

appointment of a National Coordinator on Trafficking and of a Coordinator for the Stability Pact Task Force on Trafficking. In Montenegro, **a new anti-trafficking law is being prepared by the Inter-Agency Working Group on Legal Reform, established in March 2001. In September 2001**, a Special Task Force on Smuggling and Trafficking and a Special Task Force on Border Control were created. In Kosovo, the Regulation on the Prohibition of Trafficking in Persons in Kosovo was adopted in January 2001. In October, Trafficking and Prostitution Investigation Units were created within the UNMIK police force.¹⁴⁰

3. 2. INTERNATIONAL COOPERATION AGAINST THE TRANS-BORDER ORGANIZED CRIME

The most important development, following the recent political changes in most of the countries, is that now all the regional governments substantially cooperate with the international organizations in an effort to curb the smuggling and trafficking through the Balkans. **One of the most important developments was the deployment of the European Commission's customs assistance missions to Albania, Bosnia-Herzegovina, Croatia and Kosovo:**¹⁴¹

- As part of these missions, EU customs officers have worked together and assisted their local colleagues in an effort to improve the efficiency of regional customs administrations.
- In all the states where missions were employed, the revenue collection increased significantly.
- **In Bosnia-Herzegovina, the Customs and Fiscal Assistance Office (CAFAO)**, established in 1996, contributed to the development of customs and tax systems based on modern European standards. Bosnia-Herzegovina was gradually transformed into a single and unified customs territory, after both entities, in cooperation with CAFAO, drafted identical entity-level legislation and regulations. In 1999, CAFAO assisted the creation of Customs Enforcement Section in both parts of the country.
- **The Customs Assistance Mission in Albania (CAM-A)** was deployed in June 1997 on the request of the new Albanian government. The main goals included assistance to the Albanian customs service to restore control over the border crossings, regulate customs revenue collection, and help fight smuggling and corruption. In 1999, a sophisticated computerized tracking system, called Pre-Arrival Intelligence System, was developed and installed in Albania, intended to monitor carriers en route from the neighbouring states. Twenty-four anti-smuggling service teams have been recruited, trained and deployed, and customs legislation was revised to suit the international standards.
- **The Customs Assistance Mission in Kosovo (CAM-K)**, staffed by 10 international customs experts, is helping the 120 local customs officers from the region's customs service, established by UNMIK on 31 August 1999. Several taxation points were established along the Kosovo's administrative boundaries with Serbia and Montenegro and its international borders with Albania and Macedonia.

The Organization for Security and Cooperation in Europe (OSCE) is very active in the region, especially in the fight against trafficking of human beings:¹⁴²

¹⁴⁰ U. S. Department of State. "Trafficking in Persons Report 2001." p. 101.

¹⁴¹ The European Union. "Customs, Fight against Corruption and Organized Crime." *The EU's Relations with South Eastern Europe*. < http://europa.eu.int/comm/external_relations/see/actions/customs.pdf > .

¹⁴² Limanowska et al. "Trafficking in Human Beings in Southeastern Europe."

- In Albania, OSCE is involved in the coordination of anti-trafficking activities. Its experts have conducted an assessment of the Albanian Criminal Code and its anti-trafficking provisions, and made recommendations to Albanian government on how to make improvements. OSCE also monitors arrests and prosecution of traffickers, as well as assistance programs for the victims.
- In Croatia, OSCE has assisted in organization of a round table on trafficking and in establishment of a working group on legislation and law enforcement.
- In Macedonia, OSCE organized round tables on prevention of trafficking, on victim assistance and on legal policy and security.
- In Serbia, OSCE experts are the main advisers to the working group on legislation and law enforcement. They also organize training courses, aimed at improving cooperation between local NGOs and police in their anti-trafficking efforts.
- In Montenegro, the Inter Agency Working Group on Legal Reform, where OSCE is cooperating with the Council of Europe, the GRMTHR Association of Attorneys and Lawyers, and the law faculty of Podgorica University, is preparing amendments to the existing legislation on counter-trafficking. OSCE also supports the training of the members of the Special Task Forces, which are cooperating with the SECI centre in Bucharest.
- In Kosovo, OSCE has developed a victim's assistance program, which includes legal aid for victims. It also trains judges, lawyers, university professors, students and international agencies staff on anti-trafficking issues.

Several important improvements were also implemented within the Stability Pact:¹⁴³

- Among the numerous projects, to which the international community committed approximately \$6 billion, are also projects on upgrading and modernizing several main border crossings in the region, reducing regional trade barriers, combating corruption, fighting trans-border crime, and strengthening regional cooperation.
- As part of the project to fight against organized crime, several joint task forces were established by the countries of the region to deal with the three most problematic issues: trafficking in human beings, customs fraud and smuggling, and smuggling of narcotics.
- Several bilateral agreements have been signed, including a border treaty between Croatia and Bosnia-Herzegovina, and several trade agreements involving Albania, Bulgaria, Croatia and Macedonia.

