



## Non-military aspects of security in V4 countries —prospects for co-operation

edited by  
Kacper Rękawek





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## Introduction

The Visegrad Group certainly is one of the most interesting cooperation initiatives emanating from post-communist Central and Eastern Europe after 1989. It was conceived in 1991 with the aim to restore the political sovereignty of its member states, assist Czechoslovakia, Hungary and Poland in the process of establishing market economies, harmonise their pro-European integration efforts, and enhance regional cooperation. Just as the three original members sought closer relations and cooperation, they simultaneously rejected the concept of the institutionalisation of the Visegrad Group, which differentiated this new initiative from the heavily institutionalised Comecon (Council for Mutual Economic Assistance) and the Warsaw Pact. Interestingly enough, from the outset the Group's loose structure undermined its strength and cohesion when some of its members began to question its *raison d'être* in the aftermath of the Soviet Union's dissolution and the disbandment of Eastern Bloc structures. The 1992–1993 breakup of Czechoslovakia served to further destabilise the Group as the Czech Republic pursued a more individualistic approach towards integration with the European Union and NATO while Slovakia remained ambivalent about its pro-European or pro-Transatlantic intentions. Now four, the member states found it hard to rise above their relatively petty local grievances, which hindered their chances to transform the Visegrad Group into a meaningful actor in European politics. Moreover, the Central European Free Trade Agreement (CEFTA), founded in 1992, on one hand advanced the Group's original ideas about enhancing regional cooperation through the establishment of market economies in the member states but, on the other hand, its success seriously undermined the rationale behind the Visegrad initiative.

The situation began to change in the late 1990s as the Czech Republic, Hungary and Poland joined NATO, and consequently the three countries (later followed by Slovakia) found themselves on track for EU membership. Having realised in 2004 their long-time foreign policy goals of joining the EU, the four members of the Visegrad Group could seriously contemplate how to transform their longstanding regional links into meaningful cooperation in Transatlantic and European forums. This realisation gave a new boost to the idea of a regional alliance that grouped countries with shared past experiences and economic, political and social issues, along with similar challenges. One of the areas marked for future cooperation amongst the Visegrad Group member

states was the realm of security. The flagship idea of this cooperation is surely going to be the Visegrad Battlegroup, which will become operational in 2016 and adhere to the EU'S Common Security and Defence Policy. However, one should not forget that in the reality of the 21st century the issue of security must be viewed in a broader context and take into account its non-military aspects and threats such as international terrorism, the proliferation of weapons of mass destruction, organised crime, drug smuggling, human trafficking, illegal migration and more. Assessing the potential scope for cooperation among the largely non-institutional Visegrad Group in the processes of countering these challenges should be seriously considered by regional decision-makers.

In order to assist the assessment process and to produce meaningful security-centred and oriented conclusions and recommendations for the Group's political elites, the four renowned Central European think-tanks—the Polish Institute of International Affairs, the Institute of International Relations in Prague, the Hungarian Institute of International Affairs and the Research Centre of the Slovak Foreign Policy Association—embarked upon the joint project “Creating a Sphere of Security in the Wider Central Europe”. It aims to review and evaluate the results of subregional cooperation in the sphere of security, examine different aspects of the Visegrad Group's security architecture and disseminate experiences gathered in this particular domain with participants from neighbouring regions such as the Baltic Sea region, post-Soviet Eastern Europe and the Western Balkans.

The joint project, which is financially supported by the International Visegrad Fund, encompasses the organisation of four separate conferences devoted to different aspects of regional security. This volume is a collection of articles and contributions to the third meeting, “Non-military aspects of security in V4 [Visegrad] countries—prospects for cooperation,” which was held in Prague on 30 March 2011. Participants in the Prague conference's discussions focused mainly on international terrorism, organised crime, illegal migration and human trafficking. Separate panels were devoted to each of these phenomena and the panellists' contributions were organised into parts that corresponded to the conference's proceedings.

The first part, “Global Terrorism and Visegrad Cooperation in the Context of the EU Counter-Terrorism Strategy”, reflects the energetic debate about whether terrorism truly is a serious threat to Visegrad Group member states. This phenomenon is still differently assessed in Bratislava, Budapest and Warsaw, and Ivo Samson rightly points out that in the absence of a universally accepted definition the world will continue to struggle with the causes and



effects of terrorism or the perception of terrorism, which is often overblown. Péter Marton analyses the phenomenon with respect to his native Hungary and presents Hungary's systemic proposals for combating this phenomenon, which, if successfully implemented, will put Hungary in the position of a counterterrorist leader in the region. On the other hand, Kacper Rękawek analyses the future prospects for not only regional but also trans-European cooperation in the field of countering terrorism and offers recommendations that could enhance the Visegrad member states' standing in this field. All the authors agree that the Visegrad Group is undoubtedly faced with different types of terrorist threats but is not a priority target for global jihadists, who lack the necessary local cadres to establish cells and develop plots. This, however, is not for lack of trying or because of insightful strategies devoted to countering terrorism in the Visegrad Group countries.

The second part of the current volume, "Organised Crime in the Visegrad Countries", focuses on the issue of organised crime in the region. Each of the articles authored by Emil Pływaczewski, Szilveszter Póczik, Miroslav Lisoň or Miroslav Nožina presents a national perspective on the issue, but readers are more than likely to identify clear-cut similarities in the scope of the threat and its magnitude to all of the Visegrad Group members: a sudden and progressing decomposition of law and order; corrupt, ineffective and demoralised police forces and judiciary; rash exposure to new or previously little-known criminal threats; international pressure to address these threats accordingly; absence of necessary funding sorely needed to develop or adapt innovative or new ways and methods to counter organised crime; and other factors. Both Emil Pływaczewski and Miroslav Lisoň's contributions offer ideas about how to harness academia's achievements in the struggle with organised crime; Szilveszter Póczik meticulously depicts the challenges of combating such crime from a prosecutor's point of view and provides the readers with a snapshot of organised crime's scope of activity in his native Hungary, and Miroslav Nožina offers a glimpse into the world of international organised crime operating in the Czech Republic and meticulously details its developments from the early 1990s onwards .

This volume's third and last part draws the readers' attention to illegal migration and human trafficking in the V4 countries and wider Central Europe. All of the contributions in this section successfully stress the significance of this phenomenon to the totality of the Central-Eastern European region as it continues to develop economically, politically and socially. The Visegrad Group's member states are still regarded as transit countries for illegal immigrants and human traffickers, but that does not mean that the member

states, rightly regarded as the most successful examples of transitions from communism towards free market democracies, are not obliged to develop a legal framework to assist victims of human trafficking and illegal migration. Martina Bolečková sketches the Slovak developments in this field, which might serve as a template for other countries in the Group and “Wider Central Europe”. Erzsébet Rózsa takes a different approach and presents the potential for increased immigration from the Arab World and the Middle East to the Visegrad Group in the aftermath of the “Arab Spring”. Her conclusions point to the region’s continued role as a transit point for illegal migration and that there are not a significant number of Arab minorities present in the Czech Republic, Hungary, Poland or Slovakia to be able to act as migration magnets. Last, Magdalena Lesińska offers yet another interesting perspective on the potential for illegal immigration into Europe with the Russian Federation acting as an effective buffer zone by attracting most of Eastern Europe and Central Asia’s potential illegal immigrants who could have otherwise chosen Central or Western Europe as their destination.

Kacper Rękawek, Warsaw, September 2011

**Part I. Global Terrorism and the Visegrad  
Cooperation in the Context of the EU  
Counter-Terrorism Strategy**



Péter Marton

## **Anti-terrorism in the Visegrad Framework: Less is More and Better**

Contrary to what the title may suggest, this essay aims not to invent anti-terrorism in the Visegrad framework as a hitherto ignored and yet inevitably needed innovation in—and promoter of—the V4 partnership. Instead, it is an attempt at outlining a coherent train of thought and a realistic overview of fundamental security policy considerations within the Visegrad region, thus to arrive at progressive insights concerning terrorism. These will not be radically new from the perspective of practitioners and experts in the field, or may be easily recognisable as presented here. Getting the basics right, as it intends to, this article may be useful to stimulate pro-active strategic thought within the region regarding the challenge of terrorism. This, subsequently, can be the basis for identifying meaningful practical objectives as well.<sup>1</sup> To embark on this undertaking in a provocative manner, the subject of the inquiry here is the question of whether common thought on terrorism can offer *any* sort of practical benefit to the people of the region.

### **Formulating the Default Assumption as an Answer**

The Visegrad Four are members of the European Union and NATO. EU and NATO countries overlap considerably and form an economic as well as security community or bloc *together*. In both fields, the economy and security, they offer a range of solutions to their members with respect to diverse challenges, and this is also the case with terrorism, where—paradoxically—some of these very challenges have arisen as a result of integration with Euro-Atlantic structures. Hence what follows is an overview of the solutions in force relevant to the problem of terrorism.<sup>2</sup>

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<sup>1</sup> A version of this article has been published earlier in Hungarian. See: P. Marton, “Terrorizmuselhárítás visegrádi keretek között: A kevesebb több és jobb,” *Nemzet és Biztonság*, June 2011, No. 5, pp. 13–21.

<sup>2</sup> A good overview in Hungarian is available in: “Az EU terrorizmusellenes politikája: A legfontosabb eredmények és a jövőbeni kihívások,” *Nemzet és Biztonság*, September 2010, No. 7, pp. 3–14.

With respect to the free flow of persons, the Schengen Information System and the Visa Information System offer means of control and protection. Similarly, cooperation is pursued between law enforcement agencies, either built on instruments provided for by the Prüm Convention for the exchange of operative information between parties to the Convention, or based on instruments outside the Convention. Examples of cooperation outside the Prüm Convention include the sharing of Europol analysis work files, such as MUSTARD, which focuses on organised criminal networks in the illicit trade of narcotics—among them Turkish and Albanian groups active in the Visegrad region as well.<sup>3</sup> The institution of the European Arrest Warrant (EAW) is yet another important tool in the protection of law and order in the European space. Hungary has recently seen the relevance of the EAW through the extradition from Slovakia of Jozef Roháč, suspected—as some allegations have it—of involvement in the 1998 Aranykéz Street car bombing in Budapest, but extradited on other charges.<sup>4</sup> Meanwhile, the flow of persons does not stop at the EU’s borders, and the European Union has important agreements with third parties as well, including the United States, Canada or Australia, regarding an exchange of flight passenger data, with options to expand this cooperation in the future.<sup>5</sup>

As for the vulnerability of the complex systems upon which our open societies and economies so extensively rely, both NATO and the EU are taking a growing interest in Critical Infrastructure Protection, primarily but not solely in energy and transport. To this end, the EU has established its Critical Infrastructure Warning Information Network, or CIWIN, and devised a European Programme for Critical Infrastructure Protection (EPCIP).<sup>6</sup> It has also set up a European Reference Network for Critical Infrastructure Protection, or ERNCIP, to implement this Programme. Complementing these European and transatlantic regimes of cooperation, non-NATO and non-EU countries are also partnering in achieving related objectives, e.g. Russia or Israel.

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<sup>3</sup> “Europol analysis files—146,183 personal records and counting,” *Statewatch Online*, April 2004, <http://database.statewatch.org/article.asp?aid=25503>.

<sup>4</sup> “Kiadatási őrizetbe került Jozef Rohác Szlovákiában,” *Origo*, 14 March 2011, [www.origo.hu/itthon/20110314-kiadatasi-orizetbe-kerult-jozef-rohac-szlovakiaban.html](http://www.origo.hu/itthon/20110314-kiadatasi-orizetbe-kerult-jozef-rohac-szlovakiaban.html).

<sup>5</sup> “EU plans bigger exchange of air passenger data,” *BBC*, 2 February 2011, [www.bbc.co.uk/news/world-europe-12344261](http://www.bbc.co.uk/news/world-europe-12344261).

<sup>6</sup> See: *The European Programme for Critical Infrastructure Protection (EPCIP)*, <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/06/477&format=HTML&aged=0&language=EN>.

Given that the economy of the transatlantic space is largely globalised, its security as well as safety depend on global value chains and corresponding supply chains. Hence the EU takes part in implementing the World Customs Organisation's SAFE standard framework<sup>7</sup> of supply chain security, and the dissemination of security-relevant information about shipments by stakeholders clearly concerns the security of Schengen area border countries, such as Poland, Slovakia or Hungary.

While much of the discourse over the societal implications of EU enlargement focused on the prospective influx of labour from the acceding regions, few took note of the possibility that a further opening-up to the west could mean increased vulnerability of East Central European countries in certain dimensions. Radicalisation processes affecting Muslim communities in the West can now increasingly affect the small Muslim communities in these countries. For instance, the German *Der Spiegel* daily reported on 5 April 2010 that some German Islamists, converts and immigrants who have in recent years left Germany for Waziristan in Pakistan's Federally Administered Tribal Areas, may have travelled through Budapest on the way to Istanbul and Karachi.<sup>8</sup> The radicalisation processes concerned are mediated by contextual variables over which V4 countries do not have much influence, such as domestic politics in Western European countries, Western European societies' changing attitudes *vis-à-vis* multiculturalism or the political, economic and social dynamics of the Islamic world. As a consequence, even the V4 may benefit from the experience and knowledge accumulated within the European network of experts on radicalisation (ENER).<sup>9</sup> Any lessons learned therein may, inasmuch as they can be generalised, also offer valuable prescriptions for dealing with the challenge of non-Islamist terrorism.

With regard to the fourth and last of the four pillars of the EU Counter-Terrorism Strategy,<sup>10</sup> i.e. "respond," there is an opportunity to activate crisis management mechanisms at the EU level. Even assistance to

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<sup>7</sup> See: *WCO Safe Framework of Standards 2007*, [www.gumruk.gov.tr/tr-TR/emevzuat/Uluslararası%20Sizlemeler/SAFE%20Framework\\_EN\\_2007\\_for\\_publication.pdf](http://www.gumruk.gov.tr/tr-TR/emevzuat/Uluslararası%20Sizlemeler/SAFE%20Framework_EN_2007_for_publication.pdf).

<sup>8</sup> Y. Musharbash, M. Rosenbach, H. Stark, "German Jihad Colonies Sprout Up in Waziristan," *Spiegel*, 5 April 2010, [www.spiegel.de/international/germany/0,1518,687306,00.html](http://www.spiegel.de/international/germany/0,1518,687306,00.html).

<sup>9</sup> See *European Network of Experts on Radicalisation (ENER)*, [www.changeinstitute.co.uk/index.php?option=com\\_content&task=view&id=83](http://www.changeinstitute.co.uk/index.php?option=com_content&task=view&id=83) for further information.

<sup>10</sup> The four pillars are "prevent," "protect," "pursue" and "respond." See: Council of the European Union, *The European Union Counter-Terrorism Strategy*, 30 November 2005, [http://europa.eu/legislation\\_summaries/justice\\_freedom\\_security/fight\\_against\\_terrorism/133275\\_en.htm](http://europa.eu/legislation_summaries/justice_freedom_security/fight_against_terrorism/133275_en.htm).

victims can be provided at the community level; the Commission's comprehensive set of means extends to this area. It is worth highlighting, however, that the EU-supported European Network of the Victims of Terrorism does not at this point have among its members any organisation from East Central Europe. Most members represent British, Spanish and French organisations, reflecting the different scale of terrorism experienced by these countries.<sup>11</sup>

Meanwhile, in Afghanistan counter-terrorism has for a decade now been the key underlying aim of the on-going military operation in which the V4 countries are participating, given their commitment to Afghanistan's stabilisation within the NATO-led ISAF coalition. This target has been pursued through safe haven denial (to al Qaeda and affiliated groups) as well as the direct engagement fighting terrorist organisations. The V4 countries do not cooperate intensively in Afghanistan; they are operating in distinct areas of operations. Hungary's main involvement is leading the Provincial Reconstruction Team in Pul-i-Khumri, in Baghlan province, while the Czech Republic and Poland are in charge of Logar and Ghazni provinces, respectively; the main Slovak contingents are currently stationed in Kabul and Kandahar. A minor exception to the general rule of operating apart was that of two Slovak army officers who in 2009 spent time with the Hungarian-led Provincial Reconstruction Team in the Baghlan province.

Therefore, in all that can be done in the name of anti- and counter-terrorism,<sup>12</sup> the V4 countries are part of efforts launched by their wider communities. At the same time, it does not seem at this point that they could or should do significantly more in any of the fields concerned. In fact, in anti-terrorism more usually does not mean better. Without a clearly perceived and confirmed threat, strict restrictive measures or costly counter-measures can even be described as having negative marginal utility for the society. Many analyses have already demonstrated that terrorism in reality poses a minimal risk from a narrow, individual perspective, so it may not warrant extensive measures in the name of some vague counter-factuality. For example, Bureš relates that according to one calculation, an EU citizen is 1,833

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<sup>11</sup> See the membership page ("Members organisation") on the network's website, [www.europeanvictims.net/pages/cont/index.php?id=2](http://www.europeanvictims.net/pages/cont/index.php?id=2).

<sup>12</sup> In NATO terminology, anti-terrorism and counter-terrorism are distinguished as follows: anti-terrorism is "the use of defensive measures to reduce the vulnerability of forces, individuals and property to terrorism" whereas counter-terrorism is "offensive military action designed to reduce terrorists' capabilities." See: "NATO's military concept for defence against terrorism," 2003, October, [www.nato.int/cps/en/natolive/topics\\_69482.htm](http://www.nato.int/cps/en/natolive/topics_69482.htm).



times more likely to die in a car accident, 822 times more likely to be killed in non-politically motivated murder, and 33 times more likely to suffer a lethal meningitis infection than to die in a terrorist attack.<sup>13</sup> These numbers may be especially important to bear in mind in East Central Europe, which Miroslav Mareš has referred to in a recent article as a “terrorism-free” zone—with the intention to provoke by the title of his article.<sup>14</sup>

Past criticism of the Visegrad Four often contended that this forum existed largely on a *l’art pour l’art* basis only, as a manifestation of symbolic politics dictated by normative pressure arising from wider integration structures to which all V4 countries now belong. Together with the above considerations regarding anti-terrorism, this suggests that anti-terrorism cooperation might not hold particularly fruitful prospects among the Visegrád group.

### **Theoretical Considerations Seemingly Underpinning the Default Assumptions**

In security analysis, use of the concept of “security complexes” is by now conventional. Still, its application in interpreting challenges related to terrorism may require some adaptation if it is to yield something meaningful in analysis. This adaptation affords a conceptually well-grounded assessment of the threat of terrorism. At first, but only at first, such an assessment seems to confirm the above conclusion regarding the futility of V4 anti-terrorist efforts, and the following section explains why.

In their seminal work,<sup>15</sup> Buzan, Wæver and de Wilde see the notion of security complexes as potentially relevant in diverse fields of security analysis which they distinguish as “sectors.” By the term “security complex,” they refer to distinct, relatively thicker patterns of interdependence, from one geographical region to the other. Within the geographical units which they thus expect to become well-visible, interdependence should be clearly tighter than in the relationship across the units’ boundaries, for example between a state within and one that is outside the unit. This holds as much relevance in

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<sup>13</sup> O. Bureš, “Perceptions of the Terrorist Threat among EU Member States,” *Central European Journal of International & Security Studies*, 2010, Vol. 4, Issue 1, pp. 51–80. See data on p. 67.

<sup>14</sup> M. Mareš, “Terrorism-Free Zone in East Central Europe? Strategic Environment, Risk Tendencies, and Causes of Limited Terrorist Activities in the Visegrad Group Countries,” *Terrorism and Political Violence*, 2011, Vol. 23, No. 2, pp. 233–253.

<sup>15</sup> B. Buzan, O. Wæver, J. de Wilde, *Security: A New Framework For Analysis*, London 1998.

the traditional military and political sectors of analysis as it does elsewhere, according to the authors.

This descriptive theory has by now been subjected to diverse criticism. It has been called anachronistic due to its preoccupation with bloc-like or congruent geographical units in an age when targets can be attacked from thousands of kilometres away by intercontinental ballistic missiles and at a time when many terrorist organisations operate globally.

Therefore, in an earlier work,<sup>16</sup> I have proposed using the concept in somewhat altered sense, referring to “issue-specific” security complexes. Terrorism is an issue that cannot be said to belong exclusively to one particular sector of security analysis (military, political, economic, societal or environmental). Yet it is an issue related to what can be identified and described, both in quantitative and qualitative terms, as a set of peculiar, issue-specific security relationships—between various actors, variables, geographical units and structures. Unless one naively assumes that al-Qaida and other terrorist organisations pose exactly the same threat to every state and every person on the planet, it does indeed seem necessary to shift the focus away from congruent geographical regions to more abstract, network-like structures, with nodes and links of varying importance.

Analysing the security complex related to terrorism requires assessing the flows along these links and among these nodes. A snapshot of those as well as dynamic monitoring may be of interest to the analyst. Particularly important is recognition of the deflecting mechanisms involved, i.e. the causal relationships that halt, divert, shift or transform these flows, thus determining—in the case of terrorism—who attacks what, where, and how. Flows can be material as well as intangible. Intangible flows irreversibly detach the security complex from any notion of territoriality in the sense originally implied by Buzan *et al.*, passing as they do through virtual, non-physical channels that can metaphorically be compared to “wormholes” in space. Summing up, the interest is on flows of persons, weapons, explosives and cash (i.e. physical flows) as well as flows of terrorism know-how, target information, recruitment propaganda and flows related to all economic activities that play a role in financing terrorist organisations and their operations (i.e. intangible flows).

Meanwhile, besides the “real”—i.e. the physical and the intangible—space of the security complex, attention—and careful study—should also

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<sup>16</sup> P. Marton, “Grand Theory meets the Afghan case: State failure and state-building in an age of uncertain policy-making,” unpublished doctoral thesis, Corvinus University of Budapest.

focus on the social or inter-subjective/interpretive space forming around it, i.e. the space of securitisation. Depending on whether or not successful securitisation of the threat of terrorism is observed somewhere, regardless of the “real” level of threat in that particular locale, countries may become part of the space of securitisation. That is possible even if they are not “in fact” part of the security complex itself. However, this may lead to policies on their part which then effectively make them part of the security complex as well. Such is the paradox of counter-terrorism: partaking in it may validate partaking in it. This is not merely abstract reasoning; it holds relevance for the V4 countries, which have become implicated in al-Qaida’s affairs primarily, so it seems, indirectly—through ties to their partners within the security and economic communities (NATO and EU).

In addition, a further strategic challenge related to security complexes that revolve around non-state actors’ offensive actions, as is the case with the terrorism-related security complex, is that the governance or management of such a complex by rational policy is a formidable task. The kind of interventions that one wants to carry out to reduce the threat can easily be counter-productive or often even futile. Paradoxically, counter-productivity may also arise whenever interventions do in fact achieve some of their expected results.

To provide an example: the operations in Afghanistan produce very different deflecting effects at the same time. Some flows are halted as a result of these operations through the destruction of some of al-Qaida’s critical infrastructure and the killing of its personnel. New flows are also created, however, e.g. when certain countries become targets as a result of their involvement in operations in Afghanistan, difficult as it may be to assess objectively to what extent this may be the case. Certain flows have at the same time been diverted; for instance, many aspiring jihadists now go for training to Pakistan’s border areas instead of Afghanistan, including those from European countries, such as France, Belgium, Germany or the United Kingdom.

A particularly noteworthy example is that of the German “Sauerland cell”, whose members travelled to Pakistan for training and at first tried to contribute to their comrades’ operations against U.S. troops in eastern Afghanistan. Later on, however, at the advice of their commander within the Islamic Jihad Union, alongside which they were fighting, they returned to Germany with the intention of attacking U.S. targets there. Their motivation is not easy to determine in an objective sense: clearly, by the time they were willing to carry out a terrorist attack in Germany, they had an overall negative attitude towards the West. Yet in their own account they also referred to the 2003 kidnapping

by the CIA of a German citizen, Khalid al-Masri, from Macedonia by mistake; they referred to it as an incident that pushed them towards commitment to waging what they saw as a holy war against America and its allies.<sup>17</sup>

### **Limited Re-evaluation through an Overview of the Region's Experience with Terrorism**

Before accepting what seems to be true in light of the conceptual detour above, one needs to carefully confront empirical reality in this matter. Such a careful overview of the East Central European experience with terrorism may highlight ill-ignored areas of anti-terrorism and consequently overwrite some of the assumptions voiced earlier.

Not only attacks in the region against V4 citizens, but attacks in V4 countries against foreign targets as well as attacks victimising V4 citizens abroad, i.e. outside the region, need to be included for the record to be really comprehensive. As a brief case study, Hungary's record shall now be examined. At certain points this overview will be complemented by a broader look at the Visegrad group as well.

**Terrorism against Hungarians in Hungary.**<sup>18</sup> In 1998, an unprecedented series of bombings with casualties took place in Hungary. On one occasion, a car bomb exploded in Aranykéz Street, in downtown Budapest, killing several people; Hungarian society was shocked. The details remain generally murky, but the regional criminal underworld seems to have played a role in this attack. On 25 August 2003, a home-made explosive device exploded prematurely in the bomb-maker's backpack on tram no. 6, once again in downtown Budapest, injuring a number of people, including the bomb-maker himself. This latter incident may be classified as the work of a "lone wolf". Then, in the course of 2008 to 2009, a series of attacks against the Roma community saw the murder and grave wounding of several people; the perpetrators behind these atrocities had planned their attacks carefully and were looking to maximise the impact of their actions through the media in order to generate change in public opinion and society. Their case is currently in court. Another ongoing trial concerns the "Arrows of the Hungarians"

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<sup>17</sup> See: Y. Musharbash, "Jihadists describe hatred of US as reason for terror plot," *Spiegel*, 12 August 2009, [www.spiegel.de/international/germany/0,1518,642047,00.html](http://www.spiegel.de/international/germany/0,1518,642047,00.html).

<sup>18</sup> Data cited from D. Zombori's work included (in boxes) in P. Marton, "Pomeranian grenadiers in the Hindu Kush: A look at the Afghanistan mission from a broadly interpreted cost/benefit perspective," *Hungarian Institute of International Affairs Papers*, 2008, T-2008/25, p. 52.

group, whose members were similarly guided by virulent, intolerant nationalism and a desire to affect national politics. Hence in the case of the latter two groups we are dealing in effect with home-grown terrorism.

