior policy of Albania. In 1955 Albania signed “Warsaw Treaty”—an organization of group security for communist countries. So the external security was guaranteed. This gave the possibility to communist regime to establish an absolute control in the entire country. Russian counsels and specialists assisted the armament forces and State security institutions.

In 1961, in the sovietic-chinese conflict Albania is positioned in the defense of China. So this way it loses the soviet support and it is immediately expelled from group defense that "Warsaw Treaty" guaranteed to Albania. China, immediately offered a military and economic assistance to Albania. So, it ensures another guarantee for the external security of Albania. The rhapsody from the south part of Albania sang a song dedicated to the new ally and the part he plays for our national security "friends, Mao Ce Duni spoke, We are in Albania's protection, and whoever tries to attack it, we'll pay them back with the same coin".

During the years '70 Albania noticed that the relations between China and USA were strengthening especially after the year 1976, the period when the Chinese leader Mao dies. In 1978 China stopped the military and economic assistance toward Albania, and follows its own not radical policy in international arena. ¹²⁾

After the death of Mao in 1976 and the death of Enver Hoxha in 1985, Albania remained without any potential ally and so it practices "the support on its own power". The new leader, Ramiz Alia was trying to ameliorate the relations with Greece, Yugoslavia, and Turkey. The organization of the conference of foreign ministers from Balkan countries, in Tirana, on 1998 served to improve these relations.

The good relations with neighbors helped Albanian leadership to find support in international arena, to be protected from every possible military aggression and to prepare the military forces for a conventional protection and to prepare later guerrilla warfare toward the occupation forces.

Albania signed the Treaty of armed Conventional Forces of Europe (CFE) in 1990. This treaty reduced NATO's air forces (in the field) in Greece, Italy and those of "Warsaw Treaty" such as in Bulgaria. This minimized the danger of a possible military risk toward Albania in the future.

In 1991, Albania became a member (having full rights) of European Collaboration and Security Council, a political organization of group security. Becoming membership in this organization, ensures Albania a protection from the exterior aggressors, but obliges it to accept the political pluralism, market economy and the observation of human rights.

In 1990, Albania reestablishes the diplomatic relations with USA. Later Albania becomes related to NATO, an organization where some ex-allies of Russia were adhered. After the year 1990 the military training (the drill) of the civil population was not applied and so a liberalization and democratic policy began in the Armed Forces.

From 1944 to 1999 the Public Order was established in high levels because of the dictatorship, which existed in Albania. Those that were called "political crimes" were followed in, with the great sternness.

In 1992, when the country led toward political changes and when organized crime began to appear, officials who were in charge of investigating and preventing such crimes, were disorganized as a consequence of such transformations, and they were also unsure to operate effectively. ¹³⁾

3-Organised crime, a threat for national security

Some of the above-mentioned factors that have influenced on the diffusion of organized crime in the international arena are elements of national security environment. Organized crime poses a threat for national security.

This should be seen from two aspects: From the aspect of internal security
From the aspect of external security

3-1. Organized crime, a threat for National Security

Organized crime poses a threat for the internal security and this threat consists in these main directions:

a. Leading toward corruption and the relations with policy. ¹⁴⁾ This is one of the universal characteristics of organized crime.

In such a case, and when organized crime establishes relations with police, organized crime becomes gangrene for the interior security. Criminal organizations try to corrupt officials of justice, police, customs, and the officials of tax police in order to help their criminal activity aiming only at increasing their profits. Criminal organizations try to recruit officials and politicians aiming at:

1. Gaining a high level protection for themselves and for their activity. In some cases the power of political defenders becomes the main factor, which influences on a good or bad future of a criminal group. There have been such cases in Albania.

2. Taking the interior information on the investigations that can be made toward them. In this case, the organizations recruit officials of law enforcement agencies in order to be informed in the proper time for the actions that would be taken against them. This is taken into consideration for the organization of operations during 1999-2000, where nearly 40 criminal groups were attacked. Many of the criminal groups had secured informational sources from law enforcement agencies from their local authorities. Police structures organized and realized this attack. So the informational sources of criminal groups were useless.

