

Transborder organized crime in the new Europe: a vision from Spain

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My presentation will be mainly focused on an analysis of the organized crime current situation, its consequences, features and the responses that are being mainly implemented from Spain, in order to confront the characteristics of the delinquency that is coming from Eastern Europe countries. I do not mean to carry out a Balkans or Bulgaria situation analysis from my position. I am convinced that in this forum there are persons much more competent to deal with this subject. Therefore, I will develop my approach to the problem mainly based on a desire to explain what is happening in Spain and on the possibility of sharing experiences that could be assimilated into the South-Eastern Europe countries. We should not forget that Spain had suffered a dictatorship only some decades ago and the Spanish experiences could be closer to those of the South-Eastern Europe countries than the ones of other Member States where the Democratic rule have a longstanding tradition.

During the last years, subjects regarding security are drawing the attention of great number of citizens in democratic countries. The spread opinion that we are living in a society full of uncertainties or risk society, the globalisation phenomenon and, mainly, the existence of an uprising actual threat of Islamic environment is causing a increasing uneasiness into our plural and tolerant societies. However, the increasing presence of the so called organized and transnational crime must not go unnoticed, although it does not rise much the media interest or the population alarm. There is no doubt, that it is one of the greatest challenges that the democratic societies must confront in the future.

Nowadays, we are not yet able of assessing, at its full range, the dangers that the existence of that type crime is posing to our societies. But when establishing comparisons with the threat posed by terrorism, it is not less important that we

would be able to devote more and more intellectual, human and material efforts to understand the hazard and to fight it. The differences with terrorism are clear, whereas that phenomenon is an explicit threat against which exists a general consensus on the principle that we need to combat it, due to the threat posed to the social orders and political principles, organized crime leaks itself unnoticed into institutions, corrupting both official structures and their managers, and therefore making easy the disturbance of the basic principles both of the Rule of Law and Democratic States. A second basic difference is that terrorism provokes a deep and general social alarm, whereas organized crime -on the contrary,-becomes relatively unnoticed for citizens that assumes highly worried the spectacular punctual deaths or settling of scores, but who are unable of grasping the scale of the problems posed by the influence of organised crime on other levels

The current more destabilizing and transnational organized crime is, to a great extent, a consequence of institutional crises that have taken place in certain States. The power vacuum and the technological development have enable to enlarge and explore new sources of illicit business, taking advantage of that technology to avoid governmental controls, and in certain occasions, to defy them openly. Throughout the last decade long, all the European countries have detected a significant upturn of the transnational organized crime, that is, at a great extent consequence of the collapse of the Eastern bloc, allowing the expansion of organisations linked to organized crime. Our country is not estrange to this reality and we are in a peculiar situation where certain profiles belonging to these rings have became acute.

The accession of New Members countries to the European Union, as well as the foreseeable adherence of another two will add and unknown complexity to the problems posed by transnational organized crime. Therefore, there is no doubt that it will mean extra efforts by the law enforcement agencies of all the Member countries and by the European structures themselves such as Europol. It is not a secret that the last years long, certain individuals and groups from the Balkan countries have developed specialised structures for specific types of crimes. Their expansion and effectiveness have contributed to alter, at a large

extent, the Spanish crime scenario, demanding the need of the implementation of new strategies and responses such as the ones that will be pointed out during this presentation.

In Spain, the main organized criminal groups are basically based in the big cities as well as all the Mediterranean seashore along, with an extension to Sud-Western and Insular areas. The features of these groups, are more and more characterised by the complexity of their internal structures, their increasing and cooperation inter-groups' connections. They also keep both strong members' control and discipline levels. Besides, they have a highlighted multinational and transnational character for their operations, mainly of illegal drug trafficking , money laundering, illegal immigration aiming at prostitution and crimes against property in general. They also preserve, their economic capacities, and they better provided with technology. Fortunately, until now -and this is very important- their penetration power into the social and institutional fabric is poor in comparison terms, although at municipal level, they have occasionally achieved some influence. Compared to an organized crime type characterised by making up large groups, highly hierarchical, with a great corruption power, mafia type, in general, until now, the bulk of the organized groups investigated in our country are smaller, very flexible, interacting among them as small independent cell, that occasionally add their efforts to perform their criminal activities, and other times, that interaction leads to burglaries of goods, kidnappings, or settling of scores among the groups.