**Attacks on foreign targets within Hungary.** Within the country's territory, anti-terrorism needs to provide protection not only to Hungarian citizens but also to foreigners residing in or visiting the country. Early illustration of the importance of this challenge in Hungary came with the attempt on the life of Colombian Ambassador Enrique Parejo Gonzalez in 1987 organised by narcotics networks. On 16 December 1991, the Armenian ASALA group<sup>19</sup> tried to assassinate the Turkish ambassador in Budapest, firing shots at his car as it drove past on the slopes of Mount Naphegy. Within a week, on 23 December, Jewish emigrants travelling to Israel from the Soviet Union via the Ferihegy Airport in Budapest were attacked. A roadside vehicle-borne explosive device went off as their bus passed by on the way to the airport. Four people were injured, including two policemen travelling in an escort vehicle behind the bus; the latter were gravely wounded. The perpetrators were thought to have been Germans and Palestinians.

The need for enhanced protection of certain foreign targets has by now been acknowledged. In the wake of the 1998 East Africa embassy bombings, such protection was provided to the U.S. Embassy in Budapest, and since 11 September 2001 protection has been reinforced around the Israeli Embassy as well.<sup>20</sup>

**Past attacks on Hungarians abroad.** Defending Hungarian citizens and the citizens of other Visegrad countries may also be an objective abroad. In his already mentioned and otherwise excellent article, Miroslav Mareš does not examine this angle, so it may be worthwhile to highlight a few key examples here.

Hungarian actor Géza Molnár Szegedi was among the victims of an attack by operatives of the Abu Nidal Organisation (ANO) at the Schwechat airport near Vienna on 27 December 1985. Szegedi was paralysed by a gunshot wound he received. An extremely embarrassing aspect of this case was that two of the ANO operatives had travelled to Schwechat via Budapest, given the peculiar, Cold War-determined relations between their group and Eastern bloc

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<sup>19</sup> ASALA stands for the Armenian Secret Army for the Liberation of Armenia.

<sup>20</sup> Dr. A. Papp: "A diplomáciai mentességben részesülő terrorveszélyeztetett személyek és objektumok biztosításának helyzete," *Kard és toll*, 2006/2, [www.honvedelem.hu/files/9/8571/123-129.pdf](http://www.honvedelem.hu/files/9/8571/123-129.pdf), p. 129.

countries such as Hungary. Much later, on 12 August 2000, two Hungarians, a mother and daughter, were wounded in a grenade attack on an Indian army convoy in Srinagar, Kashmir. On 7 July 2005, in the London tube bombings, a Hungarian migrant worker was among the wounded. On 24 April 2006, Hungarians fell victim to an attack on a Dahab hotel resort in the Sinai Peninsula. In the same year, on 26 June, the Kurdistan Freedom Falcon may have been responsible for an explosion at the Manavgat Falls in Turkey, which again led to Hungarian casualties. On 24 January 2007, a civilian convoy came under attack in Baghdad's Yarmouk district in Iraq, and a Hungarian security guard was killed in this ambush. Lastly as of this date, a Hungarian citizen was killed in the bombing at Domodedovo airport in Moscow on 14 January 2011; he was a diplomat, working intermittently in London and the Russian capital, and held Russian, Hungarian as well as British citizenship.<sup>21</sup>

As may be seen from the above examples, trans-nationalisation holds several key implications for Hungarians as well as the citizens of other countries. In mass-casualty attacks abroad, Hungarians may easily be among the victims purely for statistical reasons, both as tourists and as migrant workers. At the same time, even less severe incidents may kill or wound Hungarians anywhere around the world on account of the changed mobility patterns and more frequent travel. On a higher level of analysis, in terms of the state's foreign and security policy, this may highlight how no country's security can be delinked from the security of its broader security community.

Similar observations can be made when looking at the experience of other V4 countries. Cold War-era "special relationships" were also significant in the case of the Czech Republic (or what was earlier Czechoslovakia) and Poland. Rival factions attempted to assassinate Palestinian leader Abu Daoud in Poland in 1981, whereas in 1987 the Czechoslovak authorities foiled a plot against a Davis Cup match in Prague, where Czechoslovakia was to host Israel.<sup>22</sup> These examples illustrate how the security of foreign targets may play a crucial role in one's own territory. Several examples of attacks on the citizens of other V4 countries abroad can be provided too, and their brief overview follows below.

Six Polish citizens died in the 11 September attacks in New York, but other V4 citizens were not among the victims there. In the 12 October 2002 Bali bombings in turn and in the 11 March 2004 Madrid train bombings, Poles were

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<sup>21</sup> "Van magyar áldozat," *Világgazdaság Online*, 26 January 2011, [www.vg.hu/kozelet/tarsadalom/van-magyar-aldozat-339175](http://www.vg.hu/kozelet/tarsadalom/van-magyar-aldozat-339175).

<sup>22</sup> M. Mareš, *op. cit.*, pp. 235–236.

again among the casualties (one in Bali, four in Madrid). Still in 2004, on 7 May, Iraqi guerrillas assassinated a renowned Polish correspondent Waldemar Milewicz and his colleague Mounir Boumrane, a Polish citizen of Algerian origin. Cameraman Jerzy Ernst was wounded in the same incident.<sup>23</sup> In February 2009, his Pakistani Taliban captors killed Polish geologist Piotr Stańczak.<sup>24</sup>

As can be seen from the above, Poland's experience may be described as unique among the V4, so the popular Polish sentiment and public discourse may have been exceptionally strongly affected by radical Islamist terrorism compared to the other Visegrad countries. Examples can also be provided to illustrate the Czech and Slovak experience. On 23 July 2005 a series of assaults in Egypt's Sharm-el-Sheikh saw one Czech citizen killed, while Czech ambassador Ivo Žďárek was killed in the September 2008 attack on the Marriott Hotel in Islamabad.<sup>25</sup> Slovak actress Zuzana Fialová and her colleague were wounded in turn in the Domodedovo attack in Moscow.<sup>26</sup>

In a structural sense, the region's ethnic mosaic also plays a role in a discussion on sources of political violence, albeit generally its impact is limited, with the exception of the recent anti-Roma attacks in Hungary. Various Silesian, Moravian, anti-Roma, anti-Czech, and anti-Semitic groups have in the last two decades been engaged at least in the preparatory stages of terrorism, e.g. issuing threats.<sup>27</sup> This historical aspect of the challenge somewhat hinders cooperation in fighting terrorism in the Visegrad framework. In the context of broader social issues in the background, mention of some incidents may generate tensions, mostly in bilateral relations. This to some extent explains why talking about the threat posed by al-Qaida may in a way be convenient to the countries concerned; this may be especially justified in the case of Poland due to the number of Polish citizens lost in terror attacks by Islamists.

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<sup>23</sup> "Polish TV crew attacked in Iraq," *BBC*, 7 May, 2004, <http://news.bbc.co.uk/2/hi/europe/3693389.stm>.

<sup>24</sup> "Taliban say they killed Polish contractor in Iraq," *New York Times*, 7 February 2009, [www.nytimes.com/2009/02/08/world/asia/08pstan.html](http://www.nytimes.com/2009/02/08/world/asia/08pstan.html).

<sup>25</sup> "Czech envoy died helping hotel bomb victims," *The Daily Star*, 23 September 2008, [www.thedailystar.net/newDesign/news-details.php?nid=56030](http://www.thedailystar.net/newDesign/news-details.php?nid=56030).

<sup>26</sup> "Slovak actress Zuzana Fialova injured in Domodedovo attack," *Slovakia Today*, 25 January 2011, [www.sktday.com/content/2200\\_slovak-actress-zuzana-fialova-injured-domodedovo-attack](http://www.sktday.com/content/2200_slovak-actress-zuzana-fialova-injured-domodedovo-attack).

<sup>27</sup> M. Mareš, *op. cit.*, p. 244.



The situation with regard to terrorist organisations' presence has generally improved since the 1990s. V4 countries' relations have been transformed, and their economies have been restructured and integrated with the West. The legal framework has been harmonised with the EU's, and as a result many of the problematic loopholes—some of them helpful in illicit arms trade—have disappeared. The latter, while they existed, played a role in some of the most controversial transactions on the part of Polish and Czech arms manufacturers and dealers who occupied an important position in the Cold War-era industry in these countries. Similarly, Slovakia has by now departed from its formerly lenient approach towards the regulation of re-exportation from its territory, which earlier made Bratislava Airport an important hub for the transit of weapons shipments.<sup>28</sup>

Nevertheless the situation is not entirely satisfactory and reassuring, for example when it comes to organised crime, drug transit routes to Western Europe from the Balkans and Russia, or human trafficking. All these organised criminal activities offer valuable opportunities to terrorist organisations for a number reasons. To highlight the importance of the problem it is worth noting that at the end of April 2011 Romania extradited two persons to the United States on charges of attempting to acquire Man-Portable Air Defence Systems (MANPADs) there to supply them to clients in Afghanistan, i.e. potentially the Taliban.<sup>29</sup> In the wrong hands, such weapons can be hazardous even to targets within the V4, for example the Pápa Airport used by NATO. This is significant also in light of Romania's gradually approaching accession to the Schengen zone.

At the same time, if a country's security policy is to conform to the demands of a transnational era, it has to be geared to serve its broader security community as well. Terrorism suspects should not be able to pass through our countries' territories unobstructed even if they do not intend to engage in anything unlawful here. In a recent related development the Serbian

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<sup>28</sup> See data and analysis regarding the three countries' arms industries and their involvement in the international arms trade, i.e. Poland, the Czech Republic, and Slovakia, in the NGO Safer World's country data profiles, available, respectively, at [www.saferworld.org.uk/downloads/pubdocs/Beast%20Poland.pdf](http://www.saferworld.org.uk/downloads/pubdocs/Beast%20Poland.pdf); [www.saferworld.org.uk/downloads/pubdocs/Beast%20Czech Rep.pdf](http://www.saferworld.org.uk/downloads/pubdocs/Beast%20Czech%20Rep.pdf); [www.saferworld.org.uk/downloads/pubdocs/Beast%20Slovakia.pdf](http://www.saferworld.org.uk/downloads/pubdocs/Beast%20Slovakia.pdf); all accessed on 19 July 2011.

<sup>29</sup> "Feds' Hands on 2 Taliban," *New York Post*, 30 April, 2011, [www.nypost.com/p/news/local/manhattan/feds\\_hands\\_on\\_taliban\\_qLGWg0bY0kiFeG8H6xHy2I](http://www.nypost.com/p/news/local/manhattan/feds_hands_on_taliban_qLGWg0bY0kiFeG8H6xHy2I).



authorities successfully intercepted Kurdish Hezbollah members on the Serbo-Hungarian border, at the Horgos crossing, on 30 April 2011.<sup>30</sup>

### **Prospects: Less is More and Better**

A conceptualisation of opportunities for cooperation has to rest on the assumption that neither is it realistic to see our region as entirely “free of terrorism”, nor is it practical to “V4-ise” cooperation over the related challenges.

A general obstacle to V4 cooperation is the same deficiency of trust that characterises intelligence agencies’ collaboration everywhere in the world of sensitive information, for example within the EU countries. The perception of the threat of terrorism is a rather feeble basis for launching enhanced cooperation in this field. In the meantime, the actually emerging challenges typically require *ad hoc*, specific exchanges of information in a demand-driven as opposed to a pre-institutionalised format. The flow of information should not be administratively channelled in selected directions, but should be unhindered whenever the need arises. It would not be convenient to devise diverse circles of information-sharing, with different degrees of prioritisation associated with each and forming something akin to a Matryoshka doll of intelligence cooperation.

On the contrary, intelligence cooperation has to be pursued swiftly, in a timely manner and in a sufficiently flexible format. Examples of what is needed may be provided by two important cases of the international involvement of the recently formed (in autumn 2010) Hungarian Anti-Terrorism Centre (ATC). The Centre was involved in securing the January 2011 release of Hungarian citizen István Papp from captivity in Sudanese Darfur, and also in flying a number of EU and other citizens, including Hungarians and the citizens of other V4 states, to safety from Tripoli, Libya, after hostilities had broken out in this North African country. While the ATC may have received most of Hungarian media’s attention in both these cases and its performance has been central in the government’s communication as well, success was in fact achieved through the coordination of the activities of a large number of actors. Among them were international organisations (EU, UN), other Hungarian government agencies (Ministry of Foreign Affairs), intelligence agencies/secret services from Hungary and—in all probability—from other countries, and even non-governmental organisations (the African-Hungarian

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<sup>30</sup> “Hezbollah-terrorista akadt fenn Horgoson,” *Index*, 30 April 2011, [http://index.hu/kulfold/2011/04/30/hezbollah-terrorista\\_akadt\\_fenn\\_horgoson/](http://index.hu/kulfold/2011/04/30/hezbollah-terrorista_akadt_fenn_horgoson/).

Union, Radio Dabanga, Hungarian Baptist Aid) and corporations (e.g. the Hungarian national carrier, MALÉV, which provided the plane for the flight out of the Libyan capital).<sup>31</sup>

The establishment of the ATC is indeed an important step towards achieving greater efficiency and unity of action. It is a kind of an intelligence fusion centre that a majority of EU countries have established by now after 2001 to streamline the management of sensitive and yet vital information, including the sharing of such information on various fora, for instance within the Bern Club.

While some degree of political control is always needed, the political will, which is affected by unrelated considerations, must not pose an obstacle to these cooperative processes. It follows, therefore, that what is needed is not a top-down approach, for example the establishment of the V4's equivalent of the Bern Club. Through its political leadership, a government has to set the country's foreign policy strategy and designate its primary security community. But within this community a pluralism of the networks of sharing is necessary. This world of network plurality is one where not everything is shared with all partners, but everything that has to be shared is in fact shared with those partners that need the given information.

Given the deflection mechanisms known from the literature, and already discussed in this article, Visegrad countries have an interest and corresponding stakes in learning about the best practices. Regular information-sharing is also necessary, in particular in view of the generally similar profile of these countries. The ATC's commander, Brigadier-General István Hajdú, may have been acknowledging this factor when he told the media: "Terrorists, sooner or later, start looking for softer targets; (...) most recently they face a mounting challenge trying to enter the countries that are first in their order of preference. They find it more and more problematic in these countries to launder money or to prepare for their operations, let alone execute them."<sup>32</sup> Accordingly, "compensating and equalising measures" may be necessary in this field as well, measures of the kind known in border control.

A further area of collaboration may be cooperation with non-Visegrád, non-Schengen, non-EU countries, for example the broadening of the existing

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<sup>31</sup> A good presentation of the Tripoli evacuation and its bureaucratic politics, including the ATC's involvement, is available in: P. Wagner: "Magyar evakuáció Líbiában a EU polgári védelmi mechanizmusának részeként," [www.kulugyiintezet.hu/pub/displ.asp?id=PGHVRP](http://www.kulugyiintezet.hu/pub/displ.asp?id=PGHVRP).

<sup>32</sup> "Tisztázzuk, miért kellett nekünk önálló terrorelhárítás?," *Népszabadság*, 21 February 2011, [www.nol.hu/belfold/tisztazzuk\\_miert\\_kellett\\_nekunk\\_onallo\\_terrorelharitas\\_](http://www.nol.hu/belfold/tisztazzuk_miert_kellett_nekunk_onallo_terrorelharitas_).

Austrian-Hungarian-Serbian trilateral cooperation in border control, given the major routes of illicit trafficking that stretch through south-eastern Europe, i.e. Greece, Macedonia, Albania, Kosovo, and also others, from the south to the north.

In cooperation with third countries, attention could also be paid to improving the protection of V4 citizens travelling to the major tourist destinations, including in the Middle East and North Africa, which are most frequently visited by V4 holidaymakers.

It does not follow from these deliberations, however, that the usually ignored V4 framework should in the future serve as a platform for operations against terrorism—an objective that typically occupies a prominent place on the agenda of these countries simply because it does so for their major partners as well. The aim is not to become party to collective tautology, and in fact it is by accounting for this that one can achieve more in the face of the otherwise very much real and demanding challenges.

## The Threat of Terrorism to the Visegrad Group Countries

### Introduction

The four member states of the Visegrad Group (V4) are not faced with a terrorist threat of a serious or strategic nature. Before 1989, the Soviet satellite states of Czechoslovakia, Hungary and Poland were almost immune to terrorism.<sup>1</sup> Left-wing militancy is almost non-existent in Central Europe and right-wing extremism, although evidently present in the region, is not a major issue for the governments in Bratislava, Budapest, Prague or Warsaw. With Islamic communities, which in theory could harbour potential members of global Islamist terrorist networks (GITN),<sup>2</sup> dispersed and in relatively low numbers—sometimes even lacking a single mosque as in Slovakia—the V4 member states should be more than well-placed to pre-empt terrorist threats in the region. What is more, because the V4 countries enjoy deep-rooted and widespread links with their Western European neighbours and partners, who together possess at least 40 years of experience in combating terrorism, they should only be further comforted.

### Facts

This positive assessment fails to take into consideration that one could easily become a target of international terrorism almost by default, as a by-product of alliances, links or preferences in international politics. As far as their foreign policies are concerned, the V4 member states—formerly dominated by the Soviet Union—have naturally gravitated towards Western Europe and the United States in a quest for security guarantees and economic, social and political modernisation. Consequently, between 1999 and 2004 all of the V4 members joined both the North Atlantic Treaty Organisation (NATO) and the European Union (EU) and perceive their membership in these organisations to be the mainstay of their security and future prosperity. These

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<sup>1</sup> M. Mareš, “Terrorism-Free Zone in East Central Europe? Strategic Environment, Risk Tendencies, and Causes of Limited Terrorist Activities in the Visegrad Group Countries,” *Terrorism and Political Violence*, 2011, Volume 23, Issue 2, pp. 233–253.

<sup>2</sup> See: Centrum Studiów i Prognoz Strategicznych, *Zagrożenie atakami terrorystycznymi w Polsce—2006*, Łódź 2005 for more details.

arrangements, however, have certain downsides that combined do not outweigh the positive upsides of NATO and EU membership but which constitute a potential security threat to the region. One of them is related to international terrorism since the V4 member states now stand accused of liaising with and supporting the “far enemy” of the global jihadists—the U.S. and Western Europe’s former colonial powers.<sup>3</sup> Theoretically, it would be more than controversial to envisage Al Qaeda central (based on the Afghan-Pakistan border) training and dispatching an elite cell of operatives to specifically attack a target in Central Europe, or for a Western Europe-based GITN to shift its attack preferences from more prestigious, globally well-known locations towards the likes of the V4 capitals. Unfortunately, one cannot totally dismiss such a scenario, especially if we remind ourselves of the 1998 World Islamic Front Statement in which Osama bin Laden, Ayman al Zawahiri and others issued a “ruling to kill Americans and their allies—civilians and military—[...as] an individual duty for every Muslim who can do it in any country in which it is possible to do it, in order to liberate the al-Aqsa Mosque and the holy mosque [Mecca] from their grip, and in order for their armies to move out of all the lands of Islam, defeated and unable to threaten any Muslim”.<sup>4</sup> This statement from the global jihadists was, in fact, a repeat of bin Laden’s 1996 declaration of war on the U.S. for its presence on the Arabian Peninsula and in the vicinity of Islam’s holiest sites. Thus, all U.S. allies, including even V4 members that adopt a rather low-key position on the international stage, have been warned and for about a decade and a half have constituted meaningful targets for GITNs.

The terrorist threat assessment for the V4 member states is further complicated, and their exposure to GITN activities is evidently aggravated by their enthusiastic endorsement of the U.S. intervention in Iraq in 2003. Poland offered the most meaningful support. Its special forces participated in the U.S.-led invasion and its military sent a sizeable contingent (about 2,200 troops) to take the lead in stabilising the Central-South sector of Iraq. The Slovak (110 troops) and Hungarian (300 troops) contingents found themselves under Polish command while the Czech contingent (300 troops) operated under British command in the southeast of the country.<sup>5</sup> The V4 contingents

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<sup>3</sup> See: F. Gerges, *The Far Enemy: Why Jihad Went Global*, Cambridge 2005.

<sup>4</sup> World Islamic Front, “Jihad against Jews and Crusaders,” [www.fas.org/irp/world/para/docs/980223-fatwa.htm](http://www.fas.org/irp/world/para/docs/980223-fatwa.htm).

<sup>5</sup> See: Perspectives on World History and Current Events, “Coalition of the Willing,” <http://pwhce.org/willing.html>.

withdrew from Iraq between 2005 and 2008, with Poland and the Czech republic the last group members to terminate their presence in the country (excluding the last remaining military advisors).

This sizeable military contribution (in the eyes of the V4 member states) could not have escaped the attention of the GITNs in general or Al Qaeda in particular. On at least two occasions and in line with his organisation's principle of waging a "defensive jihad" against non-Muslim invaders, Osama bin Laden stressed the need to wage war on the U.S. and its allies in Iraq since they intended to occupy Muslim lands. Al Qaeda's deputy leader, Ayman al Zawahiri, mentioned Poland twice and Hungary once as occupiers in Iraq and enemies of all Muslims. He also called on the GITNs to avenge this state of affairs and attack Polish and Hungarian (and many others) interests worldwide.<sup>6</sup> That these warnings went unanswered is hardly reassuring because Al Qaeda and the GITNs must have been monitoring the political developments in Central Europe. The now infamous "Jihadi Iraq—Hopes and Risks" document that "contained a detailed analysis of the weaknesses of the Western coalition in Iraq [...and] recommended 'painful strikes' against the Spanish forces, and advised the Islamist resistance to 'make utmost use of the upcoming Spanish elections in March next year [2004]'" also included a subchapter devoted to Poland and its presence in Iraq.<sup>7</sup> This only proves the theory that the GITNs do not target a given country solely because of its international or global prominence (which is relatively low in the case of Spain which was targeted in the aftermath of the publication of "Jihadi Iraq") but focus on its policies towards the Muslim world, especially the Middle East.<sup>8</sup> Thus the V4 member states, which "co-invaded" Iraq and went on to increase their military presence in Afghanistan in later years, stand a good chance of being targeted by GITNs or their sympathisers for terrorist attacks in one of the four countries.<sup>9</sup>

A post-9/11 joke about a paper plane crashing into the Palace of Culture and Science in Warsaw (Poland's tallest building at 231 metres in height) and the comments of random observers that "every country gets the type of

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<sup>6</sup> See: Centrum Studiów i Prognoz Strategicznych, *op. cit.*

<sup>7</sup> See: B. Lia, T. Hegghammer, "Jihadi Strategic Studies: The Alleged Al Qaida Policy," *Studies in Conflict and Terrorism*, 2004, Vol. 27, No. 5, pp. 355–75.

<sup>8</sup> See: M. Scheuer, *Imperial Hubris. Why the West is Losing the War on Terror*, Washington 2008.

<sup>9</sup> As of May 2011 Poland has 2530 troops in Afghanistan, the Czech Republic – 485, Hungary – 335 and Slovakia – 300. See: [www.isaf.nato.int/troop-numbers-and-contributions/index.php](http://www.isaf.nato.int/troop-numbers-and-contributions/index.php).

terrorists it deserves” seem to miss the mark since V4 member states already have had a documented history of terrorist “scares” that date back to 2003 and the alleged Al Qaeda plot to hijack planes departing from Central European airports and use them as missiles aimed at different buildings in Western European cities such as London. This feat was supposed to have been easier to achieve from Prague and Warsaw than Western Europe because of the supposed lax security at Central European airports. In 2004 and 2006, the GITNs were said to be intent on attacking Jewish targets in Prague and Budapest, respectively, and in Christmas 2005, Polish SWAT teams were patrolling shopping malls in what could have been an attempt to deter a potential terrorist attack during the busiest shopping period of the year. If the rumours of these plots are true then we can assume the lack of GITN infrastructure (including the presence of sizeable Muslim communities in which to hide) in V4 member states means these terrorist attempts would have been devised outside the region and at a location where the global jihadists possess the organisational and logistical capacities to prepare spectacular terrorist attacks (Western Europe, Northern Africa or the Middle East). What is interesting, though, is that GITNs already might possess experience conducting activities in the region because the network run by the late Abu Musab al Zarqawi is said to have organised meetings of its operatives in Central Europe. The network allegedly concluded that such a gathering would certainly attract less scrutiny from “corrupt” officials who had very little previous exposure to international terrorism.

This last assumption, however, should be treated with a healthy dose of scepticism since different Central European states have much experience with terrorism, pre-dating their involvement in Iraq and Afghanistan. In fact, during the communist period these states “were involved in terrorism or at least supported it, either directly through their security services, or by supporting allied groups and regimes” or “supported guerrilla groups in the Third World that used terrorist methods, as well as purely terrorist groups in Western Europe and the Middle East”. What is more, different terrorist groups of Irish, Palestinian, Kurdish and Tamil origin successfully or unsuccessfully attempted to use the region for logistical activities during the 1990s.<sup>10</sup>

This low-key but broad exposure to international terrorism by Central European countries has so far remained out of the headlines and failed to stir a meaningful debate about how well prepared the V4 is to combat terrorist threats. No major terrorist attack occurred in the region, and with the exception

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<sup>10</sup> M. Mareš, *op. cit.*, p. 235–239.

of a spectacular assassination attempt on Edward Pietrzyk, the Polish ambassador to Iraq in 2007, V4 military or civilian personnel in Afghanistan and Iraq seemed not to have constituted a priority target for the GITNs or the local insurgents. The data in the European Union Terrorism Situation and Trend Reports (TE-SAT), which contextualise the level of terrorist activity in the EU, is more than supportive of the argument to downgrade the terrorist threat to the region because the V4 member states hardly ever report any arrests or convictions of individuals accused of terrorist activities.<sup>11</sup> The threat is there, however, and although it is definitely of a less imminent nature than in Western Europe or the U.S., it should not be disregarded. The V4 member states cannot afford to repeat the mistakes of their Western European neighbours and partners who were forced to devise their counterterrorist systems from scratch and in the midst of terrorist campaigns waged by different separatist, leftist and Middle Eastern groups in the 1970s and 1980s.

## Recommendations

To be better prepared, the V4 member states should attempt to achieve the following results.

### **1) Enhance domestic counterterrorist capability and capacity:**

The V4 member states inherited security systems more geared towards supporting clandestine foreign groups than combating them either at home or abroad. Moreover, their counterintelligence agencies often have a broad mandate to fight corruption and serious crime, which seriously hinders their relatively limited counterterrorist capabilities. They are all prone to political pressure exerted not only by consecutive (usually coalition) governments but also by factions from within different administrations. To further complicate matters, each V4 member state bears witness to vicious internal power struggles between different security services vying for influence and resources.<sup>12</sup> This infighting is more than visible in the field of counterterrorism where civilian security agencies, theoretically the leading actors in this sphere, are actively competing against military intelligence and counterintelligence

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<sup>11</sup> The last TE-SAT mentions no arrests and one ‘failed, foiled and completed attack’ by left-wing terrorist in the Czech Republic in 2010. See: [www.europol.europa.eu/publications/EU\\_Terrorism\\_Situation\\_and\\_Trend\\_Report\\_TE-SAT/TE-SAT2011.pdf](http://www.europol.europa.eu/publications/EU_Terrorism_Situation_and_Trend_Report_TE-SAT/TE-SAT2011.pdf).

