

Human Security in the Western Balkans (HUMSEC): The Impact of Transnational Terrorism and Organized Crime on the Peace-Building Process

Final Scientific Report

Introduction

The main purpose of the project on Human Security in the Western Balkans (HUMSEC), the Impact of Transnational Terrorism and Criminal Organizations on the Peace-Building Process of the Region, as a Sixth Framework Programme Coordinated Action was to contribute to a better understanding of the linkages between transnational terrorism and organized crime and their impact on the peace-building process in the Western Balkans. In order to achieve this objective a network of 16 university and research institutions from the European Union and the Balkans was created, which included experts from different disciplines like international law, criminal law, criminology and political science to allow for a truly interdisciplinary scientific dialogue¹.

Three major areas of research were identified, i.e. the connection between transnational terrorism and criminal organisations in the Western Balkans region, the influence of terrorism and organized crime on state and (civil) society and the impact of transnational terrorism and criminal organisations on the peace-building process of the region, which formed the topics of three annual conferences held in Ljubljana, Sarajevo and Belgrade respectively. The results were published in a series of working papers² in articles published in three consecutive numbers of the electronic HUMSEC Journal³ and in a book on “Transnational Terrorism, Organized Crime and Peace-building, the State of the Art in Human Security in the Western Balkans”.⁴ Also other publications were at least partly inspired by the project.⁵ During the three year duration of the project and in reaction to initial findings the focus of the project shifted somewhat from the role of terrorism to the relationship between organized crime and the state. Consequently, the scope of the project experienced a certain enlargement with regard to the relevance of victim’s participation in criminal

¹ For a detailed description of partner institutions see: <http://humsec.eu/cms/index.php?id=335>.

² All working papers can be found on the webpage of HUMSEC at www.humsec.eu/cms/index.php?id=341.

³ Also to be obtained from the website at www.humsec.eu/cms/index.php?id=340.

⁴ See Benedek/Daase/Dimitrijevic and van Duyne (eds.), *Transnational Terrorism, Organized Crime and Peace Building, the State of the Art in Human Security in the Western Balkans*, to appear in Palgrave Macmillan 2010.

⁵ See Schroeder, Ursula C. and Friesendorf, Cornelius, *State-building and organized crime: implementing the international law enforcement agenda in Bosnia*, in: *Journal of International Relations and Development*, Vol. 12 (2009) 2, 137-167 or Rittossa, Dalida, *Trafficking of Minors in Croatia: Present Situation*, *European Journal of Crime, Criminal Law and Criminal Justice* 17 (2009), 137-164, who first presented her research at the Belgrade Annual HUMSEC Conference in 2008.

justice or of nationalist violence by right-wing youth groups for the peace-building process in order to take preliminary results and realities on the ground properly into account.

I. Methodological Issues

The development of a shared methodology of collecting facts and figures proved to be difficult in view of the different approaches even within participating disciplines and therefore was not pursued as a major concern. The emphasis was rather put on the interdisciplinary exchange and comparison of approaches, a dialogue between scientists and practitioners, which were present in large numbers at the annual conferences as well as on a critical review of available data for example from international research foundations. Part of the objectives of the project was also a mapping of (European) research in the field, which was done and published on the website of the project.⁶ The question of what could be interpreted as a terrorist incident appeared to be seen quite differently on the ground by experts from the region and in the local context as will be discussed below. Furthermore, the rather political than geographical concept of the Western Balkans is not by all accepted as useful. Croatian experts, for example, prefer the concept of Southeast Europe.⁷

A major conceptual innovation was the introduction of the concept of human security, which gains its attraction from going beyond the state and focusing on the security of the human being. In most cases, the individual is the main victim of terrorism and organized crime. The human security approach allows for a deeper and more holistic analysis as it is also concerned with the root causes of terrorism and organized crime as well as with a larger scale of threats ranging from threats to personal security to threats to economic security.⁸ However, there are still numerous challenges for the concept of human security, for example with regard to its conceptual coherence or the subjectivity of threat perceptions, which can only be noted in this context.⁹ For the purposes of the research, the specific human security needs in the post-conflict situation of the Western Balkans were identified, which are related to the legacy of war, transition and globalization, but also to the so called “European perspective”.

⁶ See European Training and Research Centre for Human Rights and Democracy (ETC) ed., *Human Security, Fighting Terrorism and Organized Crime: (Normative) Decisions of International Organizations Related to Terrorism and Organized Crime*, www.humsec.eu/cms/index.php?id=341.