They diversify more and more their criminal activities and the existence of groups engaged only in a sole type of crime perpetration is rare. They tend to adopt more frequently a behaviour pattern similar to the business one, establishing networks or links with, providers, carriers, suppliers, etc and they hire any type of professionals: lawyers, accountants, financiers, etc, taking also advantage of the new technologies to employ new "modus operandi" and increasingly, faster and safer communications. Nowadays, it is to be pointed out the increasing trend to crime diversity within a same organized group, although drug trafficking is the more relevant organized crime activity

If we deal more specifically with crimes committed by Eastern countries nationals in Spain, we shall notice that delinquency coming from Balkan countries has represented – throughout the last five years (2000 - 2004) – the 17.4% out of the total of crimes committed by foreigners and the 8.6 % of the total of crimes committed in our country. As a whole, it has a considerable impact with an upward trend in the last years.

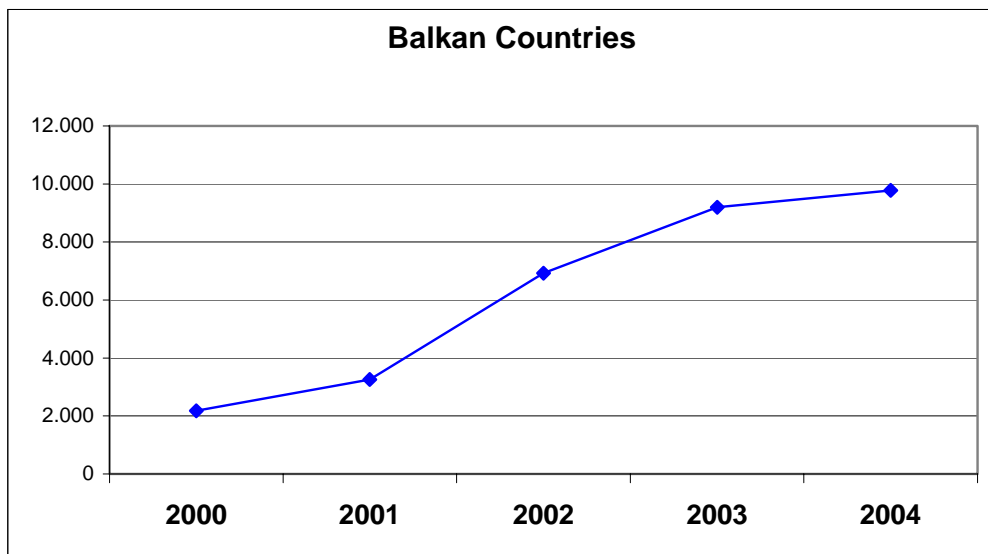


CHART 1- Trend of Balkan nationals arrested for first time , per year.

In spite of the fact that all countries, individually considered, show an increasing trend, the main responsible of the same is, without any doubt, the crime committed by Romanians, what represents the 80,1 % of the crime coming from the Balkan Countries.

Furthermore, taking into account, on the one hand, the whole crime existing in Spain, and on the other hand , only the foreign crime , we can establish a wider perspective emerging from the countries under survey.