<sup>12</sup> The Polish Internal Security Agency (ABW), which also investigates corruption and serious crime, competes with the Central Anticorruption Bureau (CBA) and the police’s Central Investigative Bureau (CBA).



bodies with more robust counterterrorist experience from missions in Afghanistan and Iraq.

The security services of the V4 member states are theoretically joined in their counterterrorist and antiterrorist efforts by a multitude of different agencies and bodies, such as the police, customs, tax office, fire departments and others. Except for the security services, the rest of these rarely face tasks directly related to terrorist activities or countering terrorism and must be guided by agencies with more experience. In order to gain experience, V4 member states create “platforms” (effectively, loose coordination bodies) that are often “engaged in the particular aspects of the fight against terrorism, with numerous formal and informal links existing between their members”. However, as noted by the Czech “National Action Plan to Combat Terrorism” that “the existence of these bodies [platforms] is positive and beneficial”, they suffer from many inadequacies related to their semi-permanent character, a lack of comprehensive information-sharing procedures during their rare proceedings, the absence of joint information analysis, and their inability and unwillingness to formulate counterterrorist recommendations and strategies on the basis of selectively presented information. What is more, such bodies often lack the political muscle to speak in defence of their ideas and conclusions because countering terrorism is not regarded as a priority matter in the V4 member states.

Poland attempted to change this state of affairs with the establishment of The Interministerial Team for Terrorist Threats, which groups all the relevant ministers and security officials into one body, with the minister of interior and administration as chairman, to advise the government.<sup>13</sup> Moreover, it established an information coordination centre (Counter Terrorist Centre) as a contact point for all of the state’s security services and agencies.<sup>14</sup> The extent to which such arrangements prove successful remains to be seen, however, and it might transpire that the lack of a clear-cut chain of command for all counterterrorism and antiterrorism activities could hamper the operations of the relevant services during a real-time crisis.

A different model for counterterrorism and antiterrorism coordination is being implemented in Hungary. It established the Antiterrorism Centre (TEK) in autumn 2010. It is effectively a new security agency with a broad

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<sup>13</sup> See: [www.antyterrorizm.gov.pl/portal/eng/265/620/INTERMINISTERIAL\\_TEAM\\_FOR\\_TERRORIST\\_THREATS.html](http://www.antyterrorizm.gov.pl/portal/eng/265/620/INTERMINISTERIAL_TEAM_FOR_TERRORIST_THREATS.html) for more information on this body for more details.

<sup>14</sup> See: [www.antyterrorizm.gov.pl/portal/eng/265/621/COUNTER\\_TERRORIST\\_CENTRE\\_CTC.html](http://www.antyterrorizm.gov.pl/portal/eng/265/621/COUNTER_TERRORIST_CENTRE_CTC.html) for more on this body.

operational mandate and wide-ranging responsibilities for countering any terrorism related to domestic threats. TEK received a generous budget of up to 50 million euros and plans to employ as many as 900 analysts and operatives, which might seem excessive for Hungary. Interestingly enough, TEK came to prominence through an operation conducted outside of Hungary. It was responsible for the logistics of the evacuation of Hungarian and other Central and Eastern European citizens from Libya in early 2011.<sup>15</sup> This publicity stunt was probably meant to place an agency such as TEK on the map and advertise it to the country's European partners during the Hungarian presidency of the European Union. At the same time, the agency adopts a low profile in Hungary: its officials refuse to grant interviews and it currently lacks a website. It is of little surprise that in such conditions TEK attracts undesirable comments from the opposition in Hungary, which regard it as a new "secret police". It is worth remembering that similar comments were rife in Poland in 2005 when the government established the Central Anti-Corruption Bureau, which continues to function to this day with a different government in power. Such attention is not desired by any security service and might only hamper the future TEK's capacity to successfully carry out its mission.

## 2) Successfully "Europeanise" their counterterrorism efforts

The EU faces three future scenarios in relation to the development of its counterterrorism efforts.<sup>16</sup> As Oldrich Bures correctly points out, it will be forced to choose among a return to pre-EU quasi-multilateral (rather, a series of bilateral) contacts between relevant security officials who in the past operated within the framework of the so-called "TREVI group", the development of institutions with "federal" capabilities and capacities, and a return of the EU Counterterrorism Strategy, perhaps with amendments. One could hardly envisage the EU opting for either the first or second scenarios, so we could expect the organisation to continue its reliance on the "shopping list" included in the current Strategy.<sup>17</sup>

As a result, in the near future all EU members, including the V4 member states, will have to address all of the points on the "list" and formulate their ideas in relation to all of the Strategy's pillars, i.e., prevent, protect, pursue, respond and (though not explicitly stated) international cooperation. This will

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<sup>15</sup> See: this volume's article by P. Marton for more information on TEK.

<sup>16</sup> O. Bures, *EU Counterterrorism Policy. A Paper Tiger?*, Ashgate 2011, pp. 229–245.

<sup>17</sup> See: *The European Union Counter-Terrorism Strategy*, <http://register.consilium.eu.int/pdf/en/05/st14/st14469-re04.en05.pdf>.

undoubtedly put their security systems under significant strain because they will be forced to comprehensively present the end results of their domestic and international efforts in all of these fields. They might have no problems with the “protect, pursue and respond” strands of the Strategy, but their approach to “prevention” leaves a lot to be desired as the Central Europeans still use the argument that there is hardly any need for preventive activities on their behalf. Such a short-term perspective has many flaws, however, and, as was shown before, should not be adopted, given the potential for terrorist attacks in Central Europe.

The V4 member states also will have to devise policies in relation to the idea of a “European Internal Action Service,” which was rumoured to have been floated by a member of a relevant EU Commission directorate during an EU parliament hearing.<sup>18</sup> The Service, or any umbrella body, would be led by the very toothless EU Counter-terrorism Coordinator and would include or would group the following EU agencies: Europol, Eurojust, CEPOL, the Situation Centre of the European External Action Service, working groups on terrorism of the Council of the European Union, and the Standing Committee on Internal Security (COSI).<sup>19</sup> Such a proposal, if introduced, should gain the long-term endorsement of most of the EU member states that are more intent on streamlining their counterterrorism efforts and would reduce the duplication of activities in this field at both the EU and domestic levels. It is bound to attract ferocious short-term opposition, however, especially from the larger and “older” members of the EU who will rightly view such a Service as the first step on the road towards a federal intelligence agency, depriving their security services of primacy in counterterrorist activities in Europe.

Interestingly enough, the V4 member states, with more-limited security interests and intelligence capacities and capabilities, could find themselves on the other side of the debate since they would definitely benefit from such arrangements. The “internationalisation” of their intelligence and counterintelligence efforts could only serve to strengthen their counterterrorist capabilities and capacities. Whether Central European authorities and the officials in charge of the young and incomplete national antiterrorism and counterterrorism systems would be ready to relinquish their powers remains an

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<sup>18</sup> A. Rettman, “EU commission keen to set up new counter-terrorism office,” *euobserver.com*, 31 March 2011.

<sup>19</sup> See: K. Rekawek, “European Counterterrorism: Current State of Affairs and Future Prospects,” *PISM Bulletin*, 2011, No. 46 (263), 11 May for more on the issue.

open question, however, and this might only happen as a result of a sudden terrorist attack or a crisis in one of the V4 member states.

### **3) Veto any further institutional build-up in counterterrorism**

One should not equate the long-term streamlining of an inflated and hamstrung EU counterterrorism apparatus with institutional proliferation at the European level. Thus, the V4 member states could enhance their cross-border police and intelligence cooperation but should refrain from using the Group as a forum dedicated to counterterrorism. Europe already has a plethora of institutions and platforms that function outside the EU's umbrella and which are at least partially dedicated to countering terrorism (Atlas Platform for police commanders of central SWAT teams, Club de Berne for security services chiefs, Salzburg Forum, etc.). Creating more of these simply will lead to a reinforced duplication of efforts and might unnecessarily concentrate the relatively sparse resources available for counterterrorism in the V4 member states on an ever increasing number of visits, re-visits and futile preparation of more "plans" and "strategies". For this very reason, if the "Internal Action Service" is to be yet another "coordinating" body with no actual power then its creation should be delayed until a consensus emerges amongst the EU members to attempt a certain degree of federalisation (limited at first) of their counterterrorism efforts. It is worth remembering that although nowadays such an idea might seem fanciful, counterterrorism has traditionally played a role as one of the drivers behind EU integration and the creation of its third pillar in the early 1990s. One could expect and should wish for it to continue in this capacity.

The V4 member states are only learning counterterrorism and will continue to do so in the foreseeable future. They are blessed by the fact that this process does not happen against the backdrop of a terrorist campaign. However, they should not become complacent and should use the links their authorities and officials now forge with their counterparts in Western Europe (through different EU agencies, bilateral and cross-border cooperation and different, specialised, non-EU clubs and platforms) to meaningfully and successfully prepare their homelands for the threateningly inevitable scourge of terrorism.

Ivo Samson

## **Evaluating Terrorism as a New Security Threat in Central Europe**

Assessing the terrorism threat in Central Europe (namely Slovakia) and comparing it with other countries (such as Russia, Italy, Israel or Spain, e.g.), one cannot avoid making the basic connection that what others have been experiencing for decades, i. e. ethnically, politically or religiously motivated political violence resulting in terrorism, remains unknown in Slovakia up to now. Nonetheless, the Slovak Information Service already has delivered warnings that “Islamist” terrorism is a potential threat to Slovakia.

All four Visegrad countries (V4) have shared a common denominator in formulating a joint security and defence policy, including coordinated antiterrorist and counter-terrorist measures. Since the integration of Slovakia into NATO and the EU in 1999 and 2004, respectively, all four countries have shared security and defence policy obligations. Taking into account that NATO sees terrorism as a crucial “new security risk” (such a stance was repeated at the NATO Lisbon Summit in 2010) as well as a basic security threat for the European Union (reflected in the European Security Strategy in 2003 and 2008), problems linked to terrorism have become common to V4 countries. While free from historical experience with this type of terrorism when compared with a deep and long record of terror it had to endure in communist times, Slovakia is now faced with a threat of a new type.<sup>1</sup>

Slovakia probably will not avoid the new terrorism threat to its security in the future. Since the fall of the Iron Curtain, other previously unknown or hidden security risks have found their way into Slovakia. With the gradual integration of the Slovak Republic into Western groupings, the real danger has been emerging that the country in addition to the advantages of belonging to the “West” also will be exposed to new risks such as domestic or international terrorism. Nowadays, all the “post-communist” countries are confronted with this problem. Such risks were not present in the region between 1944/1948<sup>2</sup> and 1989. Even if incidents of a terrorist nature occurred the authorities did

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<sup>1</sup> The author differentiates here between “terrorism” as a violence from below and “terror” as a violence from above executed by the state.

<sup>2</sup> Seizure of power by Communists in various countries of Central-Eastern Europe.

their utmost to prevent them from becoming public knowledge. Today, we can identify a plethora of phenomena new to the region that actively undermine its security and stability: drug abuse and trafficking, trade in prostitution, money laundering, illegal migration, illegal trade in “classic” weapons and nuclear material, organised crime and threats of terrorism—both domestic and international.

For this reason, one cannot afford the luxury of not analyzing the phenomenon of terrorism, what it means for the state and society, its goals and its future? Since there exist durable stumbling blocks to the development of a universally accepted definition of terrorism, more success can be achieved by focusing on the types of terrorism.

### **Types of Terrorism**

Ideological terrorism is undoubtedly the most dominant. It often defines itself as *nationalist* (fighting for the rights of one’s own nation), *political* (mostly fighting for the “left” or “right”) or *religious* (fighting for a “true” faith). In addition, two ideological groups of “quasi-terrorist” tendencies, namely state-sponsored and anarchist. However, these fall within one of the three ideological types since they usually support one or more of them. There are many terrorism typology schemes, and some are very thoroughly elaborated and do not follow the above-stated division. In none of the four Visegrad countries have threats of terrorism become reality.

It is worthwhile to investigate the challenges (and opportunities) of the types of terrorism that can become a top security problem for the Visegrad countries in the future. At the time being, it is the ideological element, often called *political*, that dominates almost all of them. The typology of terrorism maintains the triad of division into: 1) political terrorism, 2) criminal terrorism and 3) pathological terrorism. *Political terrorism*, which is the subject of research and has evolved into a new global security threat, normally is divided into the following subcategories: I. sub-state terrorism, II. regime terrorism and/or state terrorism.

Sub-state terrorism is commonly discussed as a current wide-scale threat, along with other subcategories: a) socio-revolutionary (left-wing) terrorism; b) right-wing terrorism; c) nationalist-separatist terrorism; d) religious-extremist terrorism, and e) “ad hoc” terrorism. The subcategory “d” is currently the most dangerous form of terrorism. Religious-fundamentalist terrorism falls into “d”/“a”, while terrorism by new religions is defined as belonging to “d”/“b”. Islamic fundamentalism also may be included under

“d”/“a” and terrorism by religious sects may be included under “d”/“b” (as in the case of the “sarin” terrorist attack on Tokyo’s underground).<sup>3</sup>

However, developing other criteria also is possible. Jonathan R. White offered one of them a decade before 11 September 2001 when in formulating various definitions, he emphasised the *type* and *definition* of terrorism:<sup>4</sup>

#### Types of terrorism<sup>5</sup>

| Type            | Definition   |
|-----------------|--|
| Simple          | Violence, or threat of violence, with the aim of causing fear— <b>confirmed in the Visegrad region</b> <sup>6</sup>  |
| Legal           | Criminal activity violating the law and punished by the state— <b>generally known in the Visegrad region</b>   |
| Analytical      | Specific political and social factors sought behind terrorist acts— <b>not demonstrated in the Visegrad region up to now (2011)</b>  |
| State-sponsored | Terrorist groups used by small countries and states of the communist bloc to threaten the interests of Western countries— <b>confirmed, in the past (before 1989), in the Visegrad countries (then the Soviet-bloc countries Czechoslovakia, Hungary and Poland)</b> |
| State           | The ability and power of a government to terrorise its own people and thus force them to give up resistance—a norm in the four Visegrad countries ( <b>then the Soviet-bloc countries Czechoslovakia, Hungary and Poland</b> ) before 1989.                          |

Even in one of the first classic studies on modern terrorism, hundreds of experts were polled on the essence of terrorism and the result was supposed to have produced a definition of terrorism.<sup>7</sup> The analysis showed two basic characteristics of this phenomenon: First, the opinions of those who were terrorised or “terrorisable” and, second, the opinions of those who imagined terrorism to have a purpose and did not see themselves as victims. All one hundred definitions contained elements that could be generalised as follows:

- terrorism is an abstract concept without any real foundation,

<sup>3</sup> See: R. Danzig et al, *Aum Shinrikyo. Insights Into How Terrorists Develop Biological and Chemical Weapons*, Center for American Security, 2011, July, [www.cnas.org/node/6703](http://www.cnas.org/node/6703).

<sup>4</sup> See: J. R. White, *Terrorism: 2002 Update: An Introduction*, Florence 2002.

<sup>5</sup> *Ibid. loc. cit.*

<sup>6</sup> See the summary of various security threats for the Visegrad countries in: I. Samson (ed.), *Visegrad Countries, EU and Russia*, Bratislava 2010.

<sup>7</sup> See: A. P. Schmid, *Political Terrorism, A Research Guide to Concept, Theories, Data Bases and Literature*, Amsterdam 1983.



- there is not one sole definition that could embrace the different meanings of this term,
- different definitions share common elements, and
- the evaluation of the meaning depends on either the view of the victim or the non-victim.

Terrorists generally need to believe that their violence serves higher, universal goals and is not a manifestation of criminal inclinations. Another classic “terrorology”<sup>8</sup> came to the conclusion that the terrorist (not to mention the coarse fanatic—the perpetrator of a terrorist act) is usually a *violent intellectual* ready to further his or her unconvincing opinions by force.

Terrorism is a type of violence that seeks to control the actions of others by keeping them in a constant state of fear of violence. “Bottom-up” and “top-down” terrorism may be distinguished from this position. These types may also be called “terrorism by the strong” and “terrorism by the weak”. So far in modern Slovakia, terrorism has only been known in this political form, i. e., “terrorism by the strong”—during both the Fascist era (1939–1945) and during the era of communist Czechoslovakia (1948–1989). Unfortunately, state terrorism also became visible after the division of Czechoslovakia (1992/1993).

### **Slovakia’s Experience with Terrorism to Date**

Slovakia acquired immediate experience with the modern form of political terrorism a couple of years after gaining independence in 1992/1993. On 31 August 1995, unknown abductors kidnapped Michal Kováč Jr., son of Slovakia’s then-President Michal Kováč, and carried him to the Austrian town of Hainburg (German authorities had accused him of financial crimes). From the very beginning, there was a reasonable suspicion that this was a variant of state terrorism. In addition to the plausible motives of state bodies for the abduction,<sup>9</sup> there also existed real facts indicating that the Slovak Intelligence

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<sup>8</sup> In Western, English-speaking countries, a specification of security studies and defense studies has been used for years, and the discipline of *terrorist studies*, or “terrorology” has been established. See: A. George, “The Discipline of Terrorology,” in: A. George (ed.): *Western State Terrorism*, New York 1991, pp. 76–101.

<sup>9</sup> Michal Kováč, Jr. was under suspicion of committing a criminal offences in Germany and was abducted, allegedly, by the Slovak security services only to resurface in Austria. The abductors evidently wanted to prevent the accused from appearing in court so that he would not be able to present his testimony. State propaganda in the hands of Prime Minister Mečiar used the abduction for the political elimination of the President, with whom the Prime Minister was in perpetual dispute. The strategists of the abduction evidently expected that Michal Kováč, Jr.



Service (SIS) was involved in the abduction. In dealing with the issue of the detainee's extradition to Germany for further prosecution, the Higher Land Court in Vienna concluded that M. Kováč "was taken captive and transported to the Austrian Republic by force with the awareness of the authorities of the Slovak Republic, and that this was conducted through an organisation subject to it or by persons acting for the authorities in order to provide for his extradition to Germany".<sup>10</sup>

This first spectacular terrorist act in the Slovak Republic occurred nearly a year later when a colleague of a witness who had confirmed the involvement of state bodies in the abduction died after an explosive device planted in his car detonated. It is necessary to point out that a special police team investigated the whole abduction case, for which a 1998 amnesty by the acting president (Prime Minister V. Mečiar) applied. However, both of the initial investigators who had indicated that clues gleaned from the abduction pointed to the SIS were withdrawn from the case soon after the investigation commenced.<sup>11</sup> Along with this case, which is still awaiting full disclosure, there already exists preconditions for the emergence of terrorism in Slovakia, potentially this time of an international character.

### **Terrorist threats for Slovakia**

As most recent publications on terrorism in Slovakia indicate, the threat of terrorism to Slovakia arises potentially from social and ethnic tensions during the past decade.<sup>12</sup> At the beginning of the 1990s, some preconditions for the following forms of terrorism could have arisen in Slovakia:

1) *International narcoterrorism* involving drug manufacturing and trafficking;

2) *Criminal terrorism* involving such things as the extortion of entrepreneurs, threats to the health and life of a person or his/her family, trade in so-called "white flesh", the smuggling of migrants across borders, dirty money laundering, overt or insinuated threats of loss of employment or the illicit arms trade;

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would be extradited to Germany for further prosecution whereby the President's position would become untenable.

<sup>10</sup> See: M. Bútora, F. Šebej (eds.), *Slovensko v šedej zóne? Rozširovanie NATO, zlyhanie a perspektívy Slovenska*, Bratislava 1998.

<sup>11</sup> *Ibid, loc. cit.*

<sup>12</sup> See: M. Kulich et al., *Terorizmus: Destabilizujúci fenomén súčasnosti a boj proti nemu*, Bratislava 2002.

3) *Ethnic terrorism* involving, in particular, mutual confrontations between skinheads and Roma;

4) *Religious terrorism*, which would be accompanied by conflicts between church denominations in a dispute or by vandalism to cemeteries or historic heritage; and,

5) *Information terrorism* or *psychological terrorism* whose concomitants include the dissemination of alarming information, disinformation, the illegal penetration of an information network, deceptive media advertisements, extremely exaggerated and crude political campaigns in the media and public places, distorting information about national and international events.<sup>13</sup>

It is necessary to highlight that some of these terrorist scenarios have been present in Slovakia in different forms for many years and for that reason are beyond the mere “possibility of creating the preconditions” for terrorism. It also means that certain forms of terrorism that seemingly belong to the category of international terrorism have now been domesticated, such as the illegal arms trade. In particular, Slovakia became notorious for the many flaws in its arms export controls in the 1990s and even into the 2000s, which led to many irresponsible exports of arms that resulted in international scandals that aggravated Slovakia’s international position.<sup>14</sup> Primarily, this was associated with humanitarian interventions in problematic countries (“failed” or “rogue” states). At a hypothetical level, it is meaningless to conceal this risk, since at present it also entails a long-term strategy in the fight against international terrorism.

At present, the so-called “Middle-Term Strategy” of Slovak Foreign Policy until 2015 is still in force.<sup>15</sup> As with other post-communist countries, Slovakia has expressed its full support for the U.S. anti-terrorist and counter-terrorist strategies. Since good relations with the U.S. should constitute a priority of Slovak foreign policy in the future, it will be necessary to account for counter-reactions by anti-Western or anti-American forces that may resort to terrorist attacks and which might respond to the Slovak Republic’s foreign or military policies.

Slovakia has not had any experience with international terrorism aimed to disrupt or alter its foreign policy. However, it is not difficult to anticipate

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<sup>13</sup> M. Bútorá, F. Šebej, *op. cit.*, p. 69–70.

<sup>14</sup> See: I. Samson, *Independent Report on Arms Exports from Slovakia*, Bratislava 2002, p. 5.

<sup>15</sup> See: *Strednodoba strategija zahranicnej politiky SR*, [www.mzv.sk/App/wcm/media.nsf/vw\\_ByID/ID\\_D9D5A743A2CE0A4FC12578950037A688\\_SK/\\$File/strategia%20ZP%20SR.pdf](http://www.mzv.sk/App/wcm/media.nsf/vw_ByID/ID_D9D5A743A2CE0A4FC12578950037A688_SK/$File/strategia%20ZP%20SR.pdf).

several “working” scenarios that would help us identify specific threats. After several scandals over arms exports and the suspicions that these arms went to risky areas, Slovakia attempted to pay more attention to the question of arms control. This may also pose an increased hazard of terrorist action by those countries or groups that feel harmed by Slovak initiatives in this field. Slovak export policy has become partly more transparent since the country became more dependable in its participation in multilateral export control regimes both as a member state and within the Geneva Conference on Disarmament through its effort at further promoting an urgent start to negotiations related to the Agreement Prohibiting the Production of Fissile Materials for Weapons and Other Nuclear Explosive Equipment. In transfers of conventional weapons, Slovakia adheres to the UN Security Council’s binding decisions (embargos and sanctions) and measures jointly agreed under export control regimes (Wassenaar Agreement; Nuclear Supplied Group; Missile Technology Control Regime). All these activities present Slovakia as a disciplined international player and ally of Western countries, which creates the preconditions for Slovakia’s inclusion into the circle of states on which international terrorism has declared war.

An extended form of *political terrorism*, which Slovakia witnessed in test form in connection with the Michal Kováč Jr. affair and the political murder of a witness in 1995–1996, might become a totally radical, extreme manifestation of terrorism on the territory of the Slovak Republic. *Nationalist-separatist terrorism*, although highly improbable (and, as a rule, sometimes attributed to alleged Hungarian separatists in southern Slovakia), could jeopardise Slovakia if the state were to fully destabilise or upon the failure of bilateral neighbourly cooperation and international mechanisms. *Ethno-social terrorism*, which is also a highly improbable, catastrophic scenario, is conceivable in a similar configuration and under similar circumstances to those of political terrorism. However, what would obviously cause problems in this case is the categorisation of terrorism itself, which would result in confusing terrorism with ordinary ethno-social criminality.

### **The Test of Antiterrorist Measures in Slovakia**

Like many other European countries, Slovakia is most vulnerable (and exposed to potential catastrophe on a sub-regional level) because of the location on its territory of two nuclear power stations that could become targets for international terrorism. The list of items that could become targets for attacks aimed at causing the most extensive possible economic, political

and psychological damage to the country includes water systems, industrial complexes, transport infrastructure and electronic or information systems.

There are 40 strategic items in Slovakia. They represent strategic infrastructure where attacks might cause a serious loss of life and colossal economic damage. Nuclear power stations and chemical plants are most at risk. The first discussions about Slovakia's preparedness for repelling a potential terrorist attack on strategic targets have shown that the country is not prepared for these situations. Presumably, air defence is Slovakia's most serious flaw. The first results of the Strategic Defence Review in 2010 and 2011 demonstrate a sad situation in the Air Force of the Armed Forces of the Slovak Republic.<sup>16</sup> Thus, the preparedness and protection of the civilian population remains a total unknown.

### **Institutional Anti-Terrorist Prevention in Slovakia**

The Interior Ministry, Slovak Intelligence Service, National Security Agency and Ministry of Defence are the Slovak institutions that primarily deal with terrorism prevention. The reports delivered by SIS directors suggested that extremist groups who may potentially develop terrorist activities so far are being monitored in Slovakia. The reports evaluated the status, activity and results of the SIS operations and emphasised certain security risks that may jeopardise the security of the Slovak Republic. The reports usually identified left- and right-wing extremism, religious sects, organised crime, illegal migration, the migration of Roma, trading in military material and the presence on the territory of the Slovak Republic of people suspected of connections with international terrorist groups as new threats that may be related to terrorism. The SIS probably will increasingly cite threats associated with terrorism in its monitoring reports in order to justify a course of action against individual citizens or groups of citizens.