3. Taking the interior information and recommendations that where should they invest their capitals in order to profit as much as they can. Albanian criminal groups have been interested and have taken the necessary information especially for the lucrative objects or enterprises that are going to be privatized and where they had invested.

4. To influence on the approval, on the postponement of the approval, or law execution, which influence on their activity. There have been cases when media or the politicians have charged the law of dinghies, and the law “on tax police”.

5. Criminal organizations plan and achieve to support their elected persons in electoral campaigns by funds or other means. They are too careful and they “file” these aids, they photograph, film and register them in order to use them as blackmails if politicians do not fulfill the requirements of criminal organizations.

b. Crimes committed in the financial field influence directly on the National Security in these directions:

1. By establishing pyramid-schemes, in order to achieve money laundering. The great diffusion of unlaundered money and pyramid-schemes of investments, which were established by Italian ¹⁵⁾ and Albanian criminal groups in years’90, leded Albania toward an all-round instability, toward the collapse of state, the burning of the institutions and premised the impingement of our territorial integrity. National Security in Albania had never incurred such a shock before.

2. Crimes influence in National Security through the development of goods smuggling. Smuggling goods of excise ruins the honest competition in the market, damages businesses causes their failure, increases unemployment, stimulates social tension and lead the country toward political crisis, impinging the national security.

3. Financial crimes influence on National Security through the forgery of money and the forgery of official documents. (forfeit) The forgery of money leads to a financial instability, to the damage of citizens’ interests. The forgery of official documents enables the movement of persons who are declared wanted by justice. All these play their role in impinging the national security.

4. Crimes influence on National Security through the circulation of money out of bank system. So criminal organizations render difficult the financial field, they avoid state duties and impinge the development of a modern financial system.

c. *Crimes committed in the field of drugs, impinge the internal security because:*

1 When the use of drugs is permitted, the possibility of spreading dangerous diseases such as AIDS is increasing.

2 As a consequence of conflicts between criminal organizations, in many cases serials of murders began and they also increased the security among people. We can mention the serial of murders of boys from Durres and the fear psychosis that they created.

d. *Crimes in the field of human beings traffic and other kinds of traffic, as ways of organized crime that impinge our interior security, because:*

1 They pose a direct threat for life, health, stability, and the values of society.

2 They violate our country's borders, impinging the security

e. Criminal organizations organize political crimes, impinging the stability in the country. The murder of MP Hajdari is a typical case, which was followed by a series of actions that led toward the attack against institutions and toward the impingement of internal security.¹⁶⁾

f. Crimes committed in the field of environment by criminal organizations constitute grave impingements in National Security because of their consequences. We mean the profits that criminal organizations provide by undertaking the depositing of dangerous, technological, chemical and radioactive refuse.

The Council of National Security of USA published an account in the beginning of 2001, according to which "in 1997, 53 criminal groups from Italy have trafficked and deposited dangerous refuse that are transported in Albania, East Europe and West Africa in order to enter them.¹⁷⁾

3-2. Organized crime, a threat for external security

Organized crime poses a threat to exterior security, which consists of:

1. It is one of the factors, which retards the membership in NATO, the only actual group security in Europe. As we explained above, in 1997 the state institutions that were attacked and the armament of population came as a consequence of organized crime activity. The weakness of institutions after 1997 postponed the membership of Albania in NATO, because it needs time to reach the parameters that this organization requires.

2. It has retarded the signature of the association-stability agreement for the admission of Albania in EU. In his latest visit in Albania on December 12, 2002, Chris Paten, the commissioner of EU for Foreign Affairs required a total commitment in the war against crime and corruption by postponing the signature of agreement on the next year's February.

3. The increase in number of Albanian organized crime groups in west is already a reality. According to published informations in west, Albanian groups dominate the drug sale in Norway, Sweden, in the south of Germany and in Switzerland; and they dominate women traffic in Italy and Belgium. They can threaten the interests of organized crime in Italy.