The Southeast European Cooperative Initiative (SECI), in which Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Greece, Hungary, Macedonia, Moldova, Romania, Slovenia and Turkey participate, encourages cooperation among the countries of the region and supports the efforts of Southeast Europe for Euro-Atlantic integration. SECI is a forum where representatives of participating states meet to discuss common regional economic and environmental problems, as well as measures to be taken to deal with these problems.

As part of the SECI initiative, a **Regional Centre of the Southeast European Cooperative Initiative for Combating Trans-border Crime was established in Bucharest**. The Centre is part of the SECI's efforts to curb the illegal trade across regional borders. A SECI working group, meeting from May 1998 to May 1999, has

¹⁴³ Stability Pact. "Report of the Special Coordinator on the Implementation of the Quick Start Package," *Special Coordinator of the Stability Pact for South Eastern Europe*. May 2001. <<http://www.stabilitypact.org/qsp-report/04-qsp.html>> .

produced an Agreement on Cooperation to Prevent and Combat Trans-border Crime. The Agreement was signed on May 26, 1999 by Albania, Bosnia-Herzegovina, Bulgaria, Greece, Hungary, Macedonia, Moldova, Romania and Turkey and paved the way for establishment of the Centre. The Centre became operational on January 1, 2001.¹⁴⁴

There are 15 liaison officers from the member states working at the centre, handling the daily exchange of information, which is collected and supplied by police and customs administration of the member states. The Centre has set up numerous task forces of police and customs officers, which are coordinated by representatives from law enforcement agencies from SECI member states. These task forces are:¹⁴⁵

- Combating Drugs Trafficking - Bulgaria
- Combating Human Beings Trafficking - Romania
- Commercial Frauds - Croatia
- Valuation Frauds - Albania
- Financial and Cyber Crimes - FYR of Macedonia
- Combating the traffic in small weapons - Albania
- Combating stolen vehicles trafficking - Hungary
- Combating the traffic on radioactive and dangerous substances

Two working groups, one for combating terrorism and one for legal issues, were also set up by the experts from the member states and international organizations, which participate at the SECI centre as observers. In 2001, 3112 exchanges of information were conducted under the umbrella of the Centre (1874 exchanges in connection with trafficking in human beings, drug smuggling, commercial frauds, stolen vehicles, fraudulent documents, terrorism and other fields, and 1218 exchanges in connection with commercial frauds and customs valuations). The main problems of the Centre are the limited financial and human resources.¹⁴⁶

Between 12 and 14 December 2000 in Palermo, all Southeast European countries signed the **UN General Assembly Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons** (known also as Palermo Protocols), which supplemented the UN Convention against Trans-national Organized Crime. Federal Republic of Yugoslavia ratified protocols on 6 September 2001 and Bulgaria on 5 December 2001.¹⁴⁷

Another project currently underway in the region is **Trade and Transport Facilitation in Southeast Europe Project (TTFSE)**:¹⁴⁸

- The participants in the project are Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Macedonia, Moldova, Romania and the Federal Republic of Yugoslavia.

¹⁴⁴ "Charter of Organization and Operation of the Southeast European Cooperative Initiative Regional Centre (SECI Centre) for the Combating of Trans-border Crime." *Southeast European Cooperative Initiative Web Page*. < <http://www.unece.org/seci/crime/charter.htm> > .

¹⁴⁵ "Official Presentation of the 2001 Annual Activity Report of the SECI Centre." *SECI Centre Web Site*. < <http://www.secicenter.org/html/index.htm> > .

¹⁴⁶ Ibid.

¹⁴⁷ United Nations Office for Drug control and Crime Prevention. "Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Trans-national Organized Crime" *Center for International Crime Prevention*. 15 November 2000. < http://www.undcp.org/crime_cicp_signatures_migrants.html > .

¹⁴⁸ Economic Reconstruction and Development in Southeast Europe. "Trade and Transport Facilitation in Southeast Europe Project (TTFSE)." *Economic Reconstruction and Development in Southeast Europe Regional Initiatives*. October 2001. < <http://www.seerecon.org/RegionalInitiatives/TTFSE> > .