### **Conclusion**

Although terrorism appears to be a new phenomena for Slovakia, this is merely an impression. All related phenomena, including political terror and politically motivated murders, were abundant in society even before the big change associated with the fall of the Berlin Wall in 1989. The difference between then and now is that many security risks regarded as illegal today

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<sup>16</sup> See: *Záverý Stretgického hodnotenia obrany*, [https://lt.justice.gov.sk/Attachment/vlastny\\_mat\\_doc.pdf?instEID=-1&attEID=36281&docEID=185821&matEID=4121&langEID=1&tSt&=20110620171925250](https://lt.justice.gov.sk/Attachment/vlastny_mat_doc.pdf?instEID=-1&attEID=36281&docEID=185821&matEID=4121&langEID=1&tSt&=20110620171925250).

were legal at that time because they were organised, backed or at least tolerated by the state. This also applies to terrorism, although it represents state terror (or, violence from above).

Finally, terrorism in another form has reached the Visegrad countries as an actual threat. Since international terrorism is a phenomenon that is unlikely to be eradicated in the years or decades to come, it will unavoidably become part of Slovakia's life because, unlike in previous periods, media will cover it and increase the sense of psychological risks related to terrorism.



**Part II. Organized Crime in the Visegrad Countries**





Miroslav Lisoň

## **Examining the Activities of Criminal Groups in the Slovak Republic**

Criminological knowledge confirms that crime is developing unfavourably. Serious offences—mass offences, continuous crimes committed over several years, the activities of criminal groups often extending beyond borders, result in very complicated safety situations (in intelligence, operative and investigative terms), so their study is a very challenging task indeed.

Practice shows that without help from the citizens the police alone cannot handle the quantitative and qualitative level of crime by applying “traditional” means and procedures. Security experts (and most citizens as well) know this and continue in their search for answers to such questions as: Why is nothing being done to remedy the situation? What arguments are used to justify approval for the solutions preferred so far in a given security situation?

Based on practical knowledge we can state that the elimination of crime consequences is by no means simple and therefore requires substantial scientific examination.

The activities of criminal groups have been the subject of research by the staff of the Academy of the Police Force in Bratislava since the very establishment of this institution. Its students, people with police experience, prosecutors and members of the general public are engaged in this scientific research.

**The purpose of this research** is predominantly of a general nature and it is harmonised with the needs of police practice and theory. A mandatory part of scientific and research projects is to define the needs of police practice.<sup>1</sup> In particular, the elimination of criminal groups’ activities requires the application of new methods in prevention, identification of criminal acts and collection of evidence. A fundamental feature of those processes is working with information, which is obtained from the state’s business sector and also from the criminal groups themselves (hierarchy, key figures, people of interest, contacts, etc.).

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<sup>1</sup> J. Erneker, V. Porada, *Poznávání potřeb a transfer vědeckých poznatků do policejní praxe*, Praha 2006, p. 15, 94.

**The aim of the research** is to objectify knowledge about the activities of criminal groups operating in Slovakia, to assist in creating procedural methods of their recognition and to participate in creating prognoses about their future.

The tasks and methods are adjusted to those targets. For example, the following are the main **areas in researching** criminal groups' activities:

- Principles and circumstances of criminal groups' formation (time, situations, procedures); gang-up, grouping, founding members;
- Functional existence (time of latency, reasons and conditions of latency, expansion); number of criminal subjects (permanent participant, external participant); single use member;
- Identification of interactions within a group (hierarchy, privileges, duties);
- Interactions of a group with its surroundings (national, international)—ethnicity; lobbying citizens, politicians, journalists; corruption—in relation to police officers, prosecutors, attorneys, etc.;
- Motives of criminal subjects—inner “emotional“ incentives of subjects (individuality) joining the group, possible transformation of motives in the system of criminal activities;
- Goals of criminal activities—how these are to be achieved; are they in business for profit or in order to gain protection from another group?
- Purpose of criminal activities—why they are performed: to keep the system of organisation and management secret, to transform income into profit (legalisation), to eliminate competition and witnesses, to secure implementation of criminal activities;
- Procedures followed: criminal (criminal offence) vs. legal procedures; procedures in specific situations (damages, victims);
- Communication— before committing a crime, in the process of committing a crime, after committing a crime (form, direction, frequency, content);
- Reasons for terminating activities (quitting, breaking up);
- Reasons for and a system of decomposition—continuation of activities of newly formed criminal groups, their functionality, etc.

The above-mentioned sets of elements are examined and explained at a particular point in time and space (national, international).

**The subject of applied research** is formed by processes implemented in the system of police action, especially criminal-police activities (less often administrative-police activities). Special attention is paid to the examination of

implemented processes characterised by: a basis, implementation, outcome (result, effect, added value, responsibility), determinants and logistics:

- Operational activity (detection of crimes and their perpetrators, outcome, result, effect, e. g. concealing, adequate use of legal and institutional competences, approach to enforcement of responsibility, etc.);
- Investigation (processing evidence, outcome, acceptance, communication, coordination, etc.).

#### **Methods of Research:**

- Content analyses of documents (reports, information) which contain elaborate information on criminal groups' activities, or where procedures in processing information are assessed;
- Causal analysis—investigation and operational documents with fixed procedures for recognising criminal groups' activities;
- Questionnaire (e. g. part-time students at the Academy of the Police Force, citizens, other respondents);
- Directive interviews—specialists (members of the Police Force, including from abroad, prosecutors);
- Directive interviews—persons with criminal experience;
- Directive interviews—citizens;
- Directive interviews—sentenced persons serving unconditional imprisonment sentences (so far we have not used this procedure, we are now preparing and testing it);
- Statistical analyses of criminal activities (standard, non-standard, outcome, etc.).

The results of our scientific work as well as our approaches are known to be used directly by police officers in the practical solution of specific operational problems when examining the activities of criminal groups. Based on this knowledge, the work of police officers can be better planned and more effective, because the research pattern is manageable, easy to organise and evaluate.

We attach utmost importance to the fact that the procedures we hammer out to examine criminal groups are more and more frequently applied by the police in practice. These involve the detection and identification of criminal groups' activities and other police processes.<sup>2</sup>

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<sup>2</sup> Ministry of Interior of the Slovak Republic, *Evaluation of security situation in Slovak republic*, Bratislava 2010.

The knowledge resulting from applied research proves the complexity of criminal activities in society, making their analysis a serious task that requires special methods and particular responsibility from operational police officers. Practice shows that a correctly defined, meaningful and creative application of a systematic approach provides the prerequisites that can contribute to objectifying knowledge about how a system of criminal groups' activities functions. To put it in a nutshell, the functioning of this system is expressed predominantly by real criminal needs, specific tasks and a coordinated and systematic pursuit of criminal goals aimed at obtaining criminal products. **Functionality** is one of the categories for describing the specific parameters of the **system** of criminal groups' activities. In examining a specific criminal group, the above features can be applied to determine its:

- Logistic disposition: input—organisational provision (e.g. personal, material-technical, economic, information pre-requisites, etc.), organisation and management (control, procedure in clustering), use of criminal procedures;
- Rationality in committing and concealing criminal activity: justifying the existing and forming separate elements of this system (to justify the goals and purpose of separate activities, involvement in criminal activities);
- Efficiency and effectiveness: outcome (e.g. income from criminal activity and its subsequent transformation into profit), coordination with other criminal groups and their link/connection to the political, economic, or public sphere, communication with the public, etc.;
- Endorsement of accumulated profit, i.e. its division within a group, its approval by official criminal competition and society;
- Further development, i.e. further expansion, problems arising in the system, demands, etc.

In respect of the above points we might deduce that criminal gangs are objectively established and operating organisational units. A prerequisite for their formation is the acceptance of decisions of specific (more than two) subjects to perform criminal activities with the intention to achieve specified targets (under certain conditions). The process of forming criminal gangs and of their consequent functioning is determined by a series of factors (determinants). It might be concluded that in general the principles accepted at the creation stage, their existence and decomposition are perceived as a common denominator. In any case these principles are connected with concrete, meaningfully applied activities, which can be quantitatively and qualitatively examined and assessed. With respect to the above, criminal

groups can be divided into the following categories: organised, terrorist, extreme and structured.<sup>3</sup>

In view of the determined targets, our interest will now focus on **the characteristics of criminal organised groups/gangs.**

### **Characteristics of Organised and Structured Criminal Groups/Gangs**

**Organised criminal groups** establish and operate on **the principle of gang-up.** The activities related to gangs are not spontaneous (gathering, meeting etc.). The initiative in the case of gangs is triggered by a concrete subject that under certain conditions motivates other subjects (known to him) to commit a crime. The status of subjects within the group is equal, as can be characterised by a horizontal scheme, which is often applied at the phase of sharing income resulting from criminal activities (in many cases this rule cannot be applied to profit-generating). On the other hand, it is registered less often at the stage of organising and then committing the crime. In this context it needs to be stressed that in case of organised groups a specific expansion in their functioning is not being recorded.

Qualitative and quantitative standards of mutual relations among the members of organised gangs are another specific feature manifested in particular in the absence of legal activities organised in a shared way. A very similar observation can also be made on the basis of research into their “private” criminal activities. Some crimes are committed by members of organised gangs individually or with accomplices who are not part of the original organised gang.

In assessing the development of organised gangs’ activities it is important to look into the measures that allow them to keep secrets. In this context we should bear in mind that the bonds between individual subjects within a gang are not tight, although in practice there have been cases of gang members liquidated physically after committing a murder. The motive behind and aim of such murders is apprehension that accomplices might assume the role of witnesses when testifying. Another frequent motive behind such murders is rooted in infringement on mutual agreements between organised gang members.

It is important to note that frequently there is a relationship of identity between individual subjects of organised gangs in a criminal environment. In

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<sup>3</sup> See: The Penal code of Slovak Republic no. 300/2005, § 129, Bratislava 2005.

most cases this applies to groups involved in major crime (consequences, committed for a long time, typical *modus operandi*, mounting and demonstrated criminal experience, extortion by subjects from the criminal environment, etc.). During the investigation process we concluded that in terms of qualitative development of the organisation system and group management this factor determines the transformation process of an organised group into an organised gang (or their members individually).

Having said that we can note that within the process of disclosing crime or identifying criminal groups' activities, various objects can be used, whereas their identity can be determined by the aforementioned manifestations. We consider it extremely important that in determining the identity of an organised group it is frequently possible to make use of the knowledge of the criminal environment (outside of the group).

**Criminal groups** are established and operate on **the principle of grouping**. In identifying the objects of the activities of criminal groups, this principle must be associated with a specific activity of at least three subjects, while one of them has a **dominant role (position)**. This role is used in grouping other entities into **structured** criminal groups. A specific result typical for a given criminal group is that it is possible to identify a procedure whereby a specific entity, through a mandatory diversification of functions between the sub-entities, adopts a structured system of organisation and management of a criminal group.

Basically, one who brings parties together into a criminal group is deliberately pursuing this target, although experience show that this factor is irrelevant for the examination of the activities of criminal groups. In the process of identifying objects of the criminal groups' system, it is necessary to distinguish the purpose from the target of the grouping.

The aim of the grouping is a desired state of affairs, e. g. profit. The purpose of the grouping is to achieve the desired state—creation of a criminal group. As for on the target of the grouping we can pose the following question: “What has the entity wanted to achieve through the grouping?” When dealing with the purpose we can ask: “Why has the entity performed this action?” The grouping is thus a set of activities that are not only conscious but also deliberate, as the grouping constitutes a means of creating a criminal group. The applied differentiation of these entities is particularly important in the identification of criminal groups' activities.

The purpose of the grouping becomes clearer when we compare it with **the motive**. According to our interpretation, dissatisfaction with the present

situation is the underlying theme, as the purpose is to alter this situation and achieve the desired state. At the level of motives level we can ask: “Why?” We can then start the reply with “because”, while at the level of the purpose we should begin our reply with “so that”. For example, the entity is grouped because it is dissatisfied with its social status, and therefore creates a structured criminal group wherein this status will be improved. Another motive is a lack of financial mobility. The purpose in turn is to create prerequisites for achieving the desired financial mobility.<sup>4</sup>

Although the motive and the purpose combined take part in the process of justifying the grouping, their relationship to the grouping differs considerably. A set of activities (the grouping) is a bridge between the motive and the achievement of the purpose. The dissatisfaction which triggered the grouping vanishes as the grouping achieves its goal. It is clear that as far as cognition of the system of activities of criminal groups by operative and searching methods and means is concerned, these reflections are considerably important. By analogy, they can also be used in investigating individual crimes within the criminal activities performed by criminal organisations (e.g. money-laundering). From the above characteristics it is clear that the operations of criminal organisations can be identified as a system of independent activities performed to achieve a common aim. These independent activities are harmonised and logically connected (legal and also illegal activities together).

For instance, the above characteristics are significant in identifying criminal activities that have to be investigated. It is also important to recognise the motives, purpose and aims that are connected with:

- Money-laundering;
- Financing terrorisms by the terrorist groups themselves.

These facts highlight the deepening antagonism among criminal organisations.

Specialists claim that criminal organisations have different structures. From the criminal point of view, they have a different orientation and use certain *modi operandi*. Subjects of criminal organisations pursue illegal actions alongside legal actions. For the same reasons, the activity of criminal organisations requires considerable cooperation and organisation if the subjects are to perform their illegal activities and services “successfully”. An “enterprise” of this kind, just as any other, requires similar entrepreneurial abilities, considerable specialisation and coordination skills. An “enterprise”

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<sup>4</sup> V. Hatala, *Motív atrestný čin*, Bratislava 2003, p. 26.



of this kind has a different structure, strength, size, territorial area and scope, covering a different variety of activities. The activities performed by criminal organisations have common one feature—their members are taking part in unregulated forms of a **permanently expanding criminal enterprise** (smuggling, illegal drug trade, trafficking in human beings, prostitution, etc.). Just as other subjects pursuing certain activities, their dominant aim is profit. Hence these are integrated into a large variety of activities (also in relation to the legal economy). The above factor—the permanent expansion of criminal activities pursued by criminal organisations—is crucial to their operative and strategic analysis.

The development of criminal organisations is strictly linked with technological progress, as they modernise their **structures** according to their needs, which stem from the type of the original activities pursued. Recognition of these structures is very important, although these will not be purely as known from the economic literature.<sup>5</sup> This is mainly because in order to achieve their aim, criminal subjects use some of the above organisational structures at a specific time and a specific place. Experience shows that the most frequent structures are those known as “**network organisations**”. Their organisational units are very similar to organisational units in legal economic organisations (e.g. small manufacturers forming an association): they have common interests, they influence their customers and distributors through their concentrated strength and they use the same supplier network, etc. Quite often, the difference between a network of criminal and legal organisations is that the former are established after a functional organisation is divided into smaller units, which are seemingly independent. Subsequently, more and more organisational units are formed.

Violence is the measure used to maintain internal order and discipline among the elements of a criminal organisation, with corruption applied to create a suitable environment in which criminal groups can pursue their activities with no fear of criminal prosecution. Corruption can have a diversified impact too, ranging from bribery of lower officials (to avoid registration of activities) to bids that incriminate senior government representatives (in an attempt to win a free rein).

Criminal groups are characterised not only by the sale of **illegal goods and provision of illegal services**; they also acquire products that can legally be

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<sup>5</sup> J. Weber, *Základy–prosperita–globalizace*, Praha 2000, p. 146.



traded through illegal activities (theft, robbery). This feature also distinguishes them from other entities pursuing activities for profit.

**The dominant advantage of criminal groups is that their existence is secret (latent)** and this feature is deliberately capitalised on by the organisers, managers and other members of criminal groups. The only exception embraces crimes committed demonstratively, such as premeditated murder, demonstrative destruction of objects or buildings.<sup>6</sup>

Research clearly shows that concealment of a criminal group's existence is carried out externally, but in many cases also internally, against some of the unwitting members. Studies of criminal files show that the very perpetrators are sometimes unaware of belonging to a criminal group until the law enforcement agencies bring this fact to their attention.

One of the key problems associated with the detection and identification of the activities of criminal groups is **latency**, with quantitative and qualitative levels of such criminal activities also influenced by police operations.<sup>7</sup>

The data from completed research clearly shows that the detection of objects of criminal groups is pursued in conflict situations, with some factors playing a significant role here:

- A discrepancy between the scope and quality of activities undertaken by members of criminal groups in the process of committing a crime at its various stages and the activities launched by police officers performing tasks in the area of detection and subsequent identification of the activities of criminal groups;
- Legal relationships created between members of criminal groups and police officers performing tasks in the area of detection (identification) which define the rights and obligations of both parties in the launch (or detection) of crime;
- Police officers can perform tasks in the field of detection (identification) only in accordance with and to the extent defined (limited) by law. This limit is also known to offenders;
- Subjects of criminal groups are not limited by the law in pursuing their goals (they do not respect the law). Their activities are classified not only for the public, but also for police officers (except for the unwritten laws of the group);

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<sup>6</sup> J. Dworzecki, *Policja w Polsce, wybrane zagadnienia*, Krakow 2011, p. 284.

<sup>7</sup> J. Nesnídal, *Neodvratnost trestního postihu a OPČ*, Praha 1989, p. 136.

- Subjects of criminal groups pursue their activities when and where police officers are not present;
- In solving the challenges associated with detection (identification) of the activities of criminal groups, the subjects of crime participate (directly or indirectly);
- Information about the operations of police officers generate a reaction of criminal groups in order to conceal their activities in the process of committing a crime, so as to paralyse police operations;
- During the process of preparing and committing crimes members of criminal groups more and more often use scientific knowledge and modern technological equipment that is new and of high-quality, capable of effectively masking illegal activities. Prominent examples here are provided by criminal acts committed in the economy (on the capital market, in the use of modern computer technologies—computer crime), where experts predict that the number of committed crimes exceeds considerably the rate of detected and prosecuted crimes;
- Higher level of professional expertise of criminals as the changes in the nature of offenses often result from scientific and technical development or technological innovations used by criminal groups in committing crimes (vehicles, communication technology, copiers, computers);
- Higher professionalism of the members of criminal groups also reflected in the process of rationalising the organisation and in managing the process of committing and covering up crimes;
- Choice of the time and venue for committing a crime to safeguard that there are no witnesses; very often criminal groups create such situations by systematically and deliberately integrating people into criminal activities, especially potential witnesses ridden into some dependence through corruption (blackmail, extortion, bribery);
- “Permanent” members of criminal groups involve other entities in criminal activities (organisations, companies, including foreign companies). This is done in order to mount the difficulties involved in crime detection and subsequently documentation. Corruption is used as a means to achieve this goal, e.g. to avoid objective control.

In examining the activities of criminal groups it is necessary to bear in mind that their secrecy is not only a specific attribute of the system but that also a specific and concrete form of action of a concrete entity—its external manifestation. Documented results indicate that the latency period in the activities of criminal groups is significantly affected by the operations of

police officers, who also rely on early detection and identification of a group, its activities, character, maturity and the skills of its members. We can argue that the detection of latent crimes committed by criminal groups depends on a deliberate orientation of police officers to a specific area of crime. This is predominantly “provoked” by knowledge about a particular method of committing a crime.

Another distinctive and specific element identifying the activities of criminal groups is money laundering. From an economic point of view we can describe money laundering as the most frequent trading operation created from the following elements: income, transfer, transformation, transaction and result—mainly in the form of yield. The value of yield obtained without economic reasons and against the logic of business thinking is lower than the amount of income at the start of the operation. This is one of the indicators of money laundering, because through common business operations, transfer or transformation, the value of the product is increased.

## Conclusion

We believe that also by this presentation we have joined the on-going scientific discussion aimed at hammering out guidelines for higher efficiency and effectiveness of the analysis of criminal groups’ activities.

Our knowledge obtained through applied research so far indicates the existence of substantial reserves in the police praxis. We can avail ourselves of these reserves to improve our efficiency in controlling criminal groups’ activities (prevention, retaliation), with particular attention to be paid to the following:

### 1. Legislation

- It is necessary to abolish the existing barriers in criminal law (and also in other branches of law) between European states. In some measure the barriers limit the protection of society against criminality (police law, financial law, labour law, etc.), because the present legal status is abused by perpetrators from other countries who commit crimes in the Slovak Republic;
- Representatives of police theory and praxis have to join in the legislative process actively to improve the legal system and enhance control over criminality. On the basis of their knowledge achieved through research or in concrete operations, they should put forward proposals for safeguarding greater efficiency and effectiveness of crime control (e.g. legislative amendments to criminal law and law-enforcement regulations);

- Practical experience and certified procedures in detecting criminal groups' activities should be generalised and assigned to a program of crime control. The same is true of the experience acquired in the framework of international cooperation and research carried out in this field.

## 2. Organisation and management

- To safeguard a stable corps of criminal police officers performing tasks in detection of criminal groups' activities (proper motivation);

To establish a special workplace for financial police, to improve economic crime detection and investigation;

- To improve police training systematically along with the training of the staff of the Customs Criminal Office of the Slovak Republic (in the field of organised crime control). It is necessary to respect a meaningful, systematic approach, personal motivation, carrier development, cooperative requirements, etc.;
- To create a functional organisational structure of criminal police with links to other police services and other organisational police structures (such as the Customs Criminal Office—CCO);
- To improve coordination and communication among police services and the CCO, to modify police relations in this respect through new internal regulations;
- To improve selection through a demanding selection process and to safeguard management stability in combating organised crime;
- To improve cooperation among the police, the CCO and the public in order to safeguard the interest of associations in detecting criminal groups' activities and their perpetrators and in eliminating the causes of and conditions for crime.

## 3. Scientific knowledge

- To continue creating strong links between police theory and praxis; it is necessary to analyse the information obtained from praxis so that the results of scientific research can later be used in improving police work;
- To explore systematically the factors impacting on the efficiency and effectiveness of detection and investigation. The knowledge thus obtained should be applied to eliminate the mostly subjective causes and circumstances exerting an adverse influence on the effectiveness of detection and investigation of offenses committed by criminal groups.

Scientific knowledge confirms that these measures can be applied also in developing and implementing international cooperation within the V4

framework. While fully aware that there are a number of other elements of police work involved in detecting economic crimes, the author of this study hopes that the data processed herein will stimulate a professional discussion on this topic.

## **International organised crime in the V4 states. The Czech Republic Case**

### **Introduction**

The V4 states occupy a crucial geographical position in Europe. As transit countries from East to West and vice-versa, they have a strategic role in combating cross-border crime. Since the Iron Curtain fell, numerous criminals have used these territories for illegal activities, such as the trade in illegal drugs, stolen vehicles, alcohol, cigarettes, migrants, weapons, explosives, nuclear materials as well as counterfeiting, professional theft, extortion, racketeering, financial frauds and money laundering. The local underworlds in Poland, Hungary, Slovakia and the Czech Republic meet with criminal groups from the former Soviet Union, the Balkans, Italy and elsewhere in Western Europe, Asia, Latin America, the Middle East and Sub-Saharan Africa to create a new, much more developed crime industry. Although regional differences exist, the basic mechanisms of organised crime and the build-up of new security systems in the V4 states are in many aspects identical. The case of the Czech Republic will be discussed in this article.

### **“Socialist style” organised crime**

Some criminological studies suggest that organised crime (OC) did not exist in the Czech Republic before 1989. This is far from the truth. Under the conditions of a totalitarian police state, the activities of OC were highly restricted because of strong police and social control; however, some criminal groups at various levels of the organisation successfully developed their activities in the former Czechoslovak Socialist Republic. Their members were engaged in a wide spectrum of economic criminal activities including the import of consumer goods, illegal money exchanges, illegal exports of works of art and others. This type of crime could not be successfully performed without contacts or the support of some police and state administrators. This was especially true in the late 1980s when the economic and ideological erosion of the communist regime was at its peak. The lack of goods and services and weak administrative controls acted as a catalyst for the creation of a parallel “grey” economy that provided an alternative for the inability of the state to satisfy the demands of its citizens. Shadow businessmen and corrupt

officials worked on a basis of mutual cooperation, covering each other. Corruption networks that were willing to work for anybody who possessed a sufficient amount of money were established. A new group of “socialist rich”—grey economy businessmen and people benefiting from their administrative positions in the state apparatus—appeared in Czechoslovak society.

### **Democratic changes of the 1980s and 1990s**

At the end of the 1980s, the communist states of Central Europe started a process of fundamental political, social and economic transformation. As the borders and the economy opened, the East Central European (ECE) states became part of global processes. More people and goods arrived, and there was more transit across the territory. The vast economic transformation was combined with extensive transfers of property, rapid capital flows and the establishment of a functioning market. The changes often were accompanied by major economic and social problems, including rising unemployment and falling living standards. Deeply rooted truths as well as everyday personal experiences and routine rules of practical activity ceased to be valid. New patterns and criteria of social success were established, norms of social behaviour became relative, social regulation and control was undermined—all this in a situation in which, as a result of developments over many years, the legal and ethical awareness of society was shaky. The existing state of social awareness contained risk factors that paved the way for anti-social behaviour. In pursuit of social success, material gain was frequently placed in the forefront regardless of where it came from. Ethical standards were weakened as a result of moral devastation and unfulfilled consumer aspirations during the previous era. Legislation also underwent fundamental changes, and its adoption was rife with difficulties and often-considerable delays before it established the legal provisions for a more effective struggle against crime. The judiciary, the police and the administrative apparatuses were all well-adapted to the conditions of “socialist-style crime” but were highly inexperienced with the investigation of new forms of crime coming from abroad.

The main engine of OC activities in the Czech Republic at the beginning of the 1990s was not the domestic underworld. The modern forms of criminal enterprise entered the country from abroad. Between 1990 and 1992, international OC groups almost exclusively dominated Czech territory. Domestic OC did not represent more than 20% of the total OC activities in the country. Czech citizens started to cooperate with these groups early, working as servicemen,

drivers, goods keepers, local advisers and in other posts. By 1993, Czechs represented nearly half of all OC group members (in most cases, they occupied the lower levels of the organisations). In the following three years, though, Czech presence in OC slowly gained in importance only to be suppressed by a foreign phenomenon in 1997-1998. Today, there are about 100 highly organised criminal groups operating in Czech Republic. Nearly half of them are of foreign origin. The Czech Republic has attracted criminals from the former Soviet Union, the Balkans, Israel, Italy, Latin America, Arab countries, Sub-Saharan Africa and Eastern Asia.

### **OC from the former USSR**

When the dead bodies of famous Russian hat-sellers were found in a tourist area near Charles Bridge in Prague in the beginning of the 1990s, the Czech police announced that the assassinations were the result of personal quarrels among the hat-sellers. Nobody thought the the Russian mafia would liquidate independent competitors.