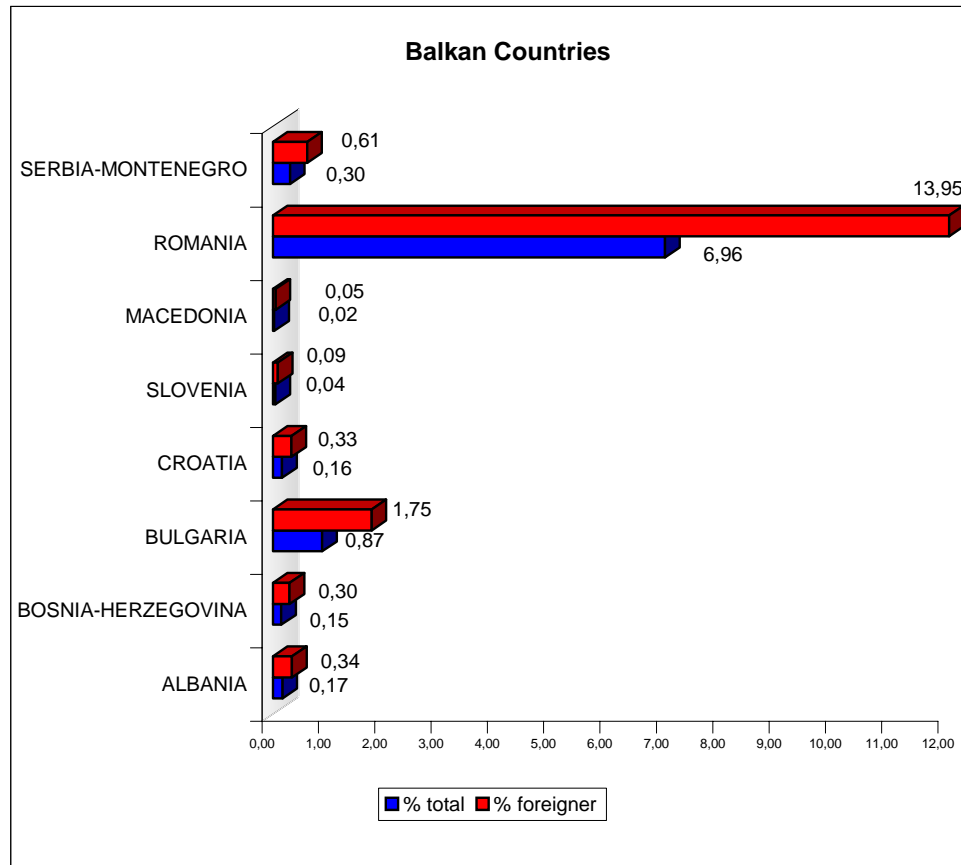


CHART 2 - Representation (in percentage) of the criminality coming from the Balkan Countries with regard to the total crime in Spain and also regarding the foreign crime in Spain (**years: 2000 to 2004**).

Considering the previous chart, the countries with a higher impact are Romania, Bulgaria and Serbia and Montenegro, as the three countries represent the 8.44% of the total crime committed in Spain and the 16.31%, if we consider the total number of foreigners committing crimes in Spain.

In spite of the above data, from the survey on the arrestees for the first time in 2005, it can be established that nationals from Serbia and Montenegro have been overcome by those coming from Bosnia, Albania and Croatia, what means an increasing trend in these three nationalities.

If we focus on the data concerning Bulgarian citizens, their impact on crime in Spain is important, **they hold the second position among the Balkan countries** what represents the 1.75% of the total of crimes committed by foreigners and the 0.87% of the national total. Their trend is clearly uprising from the year 2000.