⁷ See, in particular, Albrecht, Hans-Jörg and Getoš, Anna-Maria, *Research Terrorism and Organized Crime in Southeast Europe*, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

⁸ See Benedek, Wolfgang, *The Human Security Approach to Terrorism and Organized Crime – Post-Conflict Situations*, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

⁹ See Prezelj, Iztok, *Challenges in Conceptualizing and Providing Human Security*, in: *HUMSEC Journal*, Issue 2, 23-45, and Persaud, Santhosh, *How Should the Human Rights Community Strategically Position Itself towards the Concept of Human Security?* *HUMSEC Journal*, Issue 2, 23-45, at www.humsec.eu/cms/index.php?id=356.

Organized crime and terrorism affect all three dimensions of human security, i.e. violence, human development and human rights and therefore can serve as a useful framework of analysis. The concept of peace-building goes beyond human security as it seeks to identify structures, which can strengthen peace.¹⁰ However, the realities of a “messy aftermath” and “frozen conflicts” have to be taken into account when doing empirical research on sustainable peace in post-conflict situations.¹¹ Not surprisingly, there is no established policy of human security in the Western Balkans as long as the situation on the ground demands a comprehensive security approach with a strong focus on human rights as it is offered by the human security concept. In its activities and support provided, the European Union is in fact pursuing such an approach although for political reasons not employing this terminology, while UN organizations like UNDP have occasionally been using it.¹²

The main institution in charge of providing security, however, is the state and therefore its lack of political will or capacity to do so in the post-conflict situation of the Western Balkan has been a focus of the research.¹³ In this context, the issue of obstacles to counter-crime strategies in post-conflict situations is given particular attention.

II. The connection between transnational terrorist and criminal organisations in the Western Balkan region

There is a need to clarify the nature of the crime in the region and what is the relationship of organized crime to terrorism. The much discussed report of the Office of Drugs and Crime of the United Nations in Vienna shows, that there has been a significant decline in ordinary crime making the Western Balkans in some respects safer than Western European cities. However, the problem of organized crime and corruption remains.¹⁴ The report is not looking at terrorism or its relationship to organized crime at all, which raises the question of their actual relevance.

¹⁰ See Djurdjevic-Lukic, Svetlana, and Dimitrijevic, Vojin, Human Security and Peace-building, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

¹¹ See Strazzari, Francesco, Between “Messy Aftermath” and “Frozen Conflicts”: Chimeras and Realities of Sustainable Peace, in: HUMSEC Journal Issue 2, 45-66, at www.humsec.eu/cms/index.php?id=356.

¹² See, for example, Krastev, Ivan, Human Security in South-East Europe, Special Report commissioned by UNDP, 1999.

¹³ See, in particular, Kostovicova, Denisa, and Bojicic-Dzelilovic, Vesna, Human Security in a Weak State in the Balkans: Global and Transnational Networks, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

¹⁴ United Nations Office on Drugs and Crime, Crime and its Impact on the Balkans and Affected Countries, Vienna 2008.

First, from a methodological perspective a testing of the hypothesis of a “terror-crime nexus”¹⁵ for the Western Balkans and beyond by a review of literature showed that the state of the art was not so conclusive. While some hold that “the interaction between terrorism and organized crime is growing deeper and more complex all the time”¹⁶, in particular with regard to the methods employed, others point to different motives which pose limits on this interaction. For the Western Balkans, the example of the Albanian mafia and the Kosovo Liberation Army appears to come next to this claim. However, there is a problem of lack of sufficient evidence for the crime-terror nexus, and there is a problem of definitions of terrorism and organized crime, which makes achieving reliable results even more difficult.¹⁷ There is also a danger in blurring the distinctions, which might serve political purposes, but not scientific research.¹⁸

A case study looking at the Austrian implementation of international conventions with regard to money laundering, which is supposed to be one of the main connecting points between terrorism and organized crime, also found that there is a danger of blurring concepts with regard to money laundering and financing of terrorism. Generally, a move from sanctioning money laundering to preventing future offences, from “a sanction paradigm to a prevention paradigm” has been stated.¹⁹

With regard to the study of criminal and terrorist organisations, a “network approach” has been found to be of particular relevance, which looks at the “nodes” and group structures and relationships, explaining their resilience to counter measures and their role of “spoilers” of the peace process as they benefit from the weaknesses of fragile states. Again the facts are found not to be so clear, in particular, when it comes to the convergence of crime and terrorist groups. The various links inside the networks and between them deserve more research to be done.²⁰

In addition, actors of “dark networks” can prefer a role as problem-creators and problem-solvers, a phenomenon, which has been very well described by Andreas.²¹ His account of the links developed

¹⁵ See Makarenko, Tamara, *The Crime-Terror Continuum: Tracing the Interplay between Transnational Organized Crime and Terrorism*, *Global Crime* 6 (2004) 1, 129-145.