Post-Soviet OC (Russian organised crime, or ROC) invaded the Czech Republic in full force. The small, more or less independent “Russian” criminal groups have been operating in parallel with envoys of strong, post-Soviet criminal syndicates equipped with unlimited financial resources and excellent professional knowledge.

ROC members come from Russia, Ukraine and the Caucasus. They act very brutally when necessary. Chechens are the most violent among them. Second in brutality are the Ukrainians. Together with violence, ROC practices highly sophisticated methods of financial fraud and penetration into business, financial and administrative structures. Some contacts of this type already have been detected in the Czech Republic. There is frequent cooperation between Czech ROC and their partners in the C.I.S., most of Europe and the USA.

The Russians, Ukrainians and others who permanently live in the Czech Republic, legal and illegal immigrants since the fall of the Soviet empire, members of the Czech underworld and Roma communities create a domestic background for their criminal activities. There is also a growing number of “respectable” Czech citizens and companies willing to serve as lawyers, partners of obscure companies, money launderers, agents and public relations workers. Their support considerably facilitates the activities of post-Soviet OC on Czech territory.



Activities of the Solntzevo, Solomonskia, Rostovskaia, Taganskaia, Mazurskaia, Podolskaia and Luganskaia mafias have also been registered in the Czech Republic. Together with the Chechen (Azdamov group), Azerbaijan, Dagestan, Georgian and Armenian organisations from the Caucasus, they attacked Czech territory, starting gang wars with competitive post-Soviet and Balkan organisations for zones of influence. They are able to cooperate flexibly with other groups in criminal businesses.

Besides trafficking in nuclear materials and weapons, ROC engages in a large sphere of illegal activities: racketeering, human trafficking (including “slave trade” involving the kidnapping and transporting of girls and young women from former Soviet republics and Eastern European countries then forcing them to work as prostitutes), car theft, financial frauds and money laundering.

In the last few years, Czech police especially have detected ROC attempts to penetrate state control mechanisms. Along with corruption, criminal bosses have a tendency to act as serious businessmen, to develop legal activities and contacts with the Czech elite. “Russians” invest in hotels, pensions, casinos, restaurants and other real-estate properties in Prague and the well known spas of Karlovy Vary and Mariánské Lázně. According to a Czech Ministry of Interior confidential report, the goal is to gain control over the trade in strategic raw materials, banking and through investment companies to funds and contacts in the government in order to gain real power in the Czech Republic.

### **Italian Organised Crime**

*Camorra* from Naples is the most influential criminal organisation from Italy in the CR. Its members have been penetrating Czech territory since 1990, mainly from bases in Germany and Austria.

During the first wave, the Czech police detected an influx in illegal Italian traders in imitation leather, precious metals, etc. The goods were imported from manufacturers in Italy and neighbouring countries. The traders were nearly exclusively Napolitan in origin and belonged to the lowest level of the organisation. They were regularly changed every six to 10 months.

In the second wave, Italian criminals went into business, covering as owners of shops, boutiques and other legitimate fronts. *Camorra* has gradually created a network of accommodations, warehouses and restaurants in Prague, Brno, Olomouc, Zlín, Znojmo, Ostrava, České Budějovice and many other Czech cities. Together with shadow business activities, the Italian groups started engaging in the stolen car trade and the delivery of heroin, cocaine and

hashish to rock clubs in Prague and Brno—all in cooperation with former Czechoslovakians who were now citizens of Switzerland and Australia, along with underground members of the Prague and Northern Bohemian Roma.

The strongest Camorra branches in Prague in recent years belonged to the Liccardi and Giuliano families. Visits by envoys of the Alfieri, Contini and Dinardo clans to Prague also have been noticed.

### **Balkan Organised Crime**

At least one criminal working for Kosovo Albanian bosses has been arrested by Czech police every two weeks on average. In most cases the criminal is “small fish” and of Czech origin. Kosovo Albanians not only are active in transporting drugs across Czech territory via the famous Balkan Route but also they distribute drugs in the country. Many of them show a tendency to establish themselves in the country permanently. Kosovo Albanian organisations are formed along typical mafia-style lines and work highly conspiratorially.

What is considered to be very dangerous for the stability of Czech society is the tendency of some Balkan drug traders to penetrate the country’s political and economic strata. This is especially true among “first wave“ drug traders who, after collecting sufficient amounts of money, stop their overt activities in the drug trade and develop more or less legal business activities. Presently, the Czech police count five Kosovo Albanian drug bosses who have moved on from the drug business.

Former drug traders present themselves as serious businessmen who are interested in creating close contacts with the Czech political and economic elite. However, their rejection of the drug underworld usually is not complete.

Turks are not very interested in the Czech drug market, although they frequently use Czech territory to transport drugs to the West or for resupplies.

The Czech Republic has become an important heroin trade and resupply centre as well as a base for further expansion of drug-trade organisations to the West. In the last three years, Kosovo Albanian and Turk activities connected with illegal immigration have been growing in importance. Turks (especially those of Kurdish ethnicity) and Kosovo Albanians cooperate with post-Yugoslavian, Vietnamese and Czech smuggling gangs in the transit of refugees across Czech territory, mainly to Germany.

## **Asian Organised Crime**

Several branches of the Chinese Triads from Beijing, Shanghai, Wenzhou, Quitiang and Fujian work in the Czech Republic.

The activities of Chinese OC were discovered in several areas of the Czech economy. Its bosses act as businessmen. They are active in the street trade of textiles, electronics, cigarettes and foods, gradually moving from streets to supermarkets. Other frequent activities include human trafficking, racketeering, kidnapping, enforcement activities (including contract killing), loan-sharking, illegal gambling, prostitution, counterfeit activities (credit cards, passports and official documents), weapons trafficking and illegal money transfers. Chinese OC have built a network of restaurants across Czech territory that serve as money laundering centres.

After 1989, many of the Vietnamese workers and students who had been allowed to be there during communist times decided to stay in the Czech Republic or emigrate to the West. They created a base for a new immigration wave from Vietnam and China and for Asian organised crime groups.

It is frequently assumed that the Vietnamese are only able to perform “dirty work” for Chinese organised crime. This is only partly true. Chinese immigrants—and Chinese OC—started to employ Vietnamese associates at the beginning of the 1990s. The Chinese employ them mainly in three spheres of their “business”—as interpreters, middlemen and “specialists” in the country, that is, as dealers of goods, or as “dirty work” servicemen. Gradually, the Vietnamese became involved in bigger businesses. Although the structure of their groups is not as hierarchical and strong as the Chinese OC, we still see more and more top Vietnamese criminal bosses and groups operating independently and organising their own vast criminal networks. In many aspects, they are copying the successful Chinese *tong* model. They are not the mere “lackeys” of Chinese organised crime, instead they are becoming “partners” and expressing strong nationalistic feelings.

The activities of the Japanese OC—the Yakuza—in the Czech Republic were first noticed in 1997. The group is expected to expand its activities in the country in connection with foreign investment.

## **Sub-Saharan Organised Crime**

African drug traffickers have been using East European routes since the 1990s. Numerous groups of African couriers quickly appeared in the former Soviet Union, Poland, Romania, Hungary, Yugoslavia, Bulgaria and the

former Czechoslovakia. These countries became transit territories, mainly for resupplying Nigerian drugs to Western Europe and the U.S. For example, the air connection Lagos–Sofia–Prague grew in importance at that time. The most active drug couriers were Nigerian or Nigerian passport holders. Others involved included Ghanians, Gambians, Zairians, Sudanese and Tanzanians. Drug couriers in the first wave did not have experience with Eastern Europe and were only slightly educated in their “smuggler’s job,” hoping to avoid customs’ attention in the “East European disorder” but were very visible. Their employers, however, were members of highly organised West African gangs. This trend was proven in 1990 after a Tanzanian drug courier was arrested at the Ruzyně Airport in Prague. This occasional courier was hired by the vast Gambian–Tanzanian gang, which specialised in smuggling heroin from Karachi, Pakistan then later Bombay, across the Czech Republic and Poland to Germany, Denmark, Sweden, Norway or Great Britain. Czech customs started to routinely discover West African couriers and their influx stopped.

From 1994, new groups have been establishing themselves in the Czech Republic. These groups usually consist of between five and 10 members and often are bound through tribal or family ties. Cooperation based solely on West African nationality also is common. People with East European experience are highly appreciated in trafficking circles. Some groups are composed exclusively of former friends from studies in East European countries.

Sub-Saharan gangs operate in connection with the Czech underworld to recruit drug couriers with Czech passports so they do not attract as much attention at customs as an African. Most of these couriers are young people contacted at discos, found in children’s asylums or are from the criminal underworld. Czech drug couriers in the service of Nigerians have been seized in Thailand, India, Brazil, Uruguay, Holland and elsewhere.

The Sub-Saharan groups are not restricted to trafficking in drugs only. They are active in smuggling people, counterfeiting, financial scams and “invitation letter” ploys in which Czech businessmen are invited to African countries on the pretence of high profits and then robbed.

### **Arab Organised Crime**

Many ethnic Arabs permanently lived in the former Czechoslovakia before 1989 because of good relations between the former communist regime and Arab countries. Some of these people held Czech citizenship and created cells of Arab OC groups that had penetrated the Czech Republic since the

beginning of the 1990s. The Arab OC is engaged in marijuana and hashish smuggling from Northern Africa and the Near East as well as being involved in the the heroin trade. They are active in the weapons trade, illegal migration and financial frauds. In recent years, the Czech Arab community has had contact with some Islamist terrorist organisations. An increase in the activity of their envoys was detected in connection with the start of Radio Free Europe's broadcasts from the Czech Republic to Iran and Iraq as some Islamist terrorist organisations were poised to punish Prague for assisting pro-democracy developments in the Middle East.

### **Conclusions**

Organised crime represent a serious threat for the V4 countries. A high degree of organisation and an expanding scope of operations of these criminal groups has been detected on V4 territories, frequently with international dimensions. A large section of these groups already has passed from gaining a foothold to stabilising its position in the underworld as well as in the economic and social structures of ECE states. It is now heading for higher forms of activity, including efforts to dominate these national structures. Far from being simply a domestic issue, the expansion of organised crime represents a direct threat to the security and stability of EU candidate states and, in an international dimension, for the whole of Europe.

Emil W. Pływaczewski

## **Organised Crime in Poland During the Transformation: Challenges and Responses**

### **Introduction**

For most of the countries in Eastern and Central Europe, “the transition” in the late 1980s and in the beginning of the 1990s had at least three related but different dimensions: the transition from political subordination to national independence, the transition from an authoritarian form of government to a democratic one (building democratic institutions) and the transition from a centrally planned economy to a market economy. There were varying degrees of success amongst countries in achieving these goals. None of them can claim that the transition has been completed, although in quite a number of them one or both of the first two goals have nearly been accomplished.<sup>1</sup>

At the beginning of the 1990s, democracy spread to vast new territories, mainly as a result of the fall of communist governments in Eastern and Central Europe.<sup>2</sup> On adopting democracy, people in those countries sought answers to the following questions: What is democracy, what principles should democratic society be based on and what rules should a democratic state obey. Other questions concerned the rights that could be enjoyed by an individual in a democratic society, the status and role of political parties as well as the status and tasks of law enforcement agencies. The police occupy a special position among these.

### **Changes in the organisational structures and policies of the police**

The issue of police reform in countries in transition from state socialism toward more democratic forms of governance rose to practical prominence in the 1990s. The collapse of the Soviet Union initiated fundamental changes in aspirations, ideologies and governing practices among former members of the socialist camp. Reform of policing systems, which served primarily to protect

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<sup>1</sup> See: J. Jasiński, “Crime: Manifestations, Patterns and Trends of Crime,” *European Journal of Crime, Criminal Law and Criminal Justice*, 2000, Vol. 3, No. 10, p. 376.

<sup>2</sup> See: P. Brand, A. Jamróz, *Demokracja wczoraj i dziś*, Białystok 1995; E. W. Pływaczewski, “The Challenges of Policing Democracy in Poland,” in: D. K. Das, O. Marenin (eds.), *Challenges of Policing Democracies. A World Perspective*, Amsterdam 2000, p. 148.

the party-states from their opponents, into ones that serve and protect civil society has come to be seen as an essential prerequisite and concomitant of the democratisation process in countries in transition.<sup>3</sup>

The time of transformation in Central Europe witnessed great organisational changes, which had objective consequences in many areas of social life. The police had to adapt to the changes in their organisation, legal regulations and professional awareness, had to keep up with societal changes and, consequently, they themselves had to undergo a transformation. In particular, the issue of how to design police training and their work in such a manner that the public could feel assured the police were working for the society and not against it was very important. At the same time, crime became subject to the process of democratisation because criminals can be found in all social classes, including members of government or parliament.

In Poland in the year 1990, the new management of the Ministry of Interior and Administration realised that the Civic Militia, the armed force of the Polish United Workers' Party (during the communist period), would have to be transformed into a modern, apolitical police in a very short amount of time if Poland were to become the democratic country it aspired to be after 1989. It was not an easy task because, on the one hand, people's confidence in the new police had to be gained while, on the other hand, the police had to be taught their new roles under the new constitutional order, which is as public servants under the law and protectors of society.

Despite the objections of various political circles and public opinion at the time, the decision was made to introduce profound organisational changes into the newly created police force, including shifts among managerial staff and the dismissal of discredited people who were unable to work within the new framework. This policy resulted in a shortage of manpower at all levels and reduced police efficiency, which was lowered further by a lack of senior officers to occupy managerial posts in the basic organisational units of the police.<sup>4</sup>

In a democratic state, the police must cope with even greater problems in trying to ensure the safe functioning of the society, including these basic tasks:

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<sup>3</sup> See: M. Caparini, O. Marenin (eds.), *Transforming Police in Central and Eastern Europe. Process and progress*, Muenster 2004 for more details.

<sup>4</sup> See: E. W. Pływaczewski, P. Walancik, "Challenges and Changes to the Police System in Poland," in: M. Caparini, O. Marenin (eds.), *op. cit.*, pp. 93–113.

- maximising their capacities to prevent and fight crime and other socially harmful phenomena, and
- minimising the chances that their powers are used in conflict with democratic principles.

It is worth mentioning that in 1990 Poland rejoined Interpol. The Polish presence in the international police organisation goes back to 1923, when Interpol was established, but in 1952, for political reasons the Polish government broke off all relations with the organisation.

### **Changes in the structure and forms of crime**

The process of political transformation initiated in Poland in 1989 has brought not only a considerable broadening of democratic freedoms and a market economy but also an intensification of existing pathological phenomena and the appearance of new ones.<sup>5</sup>

Among the latter, favourable conditions have been created for international links among criminal groups. In addition, there has been a detrimental structural change in the types of crime carried out, in particular:

- The danger of falling victim to crime against life and health has increased; the same applies to offenses against property where aggression, violence, and brutality are used against victims;
- The use of guns by criminals against victims and police officers who try to assist victims is on the rise;
- Crimes whose essence is “settling scores” also have been on the rise; these include acts such as murders, robberies, assaults as well as so-called “criminal terror”;
- The professionalisation of crime and the number of criminal groups have increased; crimes—both violent and against property—increasingly are committed by groups of criminals who display a level of organisation and planning;
- The participation of foreign nationals in criminal acts has been on the rise; this applies in particular to citizens of the Commonwealth of Independent States acting in criminal groups in Poland<sup>6</sup>;

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<sup>5</sup> See: W. Cebulak, E. W. Pływaczewski, “Case Study Exporting the Problems of Crime and Crime Control in Poland,” in: G. Barak (ed.), *Crime and Crime Control. A Global View*, Westport 2000, pp. 163–175 for more details.

<sup>6</sup> See: K. Laskowska, *Rosyjskojęzyczna przestępczość zorganizowana. Studium kryminologiczne*, Białystok 2006 for more details.



- The process of the moral corruption of juveniles has been continuing at a disturbing rate; a direct symptom of that process can be found in the high number of illegal acts committed by juveniles;
- Poland also has been exposed to the world trend in crimes related to drug trafficking, with all the consequences, from illegal drug dealing to public health and public order problems.<sup>7</sup> There is no doubt that the manufacturing of synthetic drugs, mainly amphetamine, has become a “Polish specialty.” Generally, wealthy criminals finance the laboratories and receive the final product, after which they organise the smuggling and distribution networks.

The most dangerous development was that of organised crime of both national and international natures,<sup>8</sup> which started to resemble the traditional mafia. At the beginning of the 1990s, strong structures of organised crime (also called the “Polish Mafia”) were formed in two separate ways in Poland. In the first way, it developed from the top and was created as increasingly corrupted public officials and politicians used their posts to take over strategic sectors of the national economy. The second way was from the bottom through a progressively better organised “criminal underworld.” These “top-down” and “bottom-up” models of organised crime, according to my research in Poland, also were confirmed by many interviews I made among senior police officers representing countries such as the Czech Republic, Slovakia and Hungary.<sup>9</sup>

We could be ironic and say that dishonest politicians have become more “criminalised” while at the same time criminals have become more “civilised.” Both groups have met half-way. On one hand, politicians sometimes need a partner with cash in order to take over another lucrative enterprise or a whole sector of the economy. On the other hand, the criminals need protection and contacts with people who can provide any kind of help to legalise the proceeds of their crimes. According to some sources, people connected with state security services (e.g., former officers) act as middlemen between these two groups since they know them both very well.

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<sup>7</sup> See: K. Laskowska, *Nielegalny handel narkotykami w Polsce*, Białystok 1999 and K. Krajewski, “Drug-Related Offences,” in: A. Siemaszko (ed.), *Crime and Law Enforcement in Poland on the threshold of the 21st century*, Warszawa 2000, pp. 105–111 for more details.

<sup>8</sup> E. Pływaczewski, “Organized Crime in Poland,” *Transnational Organized Crime*, Autumn 1997, Vol. 3, p. 112.

<sup>9</sup> Author of this paper is the representative of Poland in the International Examination Commission of the Central European Police Academy–MEPA and lectured at this Academy. Relevant interviews were conducted during special meetings of the MEPA in Poland, Hungary, Austria and the Czech Republic in the years 1994–2000.

The dynamic and practically undisturbed development of organised crime in the first half of the 1990s resulted from, among others factors, wrong political decisions that reflected a blind faith that social processes would lead to the automatic eradication of this form of crime. Yet, decisions taken after 1989 hindered the effective reorganisation of law-enforcement and criminal-justice agencies.

It can be assumed that an increase in crime after a state's borders are opened is a normal consequence of the lessening of state control over the movement of people. In addition, communism had eroded informal public control. In a communist country, everything is controlled by the orders of a superior authority. From the beginning of a transformation period, social-control institutions are in a more or less serious crisis as long as citizens and local communities do not face up to new challenges since they think crime prevention is a task to be handled exclusively by an anonymous state bureaucracy.

The rapid rise in crime was accompanied by an even greater sense of threat. Fear of crime is dangerous in itself as it leads to more and more repressive and, thus, less efficient criminal justice policies. Fear of crime is aroused not only by real threats but also by mass media and politicians. In particular, it is stoked by politicians seeking power who eagerly stress the fact that the people now in control are helpless when challenged by increasing crime. Such rhetoric is quite common, not only in this part of Europe, and results from a misunderstanding of the situation and a failure to react to crime in appropriate ways.<sup>10</sup>

In Poland, just as with other Central Europe countries, the fear of crime increased enormously and—one is tempted to say—in vivid disproportion to the actual crime rate. The reason for this lies not only in the fact that the nature of crime itself changed but also because of the transformed nature of the media after the lifting of censorship. Prior to 1989, when media were censored, the press, TV and radio rarely informed the public about crime. When it did, the context of the information was intended to convey an image of police effectiveness. Today in Poland, as in other countries, the public is widely informed about crime and the unprepared reader or listener is left with an impression there is a vast crime wave and responds with apprehension. One

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<sup>10</sup> See: K. Krajewski, "Fear of Crime and Criminal Law Reform in Post-communist Societies," in: B. Szamota Saeki, D. Wójcik (eds.), *Impact of Political, Economic and Social Change on Crime and its Image in Society, 51st International Course of Criminology*, Warsaw 1996 for more details.

may only hope that public opinion eventually will learn to assess the actual threat from traditional criminal offences more realistically.<sup>11</sup>

## Migrations

Issues related to foreigners constitute the biggest problems within the context of the unification processes in Europe. Changes within the European Union and efforts by post-communist countries to join it have added a new dimension to the migrations of people. There now are more possibilities for traveling than before for inhabitants of former Eastern Bloc countries and many reasons for it—tourism, family visits, business and others. Such travel can lead to permanent migrations. Moreover, these countries, especially the former republics of the USSR and Poland, are used as a transit route by refugees and emigrants from Asia, Africa and the Near East who are heading towards Western Europe and other countries, such as the USA or Canada.<sup>12</sup>

Migration often is connected to the trafficking of human beings, which is nowadays a specific form of slavery: People pay to be taken to a better world and once there realise that are no longer free and are forced to work in payment for the costs of their journey and stay in that better world while being subjected to physical and economic exploitation. Women “imported” this way are forced to become enslaved prostitutes who can no longer decide for themselves (the basic neutralisation techniques include the taking away of the woman’s passport by the brothel owner who “bought” her from a suppliers’ gang and brutal methods applied to force her into obedience).

Crime prevention and criminal justice responses to the smuggling of migrants, human trafficking, violence against migrants, migrant workers and their families were one of the main topics of the 12<sup>th</sup> UN Congress on Crime Prevention and Criminal Justice. Without a doubt, human trafficking is a crime that shames us all.

Central Europe and especially Poland play a major role in these migrations because of their size and geographical location, as well as the political transformations (process of democratisation) and the pace of economic development. So far, Poland has mainly been a transit country, but it is

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<sup>11</sup> See: J. Jasinski, “Crime Control in Poland. An Overview,” in: J. Jasinski, A. Siemaszko (eds.), *Crime Control in Poland. Polish Report for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders*, Warszawa 1995, p. 9.

<sup>12</sup> See: E. Pływaczewski.(ed.), *Przestępczość cudzoziemców. Nowe wyzwania dla teorii i praktyki*, Szczytno 1995; I. Rzeplinska, *Przestępczość cudzoziemców w Polsce*, Warszawa 2000.

becoming a destination country as well. For example, the growth of new ethnic groups such as Armenians, Vietnamese and Chinese are a result of both the legal and illegal inflow of foreigners to Poland.<sup>13</sup>

Migrations through and into Poland are a new social phenomenon that can have a great and long-lasting impact, as has been the case in West Europe. Immigration in Western European countries resulted in the permanent settlement of many ethnic minorities that, in turn, brought about considerable consequences of political, economic, social and criminal natures.

In the 1990s, Poland reached an inglorious position among other countries with respect to crime statistics. First of all, it has become a transit country for international drug trafficking along the so-called Balkan and Asian routes. Poland also is the main smuggling route to the East for cars stolen in Western Europe. One can observe a recent escalation of criminal activity by international groups in the former Soviet republics. Drug production and trafficking, money laundering, trade in arms and radioactive materials and the smuggling of stolen cars, cigarettes and alcohol are all problems police forces in this part of Europe are faced with more and more often.

Due to its geographical location, Poland plays a crucial role in the development of these criminal phenomena. The number of foreigners suspected of committing crimes in Poland has been steadily increasing for a few years now.

### **Organisational changes in the State Police**

There have been many task forces specialised in fighting certain types of crimes within the State Police structure, e.g., economic crimes or drug-related crimes. The Bureau for Fighting Organised Crime within the Main Police Headquarters was established 1 January 1994. At the beginning, this was a centralised organisational structure equipped with the latest technical advances and employing the best police officers. The decision to set up the Bureau was the most important as well as the most groundbreaking measure aimed at increasing the effectiveness of law enforcement in this area. After two years, this task force was divided among the local state police chiefs in every province (voivodeships).<sup>14</sup>

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<sup>13</sup> L. Sklepkowski, "Polska jako kraj tranzytowy i docelowy nielegalnej migracji. Nielegalne przetrzuty przez granice," in: E. W. Pływaczewski, J. Swierczewski, *Policja polska wobec przestępczości zorganizowanej*, Szczytno, 1996, pp. 215–221.

<sup>14</sup> See: A. Misiuk, *Centralne Biuro Śledcze. Dziesięć lat doświadczeń (2000–2010)*, Szczytno, 2010, p. 33.

The Inspectorate of the State Police Chief was established and also effective since 1 January 1994. There are field offices throughout the country. This is a so-called “police within the police” or “internal affairs” whose goal is to react to any indications of police corruption, out-of-duty contacts with the criminal world, etc.<sup>15</sup>

In February 1997, the second task force was set up. This was the Bureau for Fighting Drug Related Crimes. Its goal was to improve the efficiency of measures undertaken for fighting crime associated with the manufacturing and distribution of illegal substances.<sup>16</sup>

Since December 1998, both task forces (the Bureau for Fighting Organised Crime and the Bureau for Fighting Drug Related Crimes) were placed within the Main Police Headquarters once again. There were several reasons for that decision: they had the same subject of work (organised criminal groups selling drugs and laundering their ill-gotten gains), both task forces used the same special legal measures aimed to gain information and evidence such as, e.g., “secret purchase” or “secretly supervised delivery,” including cases when each of them had their own secret agents in one organised criminal group without knowing about the other, and both forces conducted international operations and shared a common database.<sup>17</sup>

Keeping all that in mind, the commander-in-chief of the State Police in April 2000 established a nationwide investigative service, as a part of the National Police Headquarters and called it the Central Investigation Bureau (CIB). It is a part of the Main Police Headquarters but it has field offices in each part of the country. Since this agency is autonomous from local State Police headquarters, it is mobile and very effective. This new agency is composed of police officers from the former bureaus for Fighting Organised Crime and Fighting Drug Related Crimes.

There are three major spheres of interest for the agency. The first one is the criminal aspect regarding the existence of organised crime (e.g. arm trafficking, explosives, extortions, racketeering, etc.) and fighting it. The second interest is drug-related crimes (the manufacture, peddling and smuggling of illegal drugs). The last one is connected to economic crimes such as money laundering, fraud and corruption. The agency also is responsible for

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<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*

<sup>17</sup> See: K. Laskowska, “Działalność służby Policji do walki z przestępczością zorganizowaną. Determinanty poprawy skuteczności,” *Przegląd Policyjny*, 1999, No. 4, p. 10.

the exchange of information and interaction with foreign law enforcement agencies as well as with Interpol.