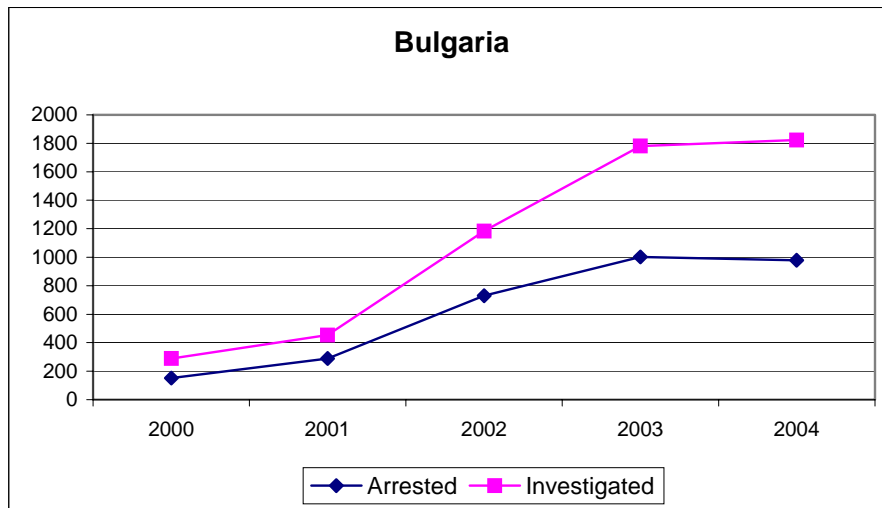


CHART 3. – Trend. Arrested and investigated nationals for the first time, per year.

Illegal immigration is the more investigated activity in relation to these nationals, it is mainly aimed at prostitution. Moreover, activities of illicit traffic of vehicles, drugs trafficking (cocaine, mainly), frauds and weapons trafficking are significant.

Bulgarians involved in illegal immigration use to coerce into prostitution and counterfeit documents. Sometimes, they link this activity to money counterfeiting. Criminals involved in illegal traffic of vehicles, are usually also involved in drugs and weapons trafficking.

They mainly act in the Mediterranean Coast (especially in Málaga and Valencia) and in the centre of the Iberian Peninsula (Madrid).

If we focus on the activity carried out by the organized groups made up by citizens coming from South-East Europe, we can point out that during the year **2001**, 1,433 Balkan countries native individuals who were investigated, were involved – one way or another- in 121 organized crime groups.

During the year **2002**, this figure fell to 1,160 individuals, although the number of the groups in which they were involved has increased up to 169.

In **2003** the figure increased again up to 1,528 individuals (63% of them were Romanian natives). The number of organizations where they were involved was 176.

In the year **2004** the figure of criminal groups was similar to the previous year (174) with a total number of 1,313 individuals who were suspected of being involved in organized crime.

Country	2001		2002		2003		2004	
	Nr of Organized groups	Investigated people	Nr of Organized groups.	Investigated people	Nr of Organized groups	Investigated people	Nr of Organized groups	Investigated people
Albania	14	85	18	118	18	87	12	65
Bulgaria	15	66	17	124	20	95	24	135
Croatia	11	68	7	46	8	28	10	16
Slovenia	4	6	5	10	8	11	4	5
Macedonia	2	3	2	4	-	-	2	2
Romania	43	629	89	799	97	1018	100	980
Serbia-Montenegro	20	553	26	38	19	263	17	100
Bosnia-Herzegovina	12	23	5	21	6	26	5	10

TABLE 1.- Number of organized groups with nationals of different countries belonging to these groups as well as individuals from these countries who have been investigated, during the years 2001, 2002, 2003 and 2004.

The organized crime groups made up of individuals coming from **Romania** have represented the most significant increase in these years due to their involvement in any type of offences by which organized groups are investigated.

In 2004, they even outnumbered Spanish criminal groups in certain criminal activities such as, for example, offences of theft – as for the number of groups – and offences of forgery of means of payment – as for the number of their members.

So, with regard to the nationals of this country, the trend is still upwards with a rise by over 50% in the number of their offences within the organized crime, since the year 2001.

Also, in these last years, it is significant the increase in almost a 38% of criminal organizations made up of **Bulgarian** nationals.

On the other hand, in the evolution over the last years a moderate downward trend can be noted in the organized crime groups made up of nationals from Albania, Serbia-Montenegro and Bosnia-Herzegovina. The number of nationals from the rest of the countries involved in organized crime, is small and stable.