¹⁶ Shelley, Luise I., and Picarelli, John T., *Methods and Motives: Implications of the Convergence of International Organized Crime and Terrorism*, *Police Practice and Research* 3 (2002) 4, 305-318.

¹⁷ See van Dijck, Maarten, *Discussing the Definition of Organized Crime: Word Play in Academic and Political Discourse*, in: *HUMSEC Journal*, Issue 1, 65-90, at www.humsec.eu/cms/index.php?id=354.

¹⁸ See Daase, Christopher, *Terrorism and Organized Crime: One or Two Challenges*, in: *Benedek/Daase/Dimitrijevic/van Duyne*, eds. (2010).

¹⁹ Hilf, Marianne, *Money Laundering and Financing of Terrorism: Legal Distinctions*, in: *Benedek/Daase/Dimitrijevic/van Duyne*, eds. (2010).

²⁰ See Kolliarakis, *Networks and the Study of Criminal and Terrorist Organizations*, in: *Benedek/Daase/Dimitrijevic/van Duyne*, eds. (2010).

²¹ See Andreas, Peter, *The Clandestine Political Economy of War and Peace in Bosnia* (2004).

between politics and crime during the siege of Sarajevo explains a lot about the creation of connections and linkages, which remained in a transformed way after the war.²²

Another form of linkages developed during the war concerned the support for the defence of Sarajevo and the new state of Bosnia and Herzegovina by Islamic networks and humanitarian organizations, some of which also had links to terrorist groups. The case study of Mincheva and Gurr on Bosnia tries to show how an alliance of convenience in the pursuit of ideological objectives has developed, which is taken by the authors as an example of linkages between trans-state terrorism and crime networks resulting from the war in Bosnia and Herzegovina. They also claim that trans-state Islamic advocacy networks have used Bosnia as a “gateway” for militants moving between Europe and the Middle East. The political-criminal linkages among Bosnian Islamists are characterized as exclusively ideologically driven, while in the Albanian/Kosovo case it is characterized as “political – criminal hybrids”. However, the Bosnian government on the instigation of the international community has taken strong measures against these links like the deportation of Mujahedins suspected of involvement²³, which has raised issues of fair trial.

Moreover, studies on the ground have shown that already previously the Bosnian state, on the instigation of the international community has breached human rights obligations as can be seen from the case of the “Algerian Group” handed over to the US military to be sent to Guantanamo.²⁴ The danger of Islamic fundamentalist terrorism in Bosnia-Herzegovina in the view of one observer should best be confronted by addressing the social, economic and political origins of terrorism and by promoting a modern and moderate Islam.²⁵

In the studies by local experts like Dean Anastasijevic and Anne Maria Getoš, the relationship between organized crime and terrorism, the “crime-terror-nexus” in the Western Balkans has been found to be of lesser importance than expected, while Iztok Prezelj still sees a larger potential. He shows that while the smuggling of weapons has decreased, the efforts by governments and the international community to collect small arms, which are considered a typical threat to human

²² Andreas, Peter, *The Longest Siege: Humanitarians and Profiteers in the Battle for Sarajevo*, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

²³ Mincheva, Lyubov G., and Gurr, Ted Robert, *Unholy Alliances: Evidence on Linkages between Trans-state Terrorism and Crime Networks, The Case of Bosnia*, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

²⁴ Jahic, Edin, *Development of Events in Bosnia and Herzegovina following the 11th September 2001*, HUMSEC Working Papers Series No. 6, at www.humsec.eu/cms/index.php?id=341.

²⁵ Azinovic, Vlado, *Challenges to International Security: The Case of Bosnia and Herzegovina*, HUMSEC Working Paper Series No. 8, at www.humsec.eu/cms/index.php?id=341.

security, have largely been unsuccessful and that any major political and security destabilization could immediately revert the otherwise positive trend in the field of small arms and light weapons.²⁶

There is, however, consensus on the problem of obtaining reliable data, due to the lack of local capacity and research to properly register and assess incidents, whether they are of a criminal or terrorist nature. International data collections seen through local eyes appear not always fully reliable and international studies come to quite divergent results as can be seen from a comparison of the UNODC report on crime and its impact on the Balkans and the EU-Council of Europe supported CARPO-regional project on the situation of organized and economic crime in South-Eastern Europe²⁷, the latter painting a much more dramatic picture. Because of this lack of reliable data, there are a lot of estimates. Also a look at the Corruption Perception Index produced by Transparency International shows large, partly unexplainable differences between consecutive years, i.e. in the case of Bosnia and Herzegovina.²⁸ However, the general trend on corruption in most countries of the Western Balkans is pointing upwards, which can either be due to a growing sensitivity of people asked or, more likely, to the fact that with the transition towards the market economy and because of not properly functioning states, economic crime and corruption have increased.