In July 1998, the Polish prime minister set up the Group for the Coordination of Measures Taken by Agencies for Supervising the Fight against Organised Crime. This group was placed within the structure of the Minister of Interior and Administration. Its goals are, among others, to undertake analyses and assessments and to formulate expert opinions and conclusions regarding the danger of organised crime and devise measures to counteract that threat.<sup>18</sup>

### **New legal instruments in the new criminal legislation (selected issues)**

Within the new penal legislation which became effective September 1998 and which includes the Criminal Code, the Code of Criminal Procedure and the Code on the Execution of Punishments, a number of new legal measures were introduced aimed at increasing the effectiveness of criminal law in counteracting organised crime. It has to be stressed that some of these new legal instruments are very controversial and there have been some disputes among legal scholars, judges and public prosecutors regarding these measures as far as compliance with the Polish Constitution is concerned.

The Polish legal system allows different law enforcement agencies (State Police, Internal Security Agency, etc.) to use the following instruments: looking through correspondence and using other technical means in order to obtain information secretly and to secure evidence; purchasing or obtaining in secret any objects that are derived from the commission of a crime, might be forfeited or of which the manufacture, possession, transportation or trafficking is forbidden; keeping under supervision the movement, storage or trafficking of such objects; giving and receiving a bribe (Article 19, 19a and 19b of the State Police Act).

The State Police Act defines the grounds for the use of these instruments. They are used while conducting so called “operational activities” outside the criminal-law procedure. Police perform such activities in order to prevent or detect the commission of serious crimes, e.g., economic crimes, those that inflict damages of great value, crimes of a significant value against the State

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<sup>18</sup> E. Pływaczewski, W. Filipkowski, “The Development of Organised Crime Policies in Poland: From Socialist Regime to ‘Rechtstaat’,” in: C. Fijnaut, L. Paoli (eds.), *Organised Crime in Europe. Concepts, Patterns and Control Polices in the European Union and Beyond*, Dordrecht 2004, pp. 915–916.

Treasury or crimes that are committed against international conventions adopted by the Polish legal system.

The law describes this very accurately in several enactments. For example, secretly supervising the movement, storage and trafficking of objects derived from the commission of a crime. This supervision is conducted in different ways, e.g., observing the consignment containing the objects, including the use of special surveillance equipment that allows the user to record video and sound; taking control of the consignment; unwrapping the parcel in order to identify the objects inside and make laboratory tests; taking away or replacing the contents; marking the parcel; or sending the package to its ultimate addressee.<sup>19</sup>

There also are other instruments such as a so-called “controlled purchase” or the acquisition of illegal objects or those that derived from the commission of crime and the giving and accepting of bribes. These also are conducted in secret, e.g., the purchase, reception, renting, lending or borrowing of money, securities or other valuable objects.

Polish criminal procedure law allows for breaching the secrecy of correspondence and other types of communication safeguarded by Article 49 of the Polish Constitution. The exception to the rule is possible in order to locate and collect evidence for the purpose of criminal proceedings. The Polish Code of Criminal Procedure describes the grounds for the interception of communications, as well as the supervision of correspondence.

The interception of telephone conversations is allowed in order to discover or to obtain evidence in an ongoing investigation as well as to prevent the commission of crime (Article 237, Sec. 1 CCP). It can be used after a decision by a court on a motion by the public prosecutor. In cases of emergency, the public prosecutor issues such a decision but it needs to be confirmed within five days by the court. This instrument can be used only for selected types of investigations regarding serious crimes (Article 237, Sec. 3 CCP).<sup>20</sup>

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<sup>19</sup> Par. 2 of the Instruction of the Minister of Internal Affairs of 29 July 1997 on the Police undercover supervision of movement, storing and trafficking of objects, Journal of Ministry of Internal Affairs, 1997, No. 48, item 464.

<sup>20</sup> These selected types of crimes are inter alia: murder, trafficking in human beings, taking hostage, extortion, robbery and serious robbery, storing arms, explosive or nuclear materials, counterfeiting money, drug trafficking, organised crime, use of violence or threat in connection with criminal proceedings.



The interception of communication can be used only against a restricted group of people. These are the suspect, the accused, the victim or another person with whom the accused may contact or a person who is associated in any manner with the offender or with the crime (Article 237, Sec. 4 CCP). This instrument can be used for a limited period of time—no longer than three months. However, this period may be extended, but only for another three months (article 238 sec. 1 CCP).

The institutions from the telecommunications sector also are involved in the execution of these provisions. They are obliged to install proper devices and software in order to intercept or monitor different types of communications by their clients and to make the information available to proper government bodies (Article 237, Sec. 5 CCP).

These provisions are applicable to other types of communications, such as fax, Internet (modem or LAN, e-mails), mobile or wireless systems (SMS, MMS, WAP, etc.) and other similar means (Article 241 CCP).

Article 218 CCP concerns the supervision of correspondence or parcels. In this regard, any institutions public (Polish Post Office) or private that offers such services as well as customs offices are obliged to hand over correspondence (letters) or parcels relevant to an ongoing investigation or process on a motion made by a public prosecutor or court. In this case, there are no limits regarding the subjects, objects or time.

Western European and the USA practices in this regard demonstrate that “controlled purchase” and “secretly supervised delivery” are some of the most effective means of fighting organised trafficking in weapons, nuclear materials and drug substances. One should stress, however, that these measures were introduced into the Polish legal system recently and, therefore, should not be expected to produce significant results immediately. It seems though that the measures in Polish law are coming closer and closer to some required standards in the area of counteracting organised crime, especially when compared with legislation in Western countries. So at this stage, the problem is not so much a lack of legal provisions as it is in changing the mentality of participants in the legal process to deal with the needs of the new laws. Unfortunately, financial shortages also are a problem because they make it very difficult to conduct some operations that can be very costly.<sup>21</sup>

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<sup>21</sup> See: E. Pływaczewski, W. Filipkowski, *op. cit.*, pp. 912.



## Central European Police Academy as an Example of Transnational Police Cooperation

The success of European integration and an internal security strategy will depend largely on the awareness and professional training of police officers. At this time, a number of regional and bilateral initiatives that seek to promote the exchange of experience-based knowledge about methods and forms of fighting crime, enhancing police–public cooperation and other aspects of public order protection have been started.<sup>22</sup>

In 1992, the Central European Police Academy (MEPA) came into being, originally as a partnership between the Austrian and Hungarian police. A year later, the Czech Republic, Slovakia, Poland, Germany and Slovenia joined MEPA, and Switzerland joined in 1996. MEPA's aim is to train police officers in the prevention of organised crime and how to fight it. Academy member countries are extremely interested in cooperation in various areas, including training, because of the threat posed by international criminal groups operating in this part of Europe.

I think that both in the 1990s and nowadays the unquestionable thesis is that the activity against the threat posed by criminals can be made only by using specially prepared and well-educated officers. If there are officers who know the reality of the region, have spent one or more parts of their training there, are linked by the appropriate knowledge of the language used there, have a comparable level of learnt knowledge and together create a specific family of mates with a common goal, then we could be optimistic in looking at the total situation. It is worth studying the details more closely. If during their education the officers participate in common departures and their practical education is made while away on tour, then

- the participants of the educational process are acknowledging the realities of the seven countries, starting with their culture, the state of the crime, the police structure and, last, the methods of the investigational activities;
- the course participants learn how to communicate in a sort of *lingua franca* of the region (German) in everyday situations and on a working level;
- the main issue is to generate the actual and flexible abilities to be able to react to questions connected with organised crime

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<sup>22</sup> See: E. Pływaczewski, "Making Criminal Justice Transformation, Teaching and Training Work: Experiences Learned from Central Europe," in: K. Aromaa, S. Redo (eds.), *For the Rule of Law: Criminal Justice Teaching and Training @ cross the World*, Helsinki 2008 for more details.

- presenting case studies that are bound with enormous individual and group work

course graduates should count on didactical care also after Austro-Hungarian Police Academy (AHPA) 1992 course graduation. If we treat the academy as a model of international police cooperation, I can assume that we will prosper since more than five hundred internationally oriented and capable police officers or border guards have already graduated from the academy. A practical way for professional development within the courses, which are taught both in classrooms and on study trips, is additionally supplemented by the possibility for participation in specialist seminars and inspections.

The merit of MEPA was confirmed on 22 May 2002 in Budapest when Ministers of Interior of eight member countries signed a document titled “Common Statement” (*Gemeinsamme Erklarung*), which was a statement about the organisational activity of the Academy.<sup>23</sup>

### **Initiatives of the Polish Platform for Homeland Security (PPHS)**

Threats to public security increasingly often have a supranational character, and combating them requires the involvement and cooperation of agencies from many states. The immensely quick development of new information technologies creates an opportunity for law enforcement and justice bodies to use such technologies to increase the efficiency of activities undertaken by state institutions. This directly translates into a higher sense of security in European societies.

These facts have influenced decisions by various Polish institutions—universities, law enforcement agencies and organs of administration and justice—to take the common challenge of applying scientific achievements to the daily practice of law enforcement and the functioning of state organs for the common good.

Before the PPHS was established, we collected some important experience from a criminological research project (“Legal and organisational–technical solutions in combating organised crime and terrorism, with special emphasis

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<sup>23</sup> See: E. Pływaczewski, “Główne założenia i efekty działalności Środkowoeuropejskiej Akademii Policyjnej,” in: *Aktualne problemy prawa karnego, kryminologii i penitencjarystyki. Księga ofiarowana Profesorowi Stefanowi Leleentalowi w 45 roku pracy naukowej i dydaktycznej*, Łódź 2004, pp. 235–241.

on the issue of trial evidence and the institution of witness immunity”) that had been requested by the Ministry of Science and Computerisation.

It was the largest research project requested so far in Poland. The participants of the project had the opportunity to make extensive use of information technology, which made it possible to analyze multiple aspects of many issues. The project involved a multilayer analysis of the methods of combating organised crime and terrorism, with a particular focus on selected aspects of operational processes.

During the performance of this project and thanks to a specially prepared electronic-record archiving station, a detailed analysis was conducted of several thousand volumes of records of criminal cases against members of organised criminal groups at all stages of the crime, including:

- operational work,
- preparatory proceedings,
- court proceedings, as well as
- the execution of adjudged penalties and, in particular, the penalty of deprivation of liberty (imprisonment).

The results of the research were then assessed by practitioners in the field, which made it possible to evaluate both the existing and the proposed legal solutions to combat organised crime and terrorism.

Over three years (2003-2006), the research team (the number of participants grew from 40 to 120) prepared a new, working Act on the Witness Immunity Program. Other important results of the research included identifying and correcting many major obstacles and shortcomings in both the system of law and day-to-day procedures. However, some of them were more technical in nature and, consequently, the idea to invite engineers to participate in the project was developed as a prologue to the establishment of the PPHS.

The legal roots of PPHS, despite its complete focus nowadays on technological support of law enforcement agencies, are still clearly visible. The rules of the penal code are the solid foundations for any technological research projects the PPHS initiates.

Using the Code of Criminal Procedure as its base is one of the guarantees that any equipment developed by PPHS is fit to use starting from the first day. ,

The PPHS was established in 2005.

Participating entities of the PPHS can be divided into three groups:

- in the first group are law enforcement and criminal justice agencies, including the highest judicial body, the Polish Supreme Court;
- the second group is formed of the leading Polish academic centres, universities of both a classical, or more aptly, humanistic, as well as those of a technical character; and,
- the third group, which includes specially selected commercial companies.

The activities of the PPHS are aimed at creating integrated computer tools to support broadly defined efforts to improve public security. The main focus of these efforts is to support police and other law enforcement services with the most modern technological solutions available. Some of the proposals worked out within the PPHS will strengthen efforts to improve both security and the prevention of crimes committed with the use of modern technologies and the ubiquitous Internet.

The joint performance of projects contributes also to strengthening cooperation between the research institutions participating in the projects and the industry represented by the commercial companies. Because of the sensitive nature of the data and project topics, a part of the research work within the PPHS is classified.

The integrated computer tools that are developed within the PPHS improve the competitiveness and innovativeness of Polish science in the European arena and increase the effectiveness of government services and institutions responsible for the security of citizens and the state. The joint performance of projects contributes also to strengthening cooperation between the research institutions participating in the projects and the industry represented by commercial companies.

The activity also includes so-called “multi-use technologies.” There is strong cooperation between the Educational Centres for Blind Children in Owińska and in Krakow to create modern equipment to assist the blind and severely short-sighted to walk more capably. Work also is being conducted on computer aid tools to be used by pupils suffering from hearing, speech and development disorders.

Nowadays, within the PPHS there are 20 ongoing research projects, among them the biggest one is “INDECT”, which is financed by the 7<sup>th</sup> Framework Programme.

The current financing horizon for research activities is through 2012. The total budget for all research projects is more than €50 million. About 1,200

people are active members of the PPHS, including representatives of the police, other law enforcement agencies and the justice administration.

The idea for the PPHS was presented on several occasions both at home and abroad. The most important were some of the presentations abroad, especially:

- a. before the European Union Council and European Parliament;
- b. at the 3<sup>rd</sup> European Conference on Security Research in Paris in September 2008
- c. at the 12<sup>th</sup> United Nations Congress on Crime Prevention and Criminal Justice in Salvador, Brazil, in April 2010;
- d. and the last presentation at the Conference on “Data Mining and Human Rights in the Fight Against Terrorism” in Zurich (Uetilberg) in June 2010.<sup>24</sup>

The innovative research performed by the PPHS is immensely important to the security of both Poland and Europe. This is manifested by the performance of the INDECT international project (“Intelligent information systems supporting observation, search and detection for the security of citizens in urban environments”), which is financed as a part of the “security” portion of the EU Framework Programme. It is the most important research project.<sup>25</sup>

Among the institutions participating in the project are many universities and commercial companies from nine countries from both Central as well as Western Europe. This European project not only constitutes an expansion of the projects performed in the framework of the PPHS but also promotes the exchange of experiences and strengthens cooperation with other member states of the European Union.

The projects of the Polish Platform for Homeland Security are tangible examples of activities aimed at countering and fighting threats from crime and terrorism. Their objectives are important both to the Polish state and to European security. The results of the work within the PPHS were evident after only a few years since its creation. The results bring significant social benefits and facilitate the work of institutions of public security. The research teams

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<sup>24</sup> E. Pływaczewski, Z. Rau, “The Polish Platform for Homeland Security—a Pioneer Initiative for Up-to-Date Security in the European Union,” in: E. Pływaczewski (ed.), *Current Problems of the Penal Law and Criminology*, Białystok 2009, p. 450.

<sup>25</sup> The project coordinator is Professor Andrzej Dziech from University of Science and Technology in Kraków.

working with the PPHS demonstrate the innovation of Polish science and the supranational benefits it produces. It is important that the outcomes of the research be used not only in the operations of public services but also by institutions and companies that are not related to the public security-and-order sector. This is essential because such “civilian” applications will greatly enlarge the group of direct users. Nevertheless, the primary objective of the Polish Platform for Homeland Security is to prepare the proper technical means, logistical backup, and legal norms that will allow for the unrestrained operation of uniformed services and other entities responsible for the security of the state. Specific systems, such as the cohesive network-centric system supporting the work of the police, automatic translators, cryptographic algorithms or the extensive use of artificial intelligence will greatly enhance their operations by facilitating quicker, more efficient and effective operational work.<sup>26</sup>

### **International Cooperation**

In recent years, transnational organised crime has increased in scope, intensity and sophistication. The end of the Cold War, the collapse of state authority in some countries and regions and the process of globalisation in trade, finance, communications and information have provided an environment in which many criminal organisations find it profitable to operate across national borders rather than confine their activities to one country. Along with the fall of socialism and the emergence of global capitalism, the gap between richer and poorer nations of the world has continued to grow. With this growth, opportunities for organised crime can be expected to increase as illicit relationships develop among supply countries, transit nations and consumer nations. In an unbalanced world economy, legal economies tend to be replaced by illegal economies.<sup>27</sup>

Given the development of transnational crime, individual actions undertaken by police forces in different countries to fight the criminal underworld cannot be very effective in the long run. In today’s world of international crime, the categories “domestic” and “foreign” are almost archaic. Internationally organised criminals simply do not operate within the confines of national borders and geographical law-enforcement jurisdictions. What is needed is transnational police cooperation at various levels and new

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<sup>26</sup> E. Pływaczewski, Z. Rau, *op. cit.*, pp.472–473.

<sup>27</sup> See: E. C. Viano, J. Magallanes, L. Bridel, *Transnational Organized Crime. Myth, Power and Profit*, Durham 2003.

structural solutions in how international police organisations function. International police cooperation can be divided into three forms:

1. non-investigative (the gathering of information, training, programmes and consultations);
2. investigative (the exchange of intelligence and judicial information, operations on a partner's request, actions undertaken in response to a rogatory commission, the assignment of contact officers, working meetings—including border meetings such as police-to-police contacts—and joint closures of conducted cases); and,
3. special forms (special operations and international witness protection programmes).

However, the matter that is of the utmost urgency is to work out a uniform internal security strategy throughout Europe. Rainer Schulte, the former director of the Police Executive Academy in Munster-Hiltrup, Germany, has outlined the need for cooperation in three fields of European police relations. He advocates that cooperation be encouraged within the contexts of the European Union and the Schengen agreements and that bilateral cooperation be cultivated among the countries of Europe.<sup>28</sup>

Apart from being involved in international initiatives, in the 1990s Poland entered into a number of bilateral agreements concerning transnational policing matters. According to Schulte,<sup>29</sup> quick intervention by the police, in particular in regional incidents, is possible only because of such bilateral agreements. Among the direct results of these agreements were the establishment of liaison police officer posts in signatory countries who work to provide the foundation for further international police cooperation. At present, liaison officers representing Belgian, French, Dutch, German, Ukrainian, Italian, Russian, Swedish, British and American (FBI) police forces are based in Poland. One of the most advanced in terms of cooperation is the one between Poland and Germany. In 1991, both countries entered into an agreement to fight organised crime, terrorism and illegal migration and (in a provision added later) cross-border crime.

The trend in criminal activities in Europe is decidedly upward. An increasing number of ever-more serious criminal acts is linked to organised crime. For instance, the Netherlands and Spain have been the leading countries

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<sup>28</sup> R. Schulte, "Europejska współpraca policyjna," *Prokuratura i Prawo*, 1995, No. 4, p. 12.

<sup>29</sup> *Ibid.*, p. 17.

in the import of cocaine from South America and its distribution to the rest of Europe. Besides Italian groups (Mafia, N'drangheta and Cammora), the main criminal groups working in Europe are the Japanese Yakuza, the Chinese Triads, Colombian Cartels, Jamaican Posses, Russian criminal networks, West African syndicates, Turkish Clans, Iranian elements and other ethnic groups. The activities of the Chinese criminal groups have caused increasing alarm among law enforcement officials in Australia, Japan, North America, Russia, South Africa, Southeast Asia and Central and Western Europe. Forced to respond to the dramatic trends in the security and crime situation, European law enforcement agencies are searching for means of effective international collaboration to combat and prevent illegal border crossing and international crime.

To control organised crime, far-reaching legal and institutional reforms have been passed in all European states and *ad hoc* instruments have been adopted by all major international organisations, ranging from the European Union and the Council of Europe to the United Nations.<sup>30</sup> The role of the UN in developing a systematic approach to organised crime can be found in the UN Convention against Transnational Organised Crime, which was adopted at the UN General Assembly's millennium meeting in Palermo, Italy (November 2000). This important Convention has two main goals. The first is to eliminate the effects of differences between national legal systems, which have blocked mutual assistance in the past. The second is to set standards for domestic laws so they can effectively combat organised crime. Under the Convention, governments commit themselves to:

1. Criminalising offences committed by organised crime groups, including corruption and corporate offences;
2. Cracking-down on money laundering and the proceeds of crime;
3. Speeding up and widening the ability to testify against criminal groups;
4. Tightening cooperation to seek out criminal groups;
5. Protecting witnesses that testify against criminal groups;
6. Boosting the prevention of organised crime at the national and international level; and,

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<sup>30</sup> See: S. Redo, "Crime as the Growing International Security Threat: The United Nations and Effective Countermeasures against Transnational Economic and Computer Crime," *UNAFEI Resource Material Series*, 2000, No. 55, pp. 117–138.



7. Developing a series of protocols containing measures to combat specific acts of transnational organised crime.

It is worth mentioning, that the Council of the European Union should establish and implement a multi-annual policy cycle with regard to serious international and organised crime in order to tackle the most important criminal threats in a coherent and methodological manner through the optimum cooperation of the relevant services of the member states, the EU institutions and agencies as well as relevant third countries and organisations.

Existing boundaries do little to restrain the expansion of contemporary crime, and that makes crime one of the major threats to the social and economic stability of the continent. Limiting police cooperation only to the Schengen and European Union partners would be a mistake, particularly since the rapid growth of criminal groups in post-communist Europe makes it necessary for these countries to get involved in the process of creating a uniform European internal security strategy. It is also important that legal standards in the area of extradition, money laundering and drug crime become harmonised. It should be kept in mind, that two main goals of the UN Convention against Transnational Organised Crime are to eliminate the effects of differences between national legal systems and to set standards for domestic laws so they can be used to effectively combat organised crime.

## **Social Preconditions and Some Phenomena of Organised Crime in Hungary**

### **Difficulties of Research**

Organised crime (OC) is conspiracy and good conspiracy is invisible. This means that well organised crime is almost invisible; only poorly organised crime is visible. Consequently, the most interesting facts remain unknown, and if these ever become known, even then they remain outside the scope of practical jurisdiction and punishment. The existence of OC is questionable. In the on-going theoretical discussion on the actual existence or non-existence of OC, two contradictory positions can be observed: (1) OC is a unique phenomenon that constitutes the main danger to modern democratic societies, so combating it requires special methods; (2) OC is not an independent phenomenon but merely a chain of ordinary crimes, and the phantom of OC is an ideological construction created by the police, the judiciary and the media to garner a better reputation, unlimited finances and more power. The multitude of models and theories coupled with a rather moderate number of empirically founded statistical data demonstrate the difficulties of OC research worldwide.

“Measuring organised crime requires three steps: the specification and definition of key concepts, the operability of these concepts by translating them into variables, and the linking of these variables to empirical data”.<sup>1</sup> At least the last two requirements have not in fact been fulfilled, with the lack of empirical data in statistics responsible for blurring the picture. The majority of judicial procedures targeting OC remain unsuccessful because the evidence produced in court to confirm the alleged organised nature is unsatisfactory.

A further factor rendering research difficult is limited data access, itself complicated by approbation processes, data protection regulations, witness protection measures, etc. For the researcher, only data from completed criminal procedures is accessible, and even then to a limited extent only, as

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<sup>1</sup> K. von Lampe, “Measuring Organised Crime—A Critique of Current Approaches,” in: P. Duyne et al (eds.), *Threats and Phantoms of Organised Crime, Corruption and Terrorism—Rhetoric and critical perspectives*, Nijmegen 2004, pp. 85–116.

a lot of the evidence and information is collected by national intelligence agencies, under classified data protection regulations or during secret police investigation. OC is a politically sensitive topic on account of its *par excellence* aims; other than finances and higher profits, these include political and social power on the local, regional and, if possible, also national level. OC is seeking interest-protectors and alliances among politicians and political groups in order to influence democratic institutions.

Those prosecuting OC often come up against a gigantic political and financial obstructive force based on very effective formal and informal tools. That is why individuals, professional and civil communities as well as states cannot parry the OC threat on their own; combating OC is only possible on the basis of international democratic control and crime investigation institutions. This is a commonplace phenomenon in itself but particularly true of states with unstable, fragmented social, democratic and economic systems.

It is just as difficult to make international comparisons. According to a report by the Hungarian Intelligence Agency, “organised crime heavily endangers the lawful and functional work of the state administration and the economy, as well as national security, (...) [but] information exchange in the frame of international crime investigation cooperation is hindered by the fact that participating organisations are sometimes unwilling to make available such data as could throw a dark shadow onto the reputation of their home countries, in particular by revealing links of the political elites to organised criminal groups”.<sup>2</sup>

This explains why at my home institution, the Hungarian National Institute of Criminology, no independent OC project is currently being pursued, so it is up to individual researchers whose work is somehow related to OC to examine this issue.

## **Social Transformation and Policing Reform**

After the revolution of 1956 a milder variation of communist dictatorship developed in Hungary. It tolerated certain restricted elements of a market economy, some black trade areas, a certain level of corruption of officials and some criminal activity: illegal trade in foreign currencies, a black market in housing, street prostitution, etc. In the 1970s the first nuclei of OC structures emerged, followed in the 1980s by their gradual professionalization, segmentation and deliberate accumulation of finances. At the time, small

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<sup>2</sup> “Szervezett bűnözés,” [www.mkih.hu/feladatok\\_szervezett.shtml](http://www.mkih.hu/feladatok/szervezett.shtml).

criminal groups had been active and these accumulated financial resources which later became the basis for the establishment of lower and mid-level OC, providing it with liquidity for “investments”.

During Hungary’s political and social transition, border opening, reconstruction of the market economy and EU integration, low, mid- and high-level organised crime emerged as well, rather unexpectedly as it were, as a result of external and internal factors.<sup>3</sup>

The police was not adequately prepared for the political changes and for the reconstruction of the constitutional state, and proper legislation, regulations and teaching materials were not available. The police personnel felt unsure and unsafe about their professional future, and with the rise in unemployment criminality among the poor was increasing swiftly as well.

In the meantime, the police had to face criticism from the free media. In the frame of the so-called political “final cleansing,” several experienced police professionals were dismissed, and in the prevailing chaos some former supporters of the communist regime made fast careers. In the course of dismantling the communist Political Secret Police, secret information networks used in ordinary crime investigations were dissolved too. Occasionally, the ruling political parties and their interest groups would try to influence the work and hierarchy of police, and continuous changes at the posts of high and middle ranking police leaders combined with sharp fluctuation of operatives disrupted police work considerably, leading to more extensive corruption. The effectiveness of investigations decreased (from 32% to 20%), while the total number of 185,000 registered crimes in 1988 rose to 600,000 by 1998, but soon dropped again to around 400,000.<sup>4</sup>

Those tendencies necessitated amendments in the penal law, penal procedural law, penal policy and crime control. The necessary legal and police

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<sup>3</sup> Within the scope of the so called low level OC half-professional criminals are active locally and on an ad hoc basis. Their activity is hardly to be distinguished from common street crime, at most by a higher degree of planning and continuity. Their activity areas are limited, in many cases they are employees of OC structures. The participants of the medium level OC are professional criminals. Their activities can be unambiguously recognised as OC, their living and welfare is based on well planned, continuously and competently realised illegal and half-legal activities complemented with violent crime only if necessary. They are able to win experts from other areas by the means of corruption or blackmail. Nevertheless, their operation is mostly on the regional and not national level.