The analysis of investigations and information related to the organized crime groups that are known to Spain, together with other data of significant relevance, enables to work out a series of considerations on the role played by some significant countries with regard to organized crime, such as Romania and Bulgaria.

As for Romania, it is possible to state that it is taking place an active recruitment of members for organized groups engaged in criminal activities against the property. It is a country of destination for the property stolen in other countries by Romanian nationals belonging to organized groups. Romania has become the objective of laundering operations of money coming from its bordering countries. Women who are victims of illegal immigration networks are recruited to be exploited in prostitution and, finally, it is a country where there are carried out activities related to forgery of the documents essential to carry out the rest of illegal activities.

As for Bulgaria, this is the place of origin of women who are forced to prostitute themselves by organizations that recruit them in their country, by means of false promises, and then, take them to Spain. It is a zone of settlement of a part of the infrastructure of organized groups made up of Bulgarian nationals that are engaged in theft of vehicles in Spain. Also, Bulgaria is the place where printers to counterfeit money are allegedly located.

The Spanish Police acknowledges this situation and, therefore, a series of strategic, operational and organizational restructurings are being undertaken with the aim of increasing the efficiency in the fight against this type of criminality. It is evident that to combat any criminal phenomenon it is necessary to know it in depth in order to attack the basic nodules in which it is structured. Starting from this principle, to a great extent, the fight against terrorism has provided the Spanish Police with a base that enabled them to develop basic tools, such as information collection and intelligence elaboration. Obviously, this phenomenon has distinguishing features, but it is perfectly possible to extrapolate the logic to be applied to and it is proving to be effective. In this sense, one of the most relevant measures has been the establishment of new Territorial Intelligence Units for making all in situ data collection and exploitation system more perfect.

On the organizational and operational fields, the response is being determined and categorical. The foundations, as well as the reform criteria of the new

design, were to maintain unharmed the balance between the democratic freedoms of citizens and the relevant repression of crime. Obviously, everything placed within the constitutional framework, with express reference to the guarantees and rights of the accused. Operational changes have taken place in two aspects. On the one hand, adapting criminal investigation methodologies and internal structures, and on the other hand, undertaking decisive occasional and permanent operations against the offenders.

Among the most important measures, there have been established the so-called Groups for Special Response to Organized Crime (GRECO) made up of specialists in drug traffic, organized crime, criminal analysis and use of special means. One of those groups is already operating on the Mediterranean coast, namely at the Costa del Sol (Sun Coast), and other group is in the setting up process in Murcia and some other provinces of the East Coast, also on the Mediterranean coast. And, finally, the immediate deployment of a third group is planned in Galicia, on the North West coast. One of the most significant novelties is that once an investigation into the activities carried out by a criminal organization is started, a second parallel investigation into both its properties and the possibility of money laundering is immediate and systematically started.

Finally, particular attention is being paid to development of instruments that strengthen and make international cooperation in the fight against crime more flexible. A good example would be the centralization of the three National Central Offices (Europol, Interpol and Sirene) under a single command that has been recently carried out. This way, a total integration and a better exploitation of information is achieved and duplications are avoided. Likewise, the establishment of Joint Investigation Teams with other countries has successfully started. Presently, several of those have been set up with France; one of them, is engaged in the fight against traffic of cocaine by air, has already dismantled a network resulting in many arrests and the seizure of a relevant quantity of cocaine.

The scene that has been outlined so far is a sample of the up-to-the-minute criminal activities that are combated with every effort and dedication by a

modern and well equipped Police. Our wish is to serve the citizen, and let the Rule of Law's principles be a framework of real coexistence that enables to make economic and social progress. In any case, we should never forget that the most effective combat against this type of offence, that can threaten the principles of democratic coexistence, does not only depend on the technical efficiency of the Police but also on the citizen's responsible support for and solidarity with a public service such as the Police whose top priority is the welfare of society.