According to the findings of Albrecht/Getoš and Anastasijevic the risk of the Balkans serving for international terrorist activities is low. Like Daase, they point to a political instrumentalization of allegations of terrorism and organized crime. They also deplore a lack of knowledge how organized crime operates. This issue is squarely addressed by Dejan Anastasijevic, who draws a map of organized crime in the Western Balkans.²⁹ He also addresses the root causes for the success of organized crime, which he identifies in economic problems like unemployment, which create a recruiting pool for organized crime. This perception is also supported by Tomovska in her case study of the conflict in Macedonia.³⁰

²⁶ Prezelj, Istok, The Small Arms and Light Weapons Problem in the Western Balkans, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

²⁷ See Council of Europe, European Commission, CARPO Regional Project, Situation Report on Organized Economic Crime in South-Eastern Europe, Strasbourg 2007 and UNODC, Crime and its Impact on the Balkans (2008). See also Hans-Jörg Albrecht and Anna Maria Getoš, Researching Terrorism and Organized Crime in South-East Europe, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

²⁸ See Transparency International, Global Corruption Barometer, annually and generally, Friesendorf, Cornelius, Schroeder, Ursula C. and Deljkic, Irma, Bosnia and the Art of Policy Implementation, Obstacles to International Counter-Crime Strategies, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

²⁹ See Anastasijevic, Dejan, Getting Better? A Map of Organized Crime in the Western Balkans, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010). See for another detailed mapping with policy recommendations Stojarova, Věra, Organized Crime in the Western Balkans, HUMSEC Journal, Issue 1, 91-114, at www.humsec.eu/cms/index.php?id=354.

³⁰ Tomovska, Ivana, Macedonia 2001 and Beyond: New or Old War? HUMSEC Journal, Issue 2, 83-94, at www.humsec.eu/cms/index.php?id=356.

There are different types of organized criminals, those who are just concerned with making money and those so-called “patriotic criminals”, who are linked with politics and mainly responsible for the half-hearted reforms of the security sector, which in several states has been criminalized in the past. Ethnicity is rarely a major issue in organized crime although it does play a role. The main forms of transnational organized crime are found to be trafficking in drugs and human beings, either for prostitution or migration, but also economic crime related to privatization and money laundering can be found. These are facilitated by weak states with poorly functioning law enforcement systems, which result in impunity for well-connected criminals.³¹

Consequently, the main concern is strengthening the rule of law and the state in order to meet its obligations, i.e. by developing and implementing national anti-drug and anti-crime strategies.³² This leads to the second part of the research, i.e. the influence of terrorism and organized crime on the state and society.

III. The Influence of Terrorism and Organized Crime on the State and Society

This part of research proved to be of major relevance. There was general concern about the influence of organized crime on certain states in the Balkans, while the relevance of terrorism was found to be minimal in this respect. In the words of Anastasijevic, “transnational terrorism failed to gain a foothold in the Balkans”, mainly because it was rejected by the locals, who are more concerned with ethnic identification than with ideology or religious belief.³³ The research also looked at gender differences in the fear of terrorism.³⁴

However, the criminal involvement with the state is generally considered as the major problem and challenge for the state and (civil) society. The links created between the state and criminal networks in times of emergency as shown by Andreas survived the conflict and got transformed and entrenched, in particular in the security sector. This creates major challenges for human security, because of the nature of the weak state in the Balkans as described well by Kostovicova and

³¹ Anastasijevic, op. cit; see also Dobovsek, Bojan, Transnational Organized Crime in the Western Balkans, HUMSEC, Working Paper Series, at www.humsec.eu/cms/index.php?id=341.

³² See Anastasijevic, op. cit. and Engel, Drew, Organized Crime and Terrorism in the Balkans: Future Risks and Possible Solutions, HUMSEC, Working Paper Series, at www.humsec.eu/cms/index.php?id=341.

³³ Anastasijevic, op. cit.