<sup>4</sup> See: The Unified Police and Prosecution Crime Statistic (ERÜBS / ENYÜBS), <http://crimestat.b-m.hu/RendeszetiAdatok.aspx>; <http://www.police.hu/statisztika/archivum/>; <http://en.okri.hu/content/view/21/48/>.

structures and instruments for investigating and combatting OC effectively were established by the end of the 1990s. In reaction to international trends, modern tools were created based to a large extent on EU requirements in the course of Hungary's preparations for integration (01 May 2004).

Many acts, amendments and regulations contributed to the modernisation of policing in combating OC: the Police Law of 1994 regulated the legal status, organisational structures and procedures; the so-called anti-OC package of 1999 based on European cooperation in justice and home affairs introduced restrictive measures for some OC activities; 1997–2001 amendments to the Penal Code harmonised OC-related terminology with the terms used by the CE and EU; the Law on National Intelligence Services and the new Penal Procedural Law laid down the norms of secret information-collection and secret investigation as well as democratic control mechanisms and institutions; the special Tax Law regulations made possible the examination of the sources of fortunes and confiscation of criminal profits; the Witness Protection Law of 2001 offered special support to the “pentitos”; the 2007 Law on Money Laundering and Financing Terrorism unified the regulations that had formerly been scattered. The Criminal Law Convention on Corruption adopted by the Council of Europe then became internal law in Hungary, and in the course of the country's preparations for EU integration, the entire legal framework of the Union became domestic law.<sup>5</sup>

In the course of institutional reform, several new police institutions were established or re-established, i.e. the Centre for International Crime Investigation Cooperation with its three departments, the Europol National Bureau, the Interpol National Bureau and the International Information Department.

Special police units countering OC were established subsequently, including the Police Service against Organised Crime, the Central Crime Investigation Directory, Organised Crime Investigation Directory and the Coordination Centre for the Fight against Organised Crime (SZEBEK). The latter is a non-operative organ established in 2001. Its members are delegates of the National Police Headquarters, the Customs and Finance Police, the National Chief Prosecutors' Office and the national intelligence agencies. The National Investigation Agency was founded in 2004; it was modelled after the German BKA to deal with highly important international and domestic OC cases, white collar crime, drugs, human trafficking, computer and internet

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<sup>5</sup> See: P. Fejes, “Possibilities of strengthening and hinders int he unification of the European penal law,” unpublished PhD Thesis at Corvinus University Budapest.

crimes, corruption, crimes against the natural environment and terrorism. At the end of a long preparation process, which required merging the former Frontier Guard with the Police, Hungary joined the Schengen Treaty's border control and information system (SIS). The Protective Bastion project serves internal safety within the Police and prevents policemen's involvement in criminal and corruptive situations. The aim of the project is to discover risk factors in the case of police candidates. The Centre for Counter-terrorism was established in 2010 in one of the first moves of the new government headed by Viktor Orbán.<sup>6</sup>

New international educational cooperation was also launched with the establishment of the International Law Enforcement Academy (ILEA) and the Middle European Police Academy.

### **Multi-level Organised Crime and its Forms**

As a result of the swift modernisation, all modern forms of OC are represented in Hungary. In the long period of political change, old groups at the lowest level of the OC ladder remained active in the criminal field, dealing with black markets, the smuggling of stolen cars, car accessories, production and smuggling of relatively small amounts of drugs, cigarettes and alcohol smuggling and street prostitution. But "new crime" was quick to appear: the smuggling and trafficking of humans, real estate fraud and illegal trade in non-ferrous metals. Soon afterwards also other OC groups, stronger and better organised, joined forces with various legal interest groups and high ranking officials of the local or regional administration. Moreover, foreign criminal organisations established strong positions in show business, the hotel and restaurant industry, gambling casinos, media, real estate trade and in the—by then internationalised—red light environment. Supported by their finances and political links, their representatives became members of the legal society of entrepreneurs.

### **White Collar Crime**

The transformation of economic structures and financial markets offered broad opportunities for white collar criminals, who were active in the entire spectrum of economic crime. They participated in full-scale privatisation projects and committed diverse crimes: money-laundering, bankruptcy deception, unlawful dissolving of enterprises with large debts, foundation of

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<sup>6</sup> See: A. Gergely, "A bűnüldözés alakulása a rendszerváltás óta," *Hadtudomány*, 2000, No. 1 for more details.

companies for investment and credit fraud or mass production of falsified invoices.

The leaders of these organisations have a meaningful financial base acquired through illegal activities. They do not participate in criminal activities directly any more, but command their networks through contact persons. They invest their money in legal or seemingly legal investments and businesses or participate in business transactions at the borderline of legality and illegality. They engage highly qualified experts in economy and law who help them launder illegal money or reinvest it either in the energy and banking sector or abroad in offshore companies.<sup>7</sup>

### **Foreigner OC Groups**

With the opening of borders, smaller and bigger foreign criminal groups appeared and started operating on their own or in cooperation with Hungarian partners in a number of areas:

- East Asians, mostly Chinese groups, in product piracy and brand piracy;
- Vietnamese groups in cigarette smuggling, drug production and drug trafficking;
- Turkish groups in international drug trafficking;
- Italians and Dutchmen in trafficking in human beings for prostitution and illegal labour markets;
- Romanians, Slovaks, Serbs, Albanians in smuggling people;
- Internationally active organised Romanian groups of travelling professional criminals pick-pocketing and burglarising houses and shops on a large scale;
- Fears voiced in mid-1990s that Hungary could become a base for the Russian-speaking organised crime have not materialised.

Compared to the early period of social transformation and measured by the number of offenders, the hierarchy of foreign crime groups can be said to have changed as well. Romanian citizens have held the leading position since 1991, with around 2,000 Romanian offenders committing some 4–5,000 crimes each year. The information and data on Chinese offenders has been available since 1995, with the number of crimes they commit slowly rising. In their social

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<sup>7</sup> M. Kránitz, “A fehérgalléros bűnözés az ezredvég Magyarországon – egy ténykutatás tapasztalatai,” *Kriminológiai Tanulmányok*, 2001, No. 38, pp. 88–111.

circle, criminal acts associated with migration and mercantile activities are typical.<sup>8</sup>

### **Smuggling of Humans**

Research conducted by Hungary's National Institute of Criminology (NIC) provides an overview of the organisational structure of human smuggling in Hungary as a transit country. According to its findings, there are individual local smugglers active alongside small smuggling groups and sophisticated organised transnational smuggling groups. An important factor is the ethnicity of both the smugglers and the smuggled migrants. Unlike other criminal organisations, in the majority of human smuggling cases nobody exercises central control over the entire process, so members of those mono-ethnic smuggling networks operate as residents, coordinators and at the same time leaders of locally active smuggling groups. Foreign offenders, mostly Serbian, Ukrainian and Albanian criminals, cooperate with Hungarians and indirectly work for broader international networks. Some 2,000 smuggled humans get caught at the border every year.<sup>9</sup>

### **Human Trafficking**

An analysis of some 200 cases of human trafficking suggests that the so-called "inland" trafficking, which does not involve crossing borders, is just as frequent as its transnational form. On a yearly average, 15–35 criminal procedures are started that involve trafficking in humans; one-third of the victims are children or juvenile, mostly women; and in several cases they are the residents of state educational institutions or orphanages taken advantage of for prostitution. Most offenders have a former criminal record of long convictions. The victims are threatened and abused and often come under pressure from the offenders even as criminal proceedings are in progress. As a consequence, the victims and witnesses sometimes change their testimony.<sup>10</sup>

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<sup>8</sup> Sz. Póczik, "Külföldi állampolgárok bűnelkövetése Magyarországon a kriminálstatisztika tükrében, 1989-2006," in: Sz. Póczik, Sz. Dunavölgyi (eds.), *Nemzetközi migráció–nemzetközi kockázatok*, Budapest 2008, pp. 393–406.

<sup>9</sup> S. Windt, "Embercsempészek és csempészett személyek Magyarországon," in: Sz. Póczik, Sz. Dunavölgyi (eds.) *Nemzetközi...*, *op. cit.*, pp. 407–424.

<sup>10</sup> See: L. Fehér, (ed.), *Handbook on trafficking in human beings. General Issues and Methodology*, Budapest 2004.



## **Real Estate Mafia**

The opening of the real estate market accompanied privatisation during the economic transformation, and the activities of the so-called real estate mafia, such as illegal deprivation of owners of their real estate, mostly dwellings, came to the forefront of public attention in connection with the problem of homelessness. Most crimes in this area are related to fraud, but also to forgery of official and private documents, blackmail and violation of personal liberty. Most offenses are committed by criminal gangs acting independently of one other. In trials involving those often complex cases, it is usually difficult to prove that a crime had been committed. Often the victims—elderly, mentally handicapped, alcohol- or drug-dependent—are unable to enforce their interests in court in the absence of documentary evidence and in the face of false witness testimony. Corrupt lawyers and public notaries support criminals too. To combat the so-called real estate mafia a special police unit was set up within Budapest Police Headquarters, and the NIC brought together representatives of the police, local government, competent authorities, civic organisations and professional chambers to discuss the possibility of social networking against real estate OC. This initiative has since proved to be a successful model project of social crime prevention in Hungary.<sup>11</sup>

## **Money Laundering, Economic Crime**

Research on money laundering in the early years of the last decade did not produce tangible empiric results other than recognition that very sophisticated structures and frameworks of economic crimes render their investigation more difficult, if not outright impossible. This raised the question if these did not rather represent a “phantom”. According to information provided by the vice chair of the National Tax and Custom Office (NAV), money laundering is a very real threat, with his office estimating that some US\$15 billion get laundered in Hungary every year. A serious change of methods is needed if the police are to investigate such crimes effectively, especially that there are also other crimes behind money laundering, such as tax fraud, defalcation and cross-border misappropriation.

## **Stolen Vehicles**

By mid-1990s theft of expensive passenger cars turned out to be a major public safety problem, with many cars stolen in Western Europe smuggled

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<sup>11</sup> See: Sz. Póczik, Sz. Dunavölgyi (eds.), *Társadalmi összefogással a lakásmafia ellen. Tanulmányok dokumentumok 2002–2006*, Budapest 2006.

through Hungary to the post-Soviet regions. Between 1996 and 2008 the number of stolen cars was declining fast, reflecting the efficiency of police work as well as social pressure in this respect. Following a steady drop until 2008, the number of stolen vehicles started rising again in 2009, probably in reaction to the financial crisis.

**Stolen Cars in Hungary**

|      |        |
|------|--------|
| 1996 | 17,132 |
| 1998 | 16,307 |
| 2000 | 10,969 |
| 2002 | 8,354  |
| 2004 | 7,869  |
| 2006 | 6,376  |
| 2008 | 5,804  |
| 2009 | 9,457  |
| 2010 | 8,740  |

Source: D. Koncz, “Csak nehezíteni lehet az autótolvajok dolgát”, [www.origo.hu/auto/2009/0126-egyre-kevesenn-az-autolopas.html](http://www.origo.hu/auto/2009/0126-egyre-kevesenn-az-autolopas.html).

**Smuggling and Production of Drugs**

Hungary is located on the major international drug routes between the Middle-East and Europe, so it is a target and a transit country at the same time. Marijuana, cocaine and heroin account for the largest share of detected and confiscated drugs, both produced in and transported through the country. Being a transit country, in the framework of European Police Cooperation Hungary is not appointed to catch big drug shipments through secret investigation methods.

**Drugs Confiscated 2000–2010**

| Year/<br>Drug<br>(in kg) | 2000   | 2001   | 2002   | 2003   | 2004  | 2005   | 2006  | 2007  | 2008  | 2009  | 2010  |
|--------------------------|--------|--------|--------|--------|-------|--------|-------|-------|-------|-------|-------|
| Amphetamine              | 0.05   | 0.29   | 0.04   | 0.4    | 5.15  | 32.58  | 4.18  | 9.6   | 2.95  | 9.62  | 56.82 |
| Cannabis<br>corn         |        | 0.18   | 0.04   | 0.92   | 0.07  | 0.01   |       |       |       |       |       |
| Cannabis<br>plant        |        |        |        |        | 0.01  |        |       |       |       |       |       |
| Hash oil                 |        |        |        |        |       | 4.19   | 1.13  | 3.18  |       |       | 0.24  |
| Heroin                   | 747.02 | 185.87 | 160.48 | 308.88 | 68.10 | 160.38 | 86.58 | 41.39 | 28.28 | 42.64 | 74.73 |

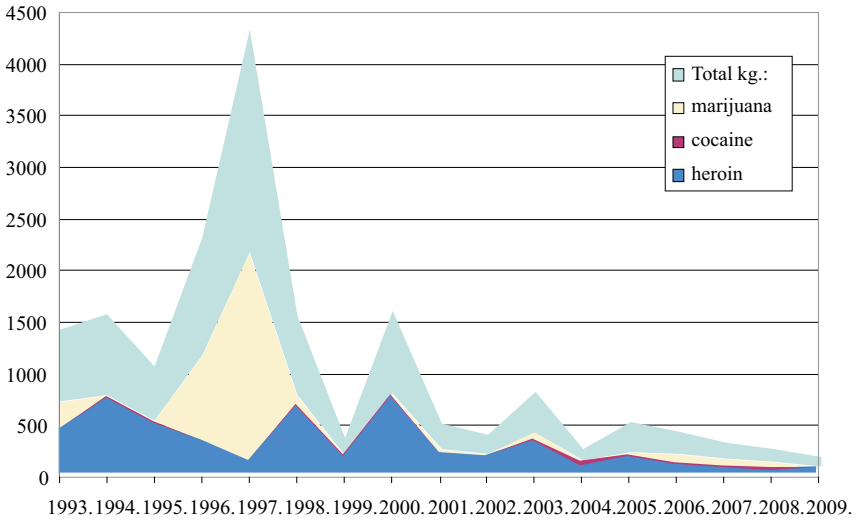
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|                         |        |        |        |        |        |        |        |        |        |       |        |
|-------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|--------|
| Ketamine                |        |        |        |        |        |        |        | 0.01   |        |       |        |
| MDMA                    |        |        |        |        |        |        |        | 0.01   |        |       |        |
| Cocaine                 | 4.48   | 4.83   | 4.03   | 23.84  | 47.24  | 7.98   | 7.84   | 15.85  | 13.35  | 2.12  | 14.24  |
| Coca leaf               | 0.47   | 0.54   |        |        |        | 0.07   |        | 0.19   |        |       |        |
| Coca tea                |        | 1.30   | 0.48   |        |        |        |        |        |        |       |        |
| Marijuana               | 20.66  | 44.22  | 24.15  | 60.24  | 3.38   | 43.97  | 97.59  | 87.28  | 70.79  | 25.85 | 344.59 |
| Opium                   | 17.91  |        | 0.54   |        |        |        |        |        |        |       | 0.48   |
| Psilocybin              |        |        |        |        |        |        | 2.81   |        |        |       |        |
| Psilocybin mushroom     | 0.01   | 0.06   | 0.56   | 4.84   | 1.66   | 15.76  | 0.04   | 0.12   | 0.12   |       |        |
| Hallucinogenic material |        |        |        |        |        |        | 0.09   |        |        |       | 0.02   |
| Ecstasy                 |        |        |        |        |        |        |        |        | 2.82   |       |        |
| Precursor               |        |        |        |        |        | 15.26  | 21.8   |        |        | 0.1   | 29.33  |
| Total (in kg)           | 790.60 | 237.29 | 190.32 | 398.76 | 125.60 | 280.20 | 222.06 | 157.63 | 118.31 | 80.33 | 520.45 |

Source: NAV (National Tax and Customs Office) drug investigation data, <http://vam.gov.hu/loadBinaryContent.do?binaryId=34274>.

According to investigation records, no meaningful change has been recorded in the volume of drugs transported through Hungary. The largest part of the opium coming from Afghanistan is transported via this route to Western Europe, while heroin is shipped mainly to Holland, Germany, France, Italy and Great-Britain. The smugglers are mostly Turks, Serbs, Albanians and Vietnamese. With the market for heroin growing, exports of heroin and some synthetic drugs into Holland, Belgium or Spain are handled mainly by Hungarian OC groups, or directly from Latin-America although more and more African groups are active in this field, too. Members of these small organisations or independently operating cells are in Hungary as refugees and they hire Hungarian couriers to transport drugs around Europe. Following their communication poses a great challenge for the police and intelligence services as they use African tribal languages. More intensive activities and stronger organisational links are observed in groups dealing with synthetic drugs. The drug market is not dominated by two or three major organisations. The market is fragmented and its participants fairly segmented depending on their activity, organisational capability, profitability and other factors. The “street” price of hashish, marijuana, amphetamine and LSD is growing, while

that of heroin and cocaine is declining. A national anti-drug strategy has been



in force in Hungary since 2000.<sup>12</sup>

**Most Important Drugs Confiscated 1993–2010**

Source: NAV (National Tax and Customs Office) drug investigation data, <http://vam.gov.hu/viewBase.do?elementId=2755&modulId=2>.

**Brand and Product Piracy**

In brand and product piracy some 300–700 cases are detected every year and products worth round €11 million are confiscated, with most of them originating in South and East Asia.

**Brand and Product Piracy**

| Year  | 2000      | 2001       | 2002       | 2003      |
|-------|-----------|------------|------------|-----------|
| Cases | 119       | 358        | 882        | 155       |
| Euro  | 7,057,455 | 3,768,305  | 7,875,320  | 2,942,188 |
| Year  | 2004      | 2005       | 2006       | 2007      |
| Cases | 275       | 630        | 735        | 401       |
| Euro  | 1,115,960 | 56,226,611 | 18,981,447 | 9,767,940 |
| Year  | 2008      | 2009       | 2010       |           |
| Cases | 582       | 1,129      | 602        |           |

<sup>12</sup> National strategy to combat the drug problem - Conceptual framework of the Hungarian Government’s Anti-drug strategy. Submitted by: Ministry Of Youth And Sport 1999, adopted by: Government Of The Republic Of Hungary on 4<sup>th</sup> July 2000, Parliament Of The Republic Of Hungary on 5th December 2000.

|      |            |            |            |  |
|------|------------|------------|------------|--|
| Euro | 10,557,260 | 11,446,035 | 11,805,023 |  |
|------|------------|------------|------------|--|

Source: NAV (National Tax and Customs Office) brand and product piracy investigation data, <http://vam.gov.hu/loadBinaryContent.do?binaryId=24479>.

The smuggling of cigarettes is highly detrimental to the state, generating high profits for the smugglers and dealers. The smugglers predominantly transport falsified traditional premium brands such as Kent, Marlboro or Chesterfield from Ukraine and Serbia. The newest phenomenon in this field is the appearance of an originally Chinese brand, Jin Ling (a Camel clone), produced legally in Kaliningrad and later in other factories in Eastern Europe by the Baltic Tobacco Factory, for sale on illegal European tobacco markets. As a consequence of cigarette smuggling an estimated 6% of all cigarettes sold in Hungary in 2010 were traded on the black market to avoid taxes.

### **Terror, Terrorism, Political Extremism**

Hungary was one of the countries that had to face international terrorism very early, when between 1979 and 1983 Carlos known as the “Jackal” built his terrorist headquarters in Budapest right under the nose of helpless communist secret agencies. (Regrettably, in the 1990s Hungary’s state authorities gained bad publicity internationally when they were reluctant to cooperate with international and foreign national investigation services investigating the criminal activities of Carlos after his arrest in 1994 and his sentencing in 1997).<sup>13</sup>

A 1991 bomb attack committed by RAF activists Andrea Klump and Horst Ludwig Meyer on an airport bus transporting Russian Jews travelling to Israel demonstrated that international political terrorism had become a very real threat indeed.

In the late 1990s in turn, bomb attacks on prominent representatives of certain OC-related enterprises and politicians confirmed that strong competition existed between criminal organisations alongside illegal markets for weapons and explosive materials; they also showed that there were criminal groups prepared and willing to become involved in terrorist activity.

With the economic crisis and negative social changes, extremist right-wing groups and movements came to life. Those established uniformed paramilitary formations, such as the so-called Hungarian Guard set up by the

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<sup>13</sup> R. Cummings, “Revolutionary Greetings: Carlos the Jackal and the People’s Republic of Hungary. [www.historytimes.com/fresh-perspectives-in-history/20th-century-history/cold-war/798-revolutionary-greetings-carlos-the-jackal-and-the-peoples-republic-of-hungary](http://www.historytimes.com/fresh-perspectives-in-history/20th-century-history/cold-war/798-revolutionary-greetings-carlos-the-jackal-and-the-peoples-republic-of-hungary).”

ethno-centric JOBBIK (Movement for a Better Hungary)—a legal parliamentary formation at the time. In spite of its dissolution by court on account of hate speech, its splinters remain active under the guise of vigilant organisations, posing a major threat to public safety and national security.

Racist terror is an entirely new phenomenon in Hungary. Between March 2008 and August 2009, a terrorist four-member commando committed nine attacks against Roma colonies, assassinating six people with hunting weapons and bombs for no rational reason. In the course of judicial proceedings, which are expected to be concluded next year, they explained that their aim was to provoke an ethnic war between the Hungarians and the Roma.

### **Corruption in Politics and State Administration: Public Tenders**

In the past years several corruption networks have been uncovered in the environment of and within some political parties, state offices, local government bodies and state-owned companies, with their operations embracing unnecessary contracts, inexistent expertise, overpriced services, Potemkin projects, fictitious invoices, misuse of NGOs and foundations, bribes and blackmail, i.e. almost all the offences under the Penal Code. This very negative tendency was mirrored in a broad range of extremist political movements and the 2010 election returns. So far 44 high-ranking state official have been sentenced for or charged with passive or active bribery, and it is public knowledge that some 15–30% of funds won in public tenders have to be paid back to the decision-makers. In Hungary public investments cost some 30–40% more on average than their actual price should be.<sup>14</sup>

### **Summary**

In summing up it is important to note that in Hungary organised crime is behind some 4–5% of all crimes committed. According to estimates, around 35 OC groups with a membership of 1,000 remain active, while the total financial losses resulting from OC activities stand at some €500–600 million per year.

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<sup>14</sup> See: Transparency International, “Global Corruption Report 2009,” [www.transparency.org/publications/gcr/gcr\\_2009](http://www.transparency.org/publications/gcr/gcr_2009), pp. 343–347.

**Share of Organised Crimes in All Crimes**

| Year | Crimes, total | Organised crime | Rate (to all crimes)<br>in ‰ |
|------|---------------|-----------------|------------------------------|
| 2003 | 413,343       | 594             | 1.4                          |
| 2004 | 418,883       | 3,109           | 7.4                          |
| 2005 | 436,522       | 2,229           | 5                            |
| 2006 | 425,941       | 1,656           | 3.9                          |
| 2007 | 426,914       | 1,902           | 4.5                          |
| 2008 | 408,407       | 682             | 1.7                          |
| 2009 | 394,034       | 1,084           | 2.7                          |
| 2010 | 447,186       | 2,574           | 5.7                          |

Source: Hungary's crime and crime investigation statistics, <http://crimestat.b-m.hu/KulsoLekerdezo.aspx>.





**Part III. Illicit Migration and Human Trafficking  
in the V4 Countries and the Wider Central Europe**



## Combating Human Trafficking in the Slovak Republic

In the fight against trafficking in human beings we need to conduct a number of activities, among them, the most important include: prevention, detection and investigation, punishment and, last but not least, identification and help for victims. In the Slovak Republic, there are several types of instruments to conduct these activities, though they are mostly legislative or institutional. Because of that, there arises a need for international cooperation, and this must be stressed.

### General overview

Human trafficking is present in the Slovak Republic, which is a source-country in trafficked people. Trafficking is a relatively new phenomenon for the Slovak Republic and is linked to the liberation of borders in the early 1990s as well as to the increased demand for cheap labour and the expansion of the so-called “sex business”.<sup>1</sup> The causes of trafficking in source-countries generally lie in such things as a lack of work opportunities, weak social conditions and low levels of education.

The target countries for most of the people trafficked from the Slovak Republic are the Czech Republic, France, Netherlands, Germany, Austria, Slovenia, Spain, Sweden, Italy and the UK. The Slovak Republic also experiences trafficking within the state—the most significant are Košice, Bratislava, Humenné, Lučenec, Komárno and Kežmarok.

A victim profile according to the statistics is as follows: a woman, 15–58 years old, or a man, 17–58 years old. The victims in most cases have either no or a low-level of education. The victims are very naïve, inexperienced and uninformed. Their social conditions are weak and they are motivated by the prospect of easy earnings.

As for the trafficker’s profile, they are mostly men, 18–55 years old. Their age increases with the position they hold within the organised group (the younger the person, the lower his position in the organisation). The level of

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<sup>1</sup> Women from Eastern and South-Eastern Europe were the frequently sought “good” on the Western European market.

education among traffickers varies. The common feature of all the people involved in trafficking, though, is their motivation of financial profit.<sup>2</sup>

### **Legislative Instruments to Combat Trafficking**

As for legislation covering the area of trafficking, all the commitments of the Slovak Republic that resulted from membership in international organisations are crucial. The most important ones include commitments taken by membership in the United Nations, Council of Europe, Organisation for Security and Cooperation in Europe as well as the European Union. The Slovak Republic is a contract party to all significant international treaties, including those on human rights. The country also is a signatory to the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime (2000)”, the so-called “Anti-Trafficking Protocol”.<sup>3</sup> On 14 December 2006, the Minister of Justice of the Slovak Republic signed the “European Convention on the Compensation of Victims of Violent Crimes (1983)” in Strasbourg. The “Council of Europe Convention on Action against Trafficking in Human Beings (2005)” entered into force in the Slovak Republic on 1 February 2008.<sup>4</sup>

The legislation for combating trafficking in the country is mainly contained in the following regulations:

- Act No. 300/2005, Coll. as amended, Criminal Code (in force since 31 December 2005)
- Act No. 301/2005, Coll. as amended, Code of Criminal Procedure (in force since 1 January 2006)
- Act No. 215/2006, Coll. on the compensation of victims of violent crimes
- Act No. 48/2002, Coll. as amended on aliens residence

With the adoption of the Criminal Code, the Council Framework Decision of 19 July 2002 on combating trafficking in human beings (2002/629/JHA) was transposed to Slovak law. The Decision is applied in cases involving trafficking for labour or sexual exploitation. Also, the Council Framework

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<sup>2</sup> Ministerstvo vnútra SR, *Obchodovanie s ľuďmi a Slovenská republika: Situácia v oblasti obchodovania s ľuďmi na Slovensku*, [www.minv.sk/?obchodovanie-s-ludmi-a-slovenska-republika](http://www.minv.sk/?obchodovanie-s-ludmi-a-slovenska-republika).