- The program, which started in mid-2000, aims to reform the regional border control agencies, improve their efficiency, reduce smuggling and corruption, increase revenue collection, improve regional cooperation and reduce non-tariff costs to trade and transport.
- These goals should be realized within a four-year period in a joint effort of the regional governments, the EU, Southeast European Cooperative Initiative (SECI) and the World Bank.
- The estimated cost of the project is \$102 million. Sixty seven percent have been financed through IBRD loans and IDA credits, and 25 percent have been contributed by the regional governments. The remainder was supplied by EU and USA grants.
- Numerous results have already been achieved. Croatia and Macedonia passed new customs laws. In Bulgaria, Croatia, Macedonia and Romania, Local Project Teams have reviewed the performance of border services. In Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Macedonia and Romania surveys on performance and corruption at border posts have been conducted. In Croatia, Albania, Macedonia and Romania, steps were taken to computerize customs services or upgrade the existing systems. All countries are designing and implementing "one stop shop" systems.

The Southeast European Legal Development Initiative (SELDI, www.seldi.net) is an effort of leading not-for-profit organizations, representatives of government and intergovernmental institutions and experts from the countries of Southeast Europe aimed at **public-private coalition building for legal development in the countries of Southeast Europe.**

- SELDI is distinguished from the other region-wide initiatives in that it is **the first NGO-led effort to encourage public-private cooperation as an instrument for regional development.** The Initiative provides a forum for cooperation among the most active civil society institutions, public figures and government and international agencies in Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Macedonia, Romania, and Yugoslavia.
- For the past two years coalition building for anti-corruption has been the most active area of work for the Initiative. The overall objective of the SELDI anti-corruption component is to introduce a region-wide institutional framework for public-private cooperation in countering corruption in the countries of Southeast Europe.
- It is proceeding through a two-step process: diagnosing corruption and assessing the institutional environment followed by the development and endorsement of a **Regional Corruption Assessment Report** supported by an awareness campaign.
- The results so far of SELDI include enhancing civic capacity throughout the region to maintain a watchdog role as well as to engage public institutions in the design and implementation of anti-corruption policies. The achievements in this area so far include three unique products:
 - The first ever region-wide corruption diagnostics carried out in Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Macedonia, Romania, and Yugoslavia on the basis of a uniform methodology.
 - Training for watchdog capacity for a critical number of civil society organizations in SEE.
 - A comprehensive assessment of the institutional environment as regards public administration, the judiciary, economy, civil society and media and international cooperation against corruption in all seven target countries.

- The emerging picture indicates predictably similar problems facing a number of public agencies, notably law enforcement and the judiciary.
- In addition, believing that the lack of an efficient public-private mechanism to tackle soft security issues (illegal trafficking in drugs and human beings, commercial fraud and money laundering, organized crime, etc) in SEE is a key deficiency to any regional plan for stability and restoration of the rule of law in this part of the world, the SELDI anti-corruption team is working in cooperation with public and international bodies on a policy analysis and recommendations report on **the impact of these illegal activities on corruption in the region.**

The regional cooperation in countering smuggling and trafficking has also significantly improved in recent years. The law enforcement agencies of the Southeast European countries started to actively cooperate with each other. On a December 2001 meeting, Interior Ministers from Albania, Bulgaria, Croatia, Greece, Macedonia, Romania, Turkey and Yugoslavia agreed to share police intelligence and to harmonize laws in effort to jointly fight the organized crime in the Balkans. Ministers also promised that their countries would strengthen border controls to deter and detect cross-border crime.¹⁴⁹ As a result of such cooperation among authorities, the human trafficking ring across the Bulgarian-Macedonian border was broken up in February 2002.¹⁵⁰ Several joint task forces (a task force on trafficking in human beings, on customs frauds and smuggling, and on smuggling of narcotics) were established to fight trans-border crime more effectively.¹⁵¹

Numerous meeting, dedicated to cooperation in combating against trans-border crime, have been held between governmental and parliamentary officials of the regional countries. As a result of these meetings, a number of important bilateral agreements were signed. These developments show that governments in the region have realized that no country can fight the trans-border crime on its own, and that this is possible only if a genuine and effective regional cooperation takes place.

- The representatives of Bosnia-Herzegovina, Croatia and the Federal Republic of Yugoslavia met in June 2001 and signed the Cooperative Law Enforcement Arrangement to Combat Organized Crime and Illegal Migration, based on the UN Convention against Trans-national Organized Crime as part of their effort to curb the trafficking of human beings through the region.¹⁵² In February 2002, the interior ministers of three countries met to discuss measures against organized crime. They have reached an agreement on joint actions by the police forces of the three countries.¹⁵³ The interior ministers of Yugoslavia and Croatia also agreed that law enforcement agencies of both countries will exchange information about drug trade, human trafficking and other trans-border criminal activities.¹⁵⁴

¹⁴⁹ "Balkan States Toughen Stance on Organized Crime." *Radio Free Europe – Radio Liberty: Crime, Corruption and Terrorism Watch* vol. 1, no. 7. 13 December 2001. < <http://www.rferl.org/corruption-watch/2001/12/7-131201.asp> > .