³⁴ See Ben-David, Sarah and Cohen-Louck, Keren, Fear of Terrorism, Coping Paradox and Gender, Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

Bojicic-Dzelilovic. State weakness in the Western Balkans is a result of both the post-communist transformation³⁵ and the post-conflict situation, where “conflict entrepreneurs” have successfully adapted to new opportunities, i.e. from “crony” privatization to economic crime. They are not interested in complete state failure, but rather in more or less remote control of the state.³⁶

There is a variety of non-state actors involved as shown by Ulrich Schneckener, who provides a useful systemization of these groups³⁷ often acting as “spoilers” of the peace process.

Penetration of the state is facilitated by blurred distinctions between the formal and informal economy.³⁸ As they are often useful to parts of the governments they do largely enjoy impunity.³⁹ Although criminals are often known, they are considered as “untouchable” as shown by Friesendorf, Schroeder and Deljkic in their case study on Bosnia and Herzegovina. As a result of adjustment to opportunities, economic crime is considered as having a more serious impact on the stability and prosperity of the state than any other forms of crime indentified above.⁴⁰

However, state weakness also results from constitutional shortcomings and the lack of regional stability as demonstrated by Lada Sadikovic, again using Bosnia-Herzegovina (B-H) as an example in case. The so-called “Dayton constitution” has left the central state without main competences needed to serve its citizens. In a laborious process and with the help of the international community a re-centralization is taking place in order to strengthen the major state functions, i.e. in the field of security and law enforcement. However, ethnic interests so far prevail over common interests and citizens are losing their confidence in the role of the state. In addition, the state is threaten by unresolved issues in its relationship with neighboring states, i.e. Serbia and Croatia, which maintain special relations to the ethnic groups within Bosnia and Herzegovina, providing them with passports etc. and undermining efforts to obtain a stronger cohesion of the peoples of Bosnia and Herzegovina. This has effects on the weakness of democratic institutions and the rule of law in Bosnia and Herzegovina making it a fruitful soil for criminal groups also undermining the regional security in this way.⁴¹

³⁵ See Tajbakhsh, Shahrabanou and Anuradha, Chenoy, *Human Security: Concepts and Implications*, Routledge 2007 and Howard, Marc Morje, *The Weakness of Civil Society in Post-Communist Europe*, Cambridge 2003.

³⁶ See Kostovicova and Bojicic-Dzelilovic, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

³⁷ Schneckener, Ulrich, *Dealing with Armed Non-State Actors in Peace- and State-Building, Types and Strategies*, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

³⁸ Kostovicova and Bojicic-Dzelilovic, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

³⁹ See Anastasijevic, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

⁴⁰ Friesendorf, Cornelius, Schroeder, Ursula C. and Deljkic Irma, *Bosnia and the Art of Policy Implementation, Obstacles to International Counter-Crime Strategies*, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

⁴¹ Sadikovic, Lada, *Bosnia and Herzegovina in the Western Balkan System of Security*, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

A similar situation exists in Kosovo and to a lesser extent in Macedonia, where territorial disputes and unresolved minority issues limit the effective functioning of the state and thus create open spaces for criminal activities often linked with governmental structures in the field of security, but also in other fields like the economy in general.

Another phenomenon, which is related to the post-conflict situation of the weak state, is the growing nationalist violence of extremist right-wing youth groups, who are disillusioned with the state and use its weakness to intimidate civic-minded individuals, a phenomenon which was found to be particularly disturbing in Serbia.⁴² The victims are political opponents and minorities and the intimidation results in the curtailing of freedom of expression and in the undermining of the democratization of Serbian society. Civil society, which is generally weak in the Western Balkans is a major target of these elements of “uncivilized society”. Especially affected by these nationalist right wing groups are LGBT minorities, who generally have a difficult time in nationalism dominated societies.⁴³

This leads to the question, how to address the problems identified, in particular, how to strengthen the peace-building process of the Western Balkans and what can be the role of civil society on the one hand and the international community on the other hand in this respect.

IV. How to Strengthen the Peace-Building Process in the Western Balkans

The strengthening of the peace-building process contains the question of how to address the problems identified and how to contribute to processes and structures conducive to peace. There are several largely interlinked measures possible, which should be addressed by starting with a narrow approach to be widened in a human security perspective.