The characteristic of these criminal groups' activity is that they try to use the extension of Albanian emigration in west as a support for their criminal activity. So they "criminalize" the Albanian ethnic groups and lower the reputation of Albanians all over the world. This has an economic and political bill, which is related to National Security.

This reputation for Albanians all over the world and the feverish propaganda of traditional anti-Albanian circles retard the final determination of the Status of Kosovo, bringing forth problems for regional security and our National Security. Organized crime

impinges National Security in the above-said directions. The influence of organized crime on National Security of countries is evident even in powerful countries such as USA. President Clinton has identified international organized crime as an immediate and direct threat for National Security of USA.

CONCLUSIONS AND RECOMMENDATIONS

1. Organized crime poses a threat for National Security of Albanian Republic. We recommend the drafting of a national strategy, for control on crime.
2. The drafting of a lawful packet against organized crime, because there's a lack in this field. The drafting of an anti mafia law packet would increase the results in war against crime.
3. Structures for the war against crime are established in State Police, in Informative State Services, in the General Executive Board of Customs and in the General Prosecution. The establishment of a coordinative agency for the structures against organized crime is necessary.
4. War against crime should be the obligation of law execution agencies but also of the entire state administration, in the period we are living.
5. Albanian groups of organized crime are powerful in west, so it is necessary to find other ways of collaboration with law execution agencies in countries where these groups exert their activity.
6. It is necessary to find the ways in Albania and Kosovo to anti Albanian propaganda of certain circles, which try to 'criminalize' Albanian ethnic groups all over the world.

NOTE:

-Ky studim eshte publikuar ne suplimentin « opinion » te gazetes se perditeshme « Korrieri » te dates 18 Dhjetor 2002.

2/1.« Kercenimet e Krimet te Organizuar Nderkombetar »-Raport i Keshillit te Sigurimit Kombetar te SHBA-Uashington 2001,faqe 6

2/2.Po aty faqe 7

3.Ky fakt na eshte deklaruar nga ekspert te policise se Brukselit ne nje takim zyrtar qe kemi patur me ta ne fillim te vitit 2000 ne Bruksel.Sipas tyre organizatat kriminale

shqiptare qe merreshin me trafikun e femrave ,kishin arritur te spostonin mafian ruse me dhune ne qyteti i Anversit.

4.Xhavit Shala-Vecori te trafkut te femrave per qellim prostitucioni ne qarkun e Fierit-Botuar ne revisten shkencore « Kriminaliteti, Rendi, Policimi » Nr.5 Viti 2002,faqe 44.

5.Fjalori i Gjuhes Shqiper-Tirane 1980-faqe 1750.

6.Enciklobedia ENKARTA DELUXE 2002-Security.

7.Didier Perroudon-Gestion de la Securite-October 2000-faqe 5.

8. Deklarate e Presidentit te Republikes Alfred Moisiu -botuar ne Strategjine Ushtarake te Republikes se Shqiperise ,Faqe 3- Tirane 2002.

9.Po aty faqe 9

10. Enciklobedia ENKARTA DELUXE 2002-Collective Security.

11.Albania-Evolution of National Security Policy-(Country-Guide-Study)- April 1992.

12.Po aty ne vazhdim.

13.Albania-Internal Security –(Country-Guide-Study)- April 1992

14. « Kercenimet e Krimet te Organizuar Nderkombetar »-Raport i Keshillit te Sigurimit Kombetar te SHBA-Uashington 2001,faqe 6

15. « Kercenimet e Krimet te Organizuar Nderkombetar »-Raport i Keshillit te Sigurimit Kombetar te SHBA-Uashington 2001,faqe 78.

16.Behet fjale per ngjarjet e dates 14 Shtator 1998.

\17.- « Kercenimet e Krimet te Organizuar Nderkombetar »-Raport i Keshillit te Sigurimit Kombetar te SHBA-Uashington 2001,faqe 28