¹⁵⁰ "Bulgaria, Macedonia Break Up Illegal Trafficking Channel." *Balkan Times*. 1 March 2002. < <http://www.balkantimes.com/html2/english/020301-GEORGI-003.htm> > .

¹⁵¹ "The Stability Pact for Southeast Europe: One Year Later." *US Embassy in Bulgaria Web Page*. 26 July 2000. < <http://www.usembassy.bg/stabpact.html> > .

¹⁵² Organization for Security and Co-Operation in Europe. "Joint Meeting on Anti-Trafficking Projects in Croatia." *Organization for Security and Co-Operation in Europe: Mission to Croatia*. 28 November 2000. < http://www.osce.org/news/generate.pf.php3?news_id=1330 > .

¹⁵³ "Bosnia, Croatia, Yugoslavia Agree on Joint Measures Against Organized Crime." *Balkan Times*. 5 February 2002. < <http://www.balkantimes.com/html2/english/020205-GEORGI-005.htm> > .

¹⁵⁴ "Yugoslavia, Croatia Sign Agreement on Fighting Organized Crime." *Balkan Times*. 9 May 2002. < <http://www.balkantimes.com/html2/english/020509-GEORGI-014.htm> > .

- Croatia and Bosnia-Herzegovina have signed a border treaty, and Romania and Moldova an agreement to cooperate on border protection. Both borders are among the most open in the region, as far as smuggling and trafficking is concerned.¹⁵⁵
- Bulgaria signed agreements on cooperation in the fight against organized crime, drug smuggling and terrorism with Albania and Romania.¹⁵⁶

Apart from bilateral and trilateral meetings and agreements, few important events and conferences occurred, where representatives of all regional countries have participated.

- In March 2002, the speakers of the Parliaments of all Southeast European countries gathered at the conference in Tirana and discussed how to strengthen their cooperation against organized crime, corruption and trafficking across the region.¹⁵⁷
- On May 10, 2002, the UN hosted a meeting in Prishtina, attended by finance ministers and customs directors from Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Macedonia, Romania and Yugoslavia. Bilateral and multilateral cooperation in the fight against cigarette smuggling was discussed. The proposed measures included the harmonization of the regional tax systems, the strict use of excise banderols on cigarette packets, increased customs control and improved exchange of information.¹⁵⁸
- In June 2002, the United Nations Office of Drug Control and Crime Prevention (ODCCP) initiated a program to improve the ability of SEE countries to gather, analyse and exchange information on drug smuggling and organized crime. The program, in which Bosnia-Herzegovina, Bulgaria, Croatia, Macedonia, Romania, Slovenia and Yugoslavia are included, is an expansion of ODCCP's successful cooperation with Bulgaria, Macedonia and Romania, which started in 1999.¹⁵⁹
- In June 2002, officials from Justice Ministries, law enforcement agencies and NGOs of Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Hungary, Moldova, Romania, Macedonia, Slovenia and Yugoslavia gathered in Portoroz, Slovenia, and approved a new set of guidelines to fight corruption and human trafficking.¹⁶⁰

¹⁵⁵ Ibid.

¹⁵⁶ "Albania, Bulgaria to Intensify Cooperation Against Organized Crime." *Balkan Times*. 12 June 2002. < <http://www.balkantimes.com/html2/english/020612-GEORGI-003.htm> > .

"Bulgaria, Romania Sign Accord Against Crime and Terrorism." *Balkan Times*. 11 July 2002. < <http://www.balkantimes.com/html2/english/020711-GEORGI-005.htm> > .

¹⁵⁷ Alban Bala. "Southeast Europe: Parliamentary Leaders Discuss Cooperation, European Integration." *Radio Free Europe – Radio Liberty*. 6 March 2002. < <http://www.rferl.org/nca/features/2002/03/06032002100006.asp> > .

¹⁵⁸ "SEE Finance Ministers Agree on Joint Measures Against Cigarette Smuggling." *Balkan Times*. 12 May 2002. < <http://www.balkantimes.com/html2/english/020512-GEORGI-005.htm> > .

¹⁵⁹ Eugen Tomiuc. "Seven Balkan Countries to Swap Intelligence on Drug Trafficking." *Radio Free Europe Radio Liberty*. 17 June 2002. < <http://www.rferl.org/nca/features/2002/03/06032002100006.asp> > .

¹⁶⁰ "Southeast Europe States Adopt Guidelines to Fight Corruption, Human Trafficking." *Balkan Times*. 23 June 2002. < <http://www.balkantimes.com/html2/english/020623-GEORGI-003.htm> > .