The traditional measures like security sector reforms, judicial reforms, anti-corruption measures and respective international and regional cooperation are well known and uncontroversial although not

⁴² Franco, Sarah, Nationalist Violence in Post-Milošević Serbia, Extremist Right-Wing Youth Groups as Instruments of Intimidation of Civic-Minded Individuals and Organizations, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

⁴³ See Spencer-Dohner, Max, LGBT Minorities as Easy Targets: A Case Study of Specificities and Commonalities with other Neglected Endangered Groups in the Context of Nationalism-Dominated Societies, in: HUMSEC Working Paper Series No. 15 at www.humsec.eu/cms/index.php?id=341.

without problems.⁴⁴ Their main problem constitutes the implementation. As shown by the studies of Anastasijevic and Friesendorf et al., in particular the various national action plans on fighting crime and corruption generally lack serious implementation through legal measures as well as adequate human and financial resources. Where it is taken seriously regional cooperation has been relatively successful, like in the field of human trafficking in Croatia. Why the various strategies and reforms have not been effective is closely related to weak state structures and vested political and criminal interests against strengthening the state⁴⁵, the lack of inclusion of civil society and of a proper understanding of the interaction between different actors and the obstacles to capacity-building of the justice system as explained by Drew Engel for the case of Bosnia and Herzegovina.⁴⁶

In this context additional efforts need to be made to establish systematic and reliable data collection systems and strengthen local scientific capacities. This would also prevent using estimates for political purposes in order to justify the priority of certain programmes over others.

However, strengthening the state and its institutions is not sufficient, there is as well a need for strengthening the civil society to play its role.⁴⁷ This requires a more enabling political and legal environment for civil society by the state, which often considers it as a rival or opposition only. The international community, on its side, needs to refrain from using civil society only for its agenda and support instead activities which address local priorities. This includes an emphasis on the root causes of criminal activities such as trafficking. While there are numerous activities funded on trafficking *per se*, few are supported which address the socio-economic root causes. Civil society is often seen by the local population as elitist. There needs to be larger local ownership, both for the agenda and work of non-governmental organisations, which have the potential to become respected local think tanks or professional associations concerned with the needs of the citizens.⁴⁸

Furthermore human and minority rights have to be taken seriously by the states in the Western Balkans in which respect the international community can play a major role. The ongoing conflict

⁴⁴ See, for example, on the security sector reform in Macedonia Yusufi, Islam, Reform Processes in the Security Sector and their Influence on Security Governance, in: HUMSEC Working Paper Series No. 14 at www.humsec.eu/cms/index.php?id=341 and for Bosnia, Mounier, Gregory, European Police Missions: From Security Sector Reform to Externalization of Internal Security Beyond the Borders, in: HUMSEC Journal, Issue 1, 47-64, at www.humsec.eu/cms/index.php?id=354.

⁴⁵ See, for example, Larise, Dunja, Corrupted Political Elites or Mafiotic State Structures? The Case of the Federation of Bosnia and Herzegovina, in: HUMSEC Journal, Issue 3, at www.humsec.eu/cms/index.php?id=967.

⁴⁶ Engel, Drew, Interactions of the International Community, State Institutions, Civil Society, and Illegal Organisations and their Impacts upon Post-Conflict Capacity Building in the Justice System in Bosnia, HUMSEC Working Paper Series No. 9 at www.humsec.eu/cms/index.php?id=341.

⁴⁷ See Kostovicova and Bojicic-Dzelilovic; op.cit. and Howard, Marc Morje, The Weakness of Civil Society in Post-Communist Europe, Cambridge 2003.

⁴⁸ See Benedek, Wolfgang, Civil Society in Good Governance in Societies in Transition, Belgrade/Graz 2006.

between Serbia and Kosovo after independence about the treatment of the Serb minority in Kosovo is an example in case. It is a major factor of regional instability with the Serbian minority in Kosovo suffering most. For their sake, Serbia might find it in its own interest to help Kosovo succeed as a state even it is not ready to recognize it formally.⁴⁹

The role of the international community, in particular the EU, is crucial. To ensure that strategies and reforms are implemented the international community and the EU as the main actor in particular should keep engaged in several ways: by providing assistance and expertise, by insisting on regional cooperation and by prioritizing anti-corruption measures and reforms of the law enforcement institutions like the judiciary. National and regional stability can be promoted best by a combination of conditionality and European perspective. Economic progress is key to success since an environment of economic problems and unemployment creates instability and thus a fertile ground for corruption and crime.

But the international community has a problem of legitimacy, in particular if it does not live up to its own standards of accountability which it is eager to establish in the Western Balkan countries. This might even evolve to a situation, where the fight against corruption and organized crime in the way it is deployed has negative consequences for human rights and democratization as explained by Nicolas Dorn. His basic argument is that corruption and extortion have to be fought while respecting human rights as otherwise perpetrators will be victimized and not lose their legitimacy. By sanctioning politicians suspected of corruption by dismissal from office without fair trial, the negative effects on human rights and democracy may outweigh the positive ones. One should not forget that the sanctions by the international community during the wars in the Balkans have benefitted mainly criminals and corrupt politicians, while the population at large was suffering. Due process and accountability by the international community when it holds power are therefore considered to be crucial for strengthening good governance and capacity-building on the national and local levels. NGOs are criticized for complicity, because by calling for such kind of measures they provide justification for them. The good intentions of the international community become twisted when it pursues human rights objectives by breaching human rights itself. This calls for proper criminal prosecution and due process, which are crucial for the larger peace process.⁵⁰ With

⁴⁹ Hoare, Marko Attila, The Serbia-Kosovo dispute as a factor of instability in the Balkans, in: HUMSEC Working Paper Series, No. 18 at www.humsec.eu/cms/index.php?id=341; see also Djukanovic, Dragan, The Post-Conflict Integration of Minority Communities in Kosovo, HUMSEC Working Papers Series No. 16 at www.humsec.eu/cms/index.php?id=341 and Dulic, Dragana, Peace-Building and Human Security: Kosovo Case, HUMSEC Journal, Issue 3, at www.humsec.eu/cms/index.php?id=967.

⁵⁰ Dorn, Nicolas, The Corruption of Human Rights: A Problem of Good Intentions, in: Benedek/Daase/Dimitrijevic/van Duyne, eds. (2010).

regard to counter-terrorist policies of the European Union in general, human rights should not be traded with security.⁵¹

Another important but often neglected aspect of strengthening the peace process is the participation of victims in the criminal justice system. As Alline Pedra Jorge-Birol shows from international and regional experiences the neglect of the victim's needs of recovering control over their lives and to become empowered again is not adequately addressed by the present system of transitional justice, which can easily result in a secondary victimization or retraumatization. The criminal justice system is more concerned with sanctioning than healing the suffering of the victims, which, on the level of the International Criminal Tribunal for the Former Yugoslavia (ICTY) are largely excluded from participation.⁵²

However, punishment is not the main concern of the victim. For compensation, the victim is addressed to national justice, which is often not practical. Therefore, the effects of retributive justice on the peace-building process in the Western Balkans are considered to be very limited and a more restorative approach to justice is required. As an alternative, the approach of truth and reconciliation is suggested, which is found to be more conducive to accountability, reparation and reconciliation, which are crucial for peace-building. Both approaches could also be pursued in a complementary way.⁵³ As a matter of fact, there have been repeated efforts to establish truth and reconciliation commissions in the Balkans, either on a national or, preferably, on a regional basis.⁵⁴

V. Summary and Conclusion

1. The focus of the research coordination action has been put on the Western Balkans, addressing the question of the specificity of organized crime and terrorism in this area as well as its interlinkages in the context of human security. Furthermore, the impact of organized crime and terrorism on the state, on civil society and on the peace process in the post-conflict situation of the Western Balkans has been a main focus of the research activities. As Ted

⁵¹ See Grammatikas, Vassilios, EC Counter-terrorist Policies: Security vs. Human Rights? In: HUMSEC Working Paper Series, No. 5, at www.humsec.eu/cms/index.php?id=341.

⁵² Jorge-Birol, Alline Pedra, Victim's Participation in the Criminal Justice System and its Impact on Peace-Building, in: Benedek /Daase/Dimitrijevic/van Duyne, eds. (2010).

⁵³ See Akman, Beyazit H., Tribunal vs. Truth: ICTY and TRC in the Case of the Former Yugoslavia, in: HUMSEC Journal, Issue 2, 125-143, at www.humsec.eu/cms/index.php?id=356.

⁵⁴ See the projects by Jakob Finci, Why do we need a Truth and Reconciliation Commission? Association of Citizens, Truth and Reconciliation, <http://www.angelfire.com/bc2/kip/engleski.html> and Nataša Kandić, Regional Initiative for Investigating and disclosing the facts about war crimes and other gross human rights violations committed in former Yugoslavia (RECOM) initiative, see Humanitarian Law Center, <http://www.hlc-rdc.org/>.

Leggett of UNODC pointed out in a recent study, Western Balkans states perform much better than is generally assumed with regard to 'ordinary' crimes. When it comes to organized crime, however, the picture changes, because of the specific history of war and conflict, which still has serious repercussions on the functioning of the state and its institutions. That there have hardly been any seizures or convictions in the field of organized crime raises the questions if we are confronted with situations of "state capture" by organized crime, with the international community averting its eyes. However, with increasing stabilization and development this phenomenon seems to decrease. A similar trend could be observed in relation to human trafficking, where the situation has significantly improved.

2. The Balkan smuggling route constitutes a potential danger for citizens in the Western Balkans although they might not be the direct targets of smuggling of drugs, small weapons or human beings at present. Contrary to public opinion, it was shown that the strict visa regime maintained by the EU rather increased trafficking than reduced it. Countries, which are not subjected to a visa regime have less problems related to corruption and crime. The post-conflict situation in the Western Balkans is still characterized by links established during the war and maintained by transnational criminal networks with economic and state structures, resulting in criminalized political economies. In the past, there were also links between organized crime and terrorist groups with regard to the financing of terrorism, while money laundering is a general activity of organized crime.
3. However, the project has shown that there is a tendency to overreport the actual problems of terrorism and partly also of organized crime. The relatively high attention given to terrorist threats can be partly explained by global perceptions and the interest of parts of the international community to keep their role on the ground. While this does not mean that terrorism in the Western Balkans is not a potential source of threat, there seems to be an overemphasis on projects related to terrorism prevention when compared to the threats on the ground. Combating terrorism is sometimes given higher relevance than fighting organized crime. This does not correspond to the local situation, an analysis of which leads to the conclusion that the major problem is endemic corruption and economic crime, partly linked to organized crime, which itself in some cases is connected to the state and its security services.
4. This is also confirmed by the results of researchers like Dejan Anastasijevic from Belgrade who concluded that "transnational terrorism failed to set its foothold in the Balkans", partly

also because of a rejection by the local scene. Problems, however, remain in particular with regard to the fragility of the state as a legacy of the war. Some incidents might be considered as “implicit” terrorist acts, as elaborated by Iztok Prezelj from Ljubljana while Anna Getos from Zagreb found that many criminal acts were labeled as terrorism, although they were not.

5. Problems were identified also with regard to the “researchability”, i.e. the access to cases and materials. While precise data is needed in order to formulate sound projections, they are often unreliable. International data on terrorism incidents do not always seem correct from a local perspective, when the incidents reported are compared with local data in a local assessment. A strengthening of local research capacity is urgently needed.
6. The HUMSEC research has also shown that it is important to ask the proper questions, including what are the specificities of threats and vulnerabilities in the Western Balkans. These are related to the post-conflict and transitional situation, in which there are several obstacles to counter-crime strategies and security sector reforms as both run against vested interests that benefit from a fragile state. In this regard, the human security approach was very useful to grasp the particularities and also to analyze what can be done to address them. In particular, a look at the specific root causes like war profiteering and ideological objectives, which are still relevant, is crucial in order to understand the specific threats to human security in the Western Balkans. The value added of the human security approach is evidenced by the results of this project.
7. The main problem identified is the weakness of the state and its consequences like the capture of part of the security sector, the economy or the media by organized interests, and sometimes by organized crime. This can be addressed by policies based on a human security approach, which do not only address the problem of violence but also of poverty as well as good governance, education, rule of law, human rights, accountability etc. There is a need to strengthen domestic capacities and institutions. The state also has to deal with extremist violence of right-wing groups and hate speech intimidating civil society.
8. Civil society needs to be revitalized after the destructive effect of war on society. In the healing process the involvement of victims in transitional justice and a possible truth and reconciliation body would be of relevance for peace-building. Spoilers of the peace process and of state building need to be actively dealt with both at the national and regional level.

The problem of a lack of trust in government requires “trust management” or “trust building” and developing a “culture of human rights”.

9. In strengthening the rule of law and of law enforcement agencies as well as building democracy, the European Union should fully use its soft powers. The European Union efforts so far have generally been proven to be useful and necessary. However, EU anticorruption policy has also been critically examined in terms of its impacts on due process. There is a need for continued efforts of the European Union to work towards stabilization and the rule of law if the process should not be reversed.

10. In general, human security proved to be a useful starting point for further research, which should be done by local researchers in close cooperation with EU researchers in form of joint research. This would strengthen local capacities and allow reaching more reliable results. Research efforts have to be set up with a long term perspective, reviewing conventional wisdoms and stereotypes. They should not only follow the track of funding available, but allow the development of, and strengthen existing, independent thinking and analysis. Independent research should also analyze the measures undertaken by the international community and their results.