<sup>3</sup> The treaty was signed on 11 November 2001, ratified on 21 September 2004 and entered into force on 10 October 2004.

<sup>4</sup> The president of the Slovak Republic ratified the treaty on 27 March 2007.

Decision of 15 March 2001 on the standing of victims in criminal proceedings (2001/220/JHA) was transposed to Slovak law with the aim to offer victims the necessary conditions for recognising their human rights and defending their dignity during criminal proceedings.

In order to enable victims to submit an application for compensation for violent crime in another EU member state, the Council Directive 2004/80/EC of 29 April 2004, relating to compensation to crime victims, was transposed to Slovak law.

Further, Council Directive 2004/81/EC of 29 April 2004, applying to the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration and who cooperate with the proper authorities, was transposed to Slovak law.

The first conceptual document on the national level to declare a fight against trafficking was adopted in the form of the national action plan for fighting against trafficking in human beings for the period of 2006–2007.<sup>5</sup> This document was replaced by the national program for fighting against human trafficking for the period of 2008–2010. Multidisciplinary working groups were constituted with the focus on the fight against trafficking and with the aim to respond to current needs and challenges. Working groups also were focused on the prevention of trafficking and the provision of complex care to the victims of trafficking. The new draft of the national program for fighting against trafficking in human beings for the period of 2011–2014 was approved by the government of the Slovak Republic on 16 February 2011.

## **Institutional Instruments to Fight Trafficking and Assist the Victims of Trafficking**

### *State Institutions*

The main institution with the responsibility to combat human trafficking at the national level is the Slovak Ministry of Interior. To ensure an effective mechanism to coordinate and manage the activities of institutions acting in the area of combating trafficking, a national coordinator for combating human trafficking was created. In October 2006, the State Secretary of the Ministry of Interior was appointed to this position. Further, an Expert Group for

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<sup>5</sup> The document was prepared by the “Expert Group for prevention and helping victims of trafficking in human beings”, acting under the auspices of the Council of the Government of the Slovak Republic for prevention of criminality.

combating trafficking in human beings was formed. It is the advisory, action and coordination body of the national coordinator.<sup>6</sup>

In the investigation and prosecution of trafficking, particularly organised crime with an international element, the main coordinator within the police forces is the Department of Trafficking in Human Beings of the Office for Combating Organised Crime of the Presidium of the Police Corps.

### *International Organisation for Migration*

The International Organisation for Migration (IOM) focuses on trafficking within a broader context of migration management. IOM implements a wide range of activities in cooperation with state institutions, non-governmental and international organisations. All activities in this area are based on three principles: respect for human rights; ensuring the physical, mental and social wellbeing of a person and her or his community; as well as ensuring sustainable development through the institutional capacity-building of state and civil society.<sup>7</sup>

IOM has operated in the Slovak Republic since 2003 and its activities in this area are mainly focused on:

- prevention of trafficking,
- awareness of the phenomenon, and
- capacity-building (experts and institutions that participate in the prevention of trafficking and the identification of victims and help for them).

Since 2006, IOM has implemented a program for the return and reintegration of trafficked people.<sup>8</sup> According to a contract with the Ministry of Interior, IOM assists with the voluntary return of asylum applicants who have been unsuccessful and illegal immigrants to their countries of origin. IOM assists with the voluntary return by respecting the victim's rights, security and dignity.<sup>9</sup>

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<sup>6</sup> “Expert Group for the Area of Combating Trafficking in Human Beings” is composed of representatives of the Ministry of Interior; Ministry of Justice; Ministry of Labor, Social Affairs and Family; Ministry of Health; Ministry of Foreign Affairs; Ministry of Education; Ministry of Finance; Government Office; The government plenipotentiary for Roma communities; General Prosecution; Association of Towns and Villages; International Organization for Migration and third sector.

<sup>7</sup> IOM, *Obchodovanie s ľuďmi*, [www.iom.sk/sk/aktivita/obchodovanie-s-ludmi](http://www.iom.sk/sk/aktivita/obchodovanie-s-ludmi).

<sup>8</sup> This programme was developed in partnership with the Ministry of Interior.

<sup>9</sup> Ministerstvo vnútra SR, *Národný program boja proti obchodovaniu s ľuďmi na roky 2011–2014*, [www.minv.sk/?ministerstvo-vnutra&subor=58987](http://www.minv.sk/?ministerstvo-vnutra&subor=58987).

### ***Non-Governmental Organisations***

In December 2006, the Ministry of Interior issued internal regulation concerning implementation of the program of assistance and protection for victims of trafficking in human beings. The pilot project within this program was in 2007, based on cooperation agreements between the Ministry of Interior and selected non-governmental organisations. Through this program, complex care was provided to victims of trafficking by non-governmental organisations and their activities were financed from the state budget. Funding was provided to projects that were focused on:

- assistance to people who were potential victims of trafficking, with emphasis on the need to establish their true identity
- direct support and assistance for identified victims (in accordance with the program of assistance and protection for victims of trafficking in human beings), and the
- prevention of trafficking.<sup>10</sup>

The number and structure of non-governmental organisations that cooperate with the Ministry of Interior and provide assistance changes on the basis of the evaluation of the previous projects. Currently cooperating non-governmental organisations include:

- Slovenská katolícka charita (Slovak Catholic Charity),
- Slovenské krízové centrum DOTYK (Slovak Crises Centre DOTYK),
- Občianske združenie NÁRUČ (NÁRUČ Foundation),
- Občianske združenie PRIMA (PRIMA Foundation),
- Slovenské centrum pomoci (Slovak Assistance Centre), and
- Asociácia komunitných centier (Association of Community Centres).<sup>11</sup>

### ***The Program of Assistance and Protection for Victims of Trafficking in Human Beings***

According to the program, both categories of victims of trafficking (citizens of the Slovak Republic and non-citizens) receive services based on their individual needs without discrimination. Assistance to a foreign victim takes into account the language barrier, provides the possibility to legalise the stay and the voluntary return to the country of origin.

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<sup>10</sup> *Ibid.*

<sup>11</sup> Ministerstvo vnútra SR, *Referenčný mechanizmus pomoci obetiam obchodovania s ľuďmi*, [www.minv.sk/?referencny\\_mechanizmus](http://www.minv.sk/?referencny_mechanizmus).

The complex assistance to a victim of trafficking if a citizen of the Slovak Republic includes within the program:

- removal from the criminal environment,
- assistance by voluntary return to the Slovak Republic,
- the possibility of anonymous accommodation, at the victim's request,
- crisis assistance for 90 days or if a victim decides to cooperate with law enforcement proceedings, complex assistance for the whole period of criminal proceedings,
- financial support, social assistance, psychological–social advice, legal advice, healthcare,
- retraining courses,
- 90-day period of re-integration,
- the possibility to join a witness-protection program, and
- the possibility for financial compensation.

The program for the victim who is a non-citizen of Slovakia, includes legalisation of the stay on Slovak territory, interpretation services, complex assistance provided during the period of preparation for the victim to return to the country of origin, voluntary return if the victim wishes or the possibility to obtain permanent residence in the Slovak Republic.<sup>12</sup>

In addition, there are other tools to help combat trafficking in human beings in the Slovak Republic, for example, a national hotline to help victims of trafficking<sup>13</sup>, the information centre for fighting trafficking and the prevention of criminality in Košice, and informational campaigns and education.

### *International Cooperation*

Also very important in combating human trafficking, besides the tools and instruments at the national level, is the international cooperation of institutions both within and outside of the institutional framework of international organisations, on both bilateral and multilateral levels. Particularly, the importance of cooperation within the V4 group and within the European Union is underlined. Very important activities against trafficking in human

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<sup>12</sup> Ministerstvo vnútra SR, *Program podpory a ochrany obetí obchodovania s ľuďmi*, [www.minv.sk/?program\\_podpory\\_a\\_ochrany\\_obeti](http://www.minv.sk/?program_podpory_a_ochrany_obeti).

<sup>13</sup> 13 victims of trafficking were identified thanks to this hotline (until 31 October 2010); 9 of the victims decided to enter the 'Program of assistance and protection of victims of trafficking in human beings.'



beings on the European continent and in its neighbourhood also are conducted within the Council of Europe and the Organisation for Security and Cooperation in Europe.

The Slovak Republic plays a very active role in this as a participant in international projects and the organiser of international conferences.<sup>14</sup> For example, the international conference “*Trafficking in Human Beings—challenges in Central Europe*” was organised in Bratislava for 31 March–1 April 2008. The Slovak organisers suggested to the member states that will take over the next EU presidencies to include combating human trafficking among their priorities. The conference outcomes highlighted prevention focused on vulnerable groups and demand-oriented activities. Participants of the conference also agreed on the necessity to coordinate data collection in the area of trafficking in human beings, used for analyses of trends as well as for analyses of the factors influencing the decisions of potential victims.<sup>15</sup>

The Slovak Republic also had representatives at the first transnational seminary organised within the project “Enhancing Transnational Cooperation on Trafficking Cases in South-Eastern Europe” of the International Centre for Migration Policy Development (ICMPD), which took place in Budapest on 17–18 March 2011.

ICMPD is an international organisation with 14 member states: Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Hungary, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Sweden and Switzerland; a mission in Brussels and regional offices and representatives throughout Europe, Northern Africa and the Middle East. The organisation was founded in 1993 to promote international cooperation in the area of migration as well as relevant research in this area, including trafficking in human beings.<sup>16</sup> The objectives of the project are:

- to develop a reporting template for the facilitation of transnational cooperation at the operational level between countries of destination, origin

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<sup>14</sup> Slovak delegation took part in the ministerial conference “Towards Strengthening the External Dimension and Partnerships in Preventing and Combating Trafficking in Women—The Future of the EU Anti-Trafficking Policy in the Lisbon Treaty Era”, organized by the Austrian Minister for Women and Public Affairs, Austrian Institute for International Affairs and IOM in Vienna in September 2010.

<sup>15</sup> The Slovak side suggested creation of an information centre for data collection in Bratislava which would offer analyses to all relevant institutions in Europe.

<sup>16</sup> See: [www.anti-trafficking.net/abouticmpd.html?&F=](http://www.anti-trafficking.net/abouticmpd.html?&F=) for more information on ICMPD for more on this issue.

and transit in order to support the implementation of the Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons, focusing especially on special measures for children and labour exploitation;

- to strengthen the mechanisms for information exchange between the main anti-trafficking actors at both the operational and policy-making levels through regular multilateral and bilateral meetings in the region and beyond; and,
- to contribute towards building counter-trafficking partnerships among countries in the European Union and southeastern Europe.

This project focuses on Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo, Macedonia, Moldova, Montenegro, Romania and Serbia.

As can be clearly seen by the agenda of international organisations and the outcomes of the conferences, human trafficking is a very significant and truly international issue. Despite numerous activities in the fight against this trafficking, there is still enough space to deepen the cooperation of relevant actors and, above all, the cooperation between state institutions and non-governmental organisations at national levels as well as to enhance bilateral and multilateral cooperation. At the international level, the most important tasks to be fulfilled probably will be in border control, cooperation in dealing with trafficking cases, the harmonisation of data and mutual information exchange, education of personnel, research and, last but not least, raising awareness about this phenomenon.

Magdalena Lesińska

## **Politics, Irregular Migration and Borders in the EU: The Southern and Eastern Perspectives**

### **Introduction**

Border security and migration management is an area of high interest and intensive development at both the national and EU level. It is directly related to control of migration flows of third country nationals (TCNs) to and within the EU, but also to a wider debate on the Union's future. The problem of EU borders is directly linked with the Union's neighbourhood policy and people's mobility—two issues seen over the past few years as top political priorities.

Public opinion as well as policymakers link migration control first and foremost with the internal and external security a given country or Europe. Border control is widely perceived as a remedy against crime, terrorism, drug smuggling and other threats which come from “the outside”. The link between migration and security has recently become a subject of academic interest.<sup>1</sup> Security studies developed during the Cold War today concentrate on migration as an imagined or real threat. Diverse uncontrolled flows to the EU, including irregular economic migrants, false refugees and people smuggled by crime groups operating at EU gates, remain the focus of interest for policymakers (both at the national and EU level). Although irregular flows represent a small proportion of total migration, they are perceived as a key problem to be solved within the overall debate on migration as such. The more migration pressure grows and the EU enlarges, the more politically significant border management is becoming.

The main aim of the text is to look at the present dynamics of irregular flows at the EU's southern and eastern external borders and at border management as a political issue. The approach that seems to be dominant in political debates is based on the concept of secure (controlled) borders brought up in frequently repeated rhetoric, but also in concrete activities. The result of the institutionalisation of border management was the establishment in 2005 of Frontex (European Agency for the Management of Operational Cooperation at

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<sup>1</sup> See: E. Guild, *Security and Migration in the 21st Century*, Cambridge 2009; J. Huysmans, *The Politics of Insecurity. Fear, migration and asylum in the EU*, London 2006.

the External Borders of the Member States of the European Union). Among the many different reasons behind policymakers' mounting interest in external border control issues, the most important include the process of EU enlargement, the projected migration pressure and the unexpected recent political turmoil in Northern African countries.

### **Maintaining Surveillance along External Borders of the EU**

The EU-27 is an area of safety and economic prosperity and as such remains a great magnet for those seeking a chance for a better life. Europe is one of the main destinations of the worldwide movement of persons. According to the EU Council, almost 12.5 mln visas were issued in 2010 (excluding Ireland), and passenger flows were estimated by the Commission at 660 mln people.<sup>2</sup> In view of such a high numbers of migrants coming to the EU, borders and border surveillance are among the top political priorities.

The Union has external land borders of 8,000 km and sea borders of 80,000 km. Almost half of the maritime border is at the southern peripheries of the EU (34,061 km), forming a long and sensitive strip that has to be controlled.

Until 1 May 2004, Finland, Germany, Austria and Italy were responsible for safeguarding the main eastern land border of the EU, which was around 4,000 km long. Following the accession of ten new member states in 2004, external land borders became the responsibility of Estonia, Latvia, Lithuania, Poland, Slovakia, Hungary and Slovenia. With the accession of Bulgaria and Romania in 2007, the external eastern land borders of the EU-27 were extended to over 6,000 km in total (see table 1), now running from the Arctic to the Black Sea and the Mediterranean.

Migration inflows to the EU affect the member states in different ways. Some members have no external borders other than airports; others, such as Italy, Greece, Spain or Malta, are particularly vulnerable to irregular flows on a scale they can barely cope with on their own. Especially Greece, with its over 3,000 islands and the controversial land border with Turkey, is a thorn in the EU's side, with the majority of irregular border crossings detected in the EU registered in Greece.

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<sup>2</sup> See: *Annual Risk Analysis 2011*, [www.frontex.europa.eu/situation\\_at\\_the\\_external\\_border/art23.html](http://www.frontex.europa.eu/situation_at_the_external_border/art23.html).

**Table 1. The external land and sea border of the EU**

| Southern EU external sea border                    | Eastern EU external land border              |
|--|--|
| Spain: 4,964 km (incl. Canary Islands)             | Finland-Russia: 1,340 km                     |
| Portugal: 2,555 km (incl. Azores and Madeira)      | Estonia-Russia: 455 km                       |
| Italy: 7,600 km                                    | Latvia-Belarus: 437 km                       |
| Greece sea border: 13,676 km (incl. 3,000 islands) | Lithuania-Belarus and Russia: 923 km         |
| Greece-Turkey land border: 215 km                  | Poland-Russia, Belarus and Ukraine: 1,185 km |
| Malta: 253 km                                      | Slovakia-Ukraine: 98 km                      |
| Cyprus: 293 km                                     | Hungary-Ukraine: 136 km                      |
| France: 4,720 km                                   | Romania-Ukraine, Moldova: 1,876 km           |
|  | Bulgaria-Turkey, Macedonia, Serbia: 765 km   |
| <b>Total: 34,061 km</b>                            | <b>Total: 6,450 km</b>                       |

Source: House of Lords, European Union Committee, *FRONTEX: the EU external borders agency. Report with Evidence*, [www.publications.parliament.uk/pa/ld200708/ldselect/ldEUcom/60/60.pdf](http://www.publications.parliament.uk/pa/ld200708/ldselect/ldEUcom/60/60.pdf), pp. 12–13.

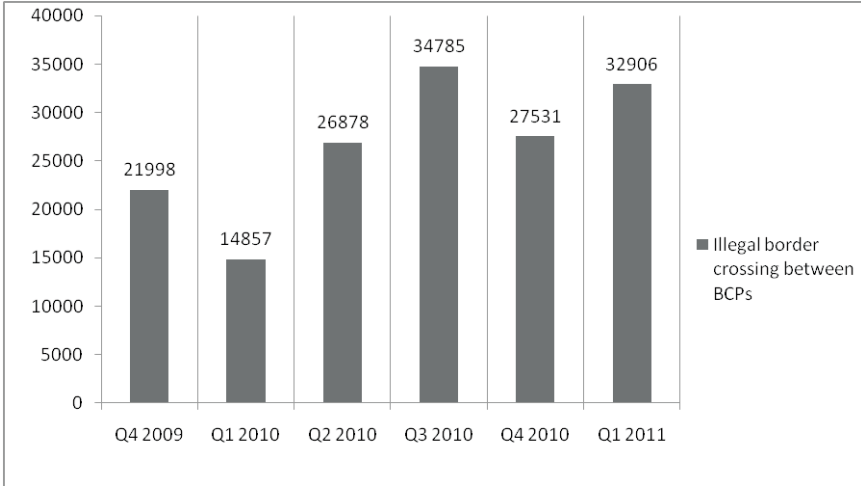
Irregular flows remain the key problem pertaining to migration and borders, although the member states and the EU undertake a wide range of protective measures (high-quality travel documents, information campaigns, control of biometric documents, etc.). Crucial here is border control by the Border Guards, but states also launch diverse steps targeted at irregular migrants already residing in the EU; ranging from deportation through monitoring employment legality to regularisation programs, those steps are aimed at limiting the number of immigrants.

The objective of this text is to present data on irregular traffic to the EU via the southern and eastern borders of the Union. The crucial tasks pursued by Frontex include the collection and analysis of the monthly statistics provided by the member states, with quarterly reports prepared and published by the Frontex Risk Analysis Unit. The data collected by Frontex shows the dynamics in the number of detected irregular border crossings at EU external borders and presents the differences between individual irregular migration routes. The EU border along the Mediterranean coast needs special surveillance. In 2010 the eastern Mediterranean route (Bulgaria, Cyprus, Greece) became the main channel of irregular flows from third countries, while recently the Central Mediterranean route (Italy) responsible for the flows of Tunisians and Libyans has gained unprecedented importance.

In 2010 the EU states reported a total of 104,049 detections of illegal border crossing (both at sea and land borders), the number practically unchanged from 2009 (104,599). The data for the first quarter of 2011 (see figure 1) shows a dynamic increase against the same quarter of 2010 due to

massive inflows of migrants escaping from Egypt, Tunisia and Libya as a result of social and political unrest in these countries.

**Figure 1. Number of illegal border crossings between Border Control Points (BCPs) in 2009–2011**



Source: author’s elaboration based on the Frontex data.

The southern EU border, i.e. all Mediterranean routes to the EU and the Western African route, dominates significantly over the eastern one in the number of detections, so it is at the focus of the EU’s special attention. According to Frontex, a total of 59,904 illegal border crossings were registered at the southern border in 2009, followed by 65,335 in 2010, accounting for 60,6% and 62,8% of all illegal border crossings recorded in the EU in 2009 and 2010. At the same time, 1,336 and 1,043 illegal border crossings (1.3% and 1% respectively) were registered at the EU’s eastern border route in 2009 and 2010 (see table 2).

**Table 2. Detections of illegal border crossing at the external EU borders between BCPs by routes, 2009–2010**

| Route                       | 2009   | Share in total | 2010   | Share in total | % change on a year ago |
|-----------------------------|--------|----------------|--------|----------------|------------------------|
| Eastern Mediterranean route | 39,975 | 38.2%          | 55,688 | 53.3%          | 39%                    |
| Eastern Mediterranean sea   | 28,848 |                | 6,175  |                | -79%                   |
| Eastern Mediterranean land  | 11,127 |                | 49,513 |                | 345%                   |

| Route                                 | 2009    | Share in total | 2010    | Share in total | % change on a year ago |
|---------------------------------------|---------|----------------|---------|----------------|------------------------|
| Circular route from Albania to Greece | 40,250  | 38%            | 35,297  | 34%            | -12%                   |
| Western Mediterranean route           | 6,642   | 6.3%           | 5,003   | 4.8%           | -25%                   |
| Western Mediterranean sea             | 5,003   |                | 3,436   |                | -31%                   |
| Western Mediterranean land            | 1,639   |                | 1,567   |                | -4.4%                  |
| Central Mediterranean route           | 11,043  | 11%            | 4,448   | 4.3%           | -60%                   |
| Western Balkan route                  | 3,089   | 3.0%           | 2,371   | 2.3%           | -23%                   |
| Eastern border route                  | 1,335   | 1.3%           | 1,043   | 1.0%           | -22%                   |
| Western African route                 | 2,244   | 2.1%           | 196     | 0.2%           | -91%                   |
| Others                                | 21      |                | 3       |                | -86%                   |
| Total EU                              | 104,599 |                | 104,049 |                | -0.5%                  |

Source: *Annual Risk Analysis 2011, op. cit.*

Albanians hold the number one ranking on the per-nationality list of 2010 illegal border crossing at EU external borders with 33,258 detections, followed by the Afghans (25,918), Algerians (8,763) and Somalis (4,619).<sup>3</sup>

Within the EU framework the concept of Integrated Border Management has been developed based on the idea that effective border managements requires a broader analysis of of migration processes, including migrants' origins, the motives behind their decision to leave their country, the choice of destinations and migration routes. A broader picture is necessary not only for a better understanding of migration but also for more effective border management. One of the results of this approach is the establishment of groups of experts and analytical teams within EU agencies (especially focusing on data collection, comparions and risk analyses). Since the establishment and development of the Schengen area, decisions and policies implemented by individual states have been affecting all other members as well, so closer cooperation and better coordination are needed to monitor the external border effectively. The issue of institutionalisation of border protection will be presented further down in this text.

<sup>3</sup> *Annual Risk Analysis 2011, op. cit.*, p. 16.

## Southern EU Border

The situation at the southern external border of the EU is highly dynamic, with the direction, composition and volume of detected irregular flows shifting significantly over the past few years. In 2006 the so-called West African route, especially the Canary Islands, remained the main destination of irregular migrants coming mostly from Senegal and Mauritania. In response, numerous measures were launched by the Spanish government, including bilateral agreements with the main source countries (Mali, Mauritania and Senegal) and investments in a coastal and maritime patrol system, and by the EU (Frontex Joint Operation Hera).<sup>4</sup> As a result of better border control and bilateral agreements between interested parties, irregular migration to southern Spain has decreased significantly since 2006, but soon after the Spanish sea borders had been sealed, the main channels of irregular inflows to the EU shifted towards Italy and Malta (from Tunisia, Somalia, Eritrea, Egypt and Algeria) and to Greece (from Turkey and Albania). The Western and Central Mediterranean routes have become more popular; small fishing boats departing from Libya for the Italian coast have turned out to be especially problematic, with Italy signing a bilateral agreement with Libya to stop this flow.

Table 3 shows the overall drop in irregular flows to the EU noted in 2009, mainly due to the worldwide economic crisis. This tendency did not last long, however, as in 2010 the EU's attention was drawn to the land border between Greece and Turkey, where unexpected migratory pressure had been recorded. Over 47,000 detections of irregular land border crossing between Greece and Turkey were registered in 2010 (an increase of 443% between 2009 and 2010), mostly embracing Afghans, Iraqis, Algerians and Somalis. An interesting change in the *modus operandi* was also noted, namely a shift in detections from the sea border to the land border. In 2009 detections at sea borders accounted for 45% of the EU total against 55% at land borders, while a year later 86% of all detections were recorded at the land border.

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<sup>4</sup> Hera was a Frontex operation aimed at assisting Spain in dealing with irregular migration flows to the Canary Islands by carrying out extensive border controls, identifying immigrants and establishing patrols. Hera I and II was conducted in 2006, and Hera III and IV in 2007.



For the first time ever, the Frontex RABIT (Rapid Border Intervention Team<sup>5</sup>) was deployed in November 2010 at the request of the Greek government to assist in border controls of irregular flows from Turkey, which had become the key gateway for irregular transit to the EU.

**Table 3. Detections of irregular border crossing at land and sea external borders of southern EU countries**

| Detections of irregular border crossing at land and sea borders | 2006   | 2007    | 2008    | 2009    | % change 2008/2009 | 2010    | % change 2009/2010 |
|---|--------|---------|---------|---------|--------------------|---------|--------------------|
| Greece sea  | n/a    | n/a     | 31,729  | 28,841  | -9%                | 6,175   | -79%               |
| Greece-Turkey land border                                       | n/a    | n/a     | 14,480  | 8,782   | -39%               | 47,706  | 443%               |
| Greece-Albania land border                                      | n/a    | n/a     | 38,573  | 37,898  | -2 %               | 33,704  | -11%               |
| Italy sea   | n/a    | 21,580  | 36,947  | 9,570   | -74%               | 4,400   | -54%               |
| Spain sea (Canary Island)                                       | 31,678 | 12,478  | 9,181   | 2,244   | -76%               | 196     | -91%               |
| Spain land (Ceuta, Melilla)                                     | n/a    | 4,080   | 6,500   | 1,639   | -75%               | 1,567   | -4%                |
| Malta sea   | n/a    | 913     | 2,798   | 1,473   | -47%               | 48      | -97%               |
| Others  | n/a    | n/a     | 18,884  | 14,152  | -25%               | 10,253  | -28%               |
| Total   | n/a    | 160,132 | 159,092 | 104,599 | -34%               | 104,049 | -1%                |

Source: *Frontex PressPack*, May 2011 (based on 2006 information from member states, 2007–2010 Frontex Risk Analysis Network), [www.frontex.europa.eu/newsroom/press\\_pack](http://www.frontex.europa.eu/newsroom/press_pack).

The statistics show that the shift in irregular flows depends on the economic situation (and labour demand) in the destination countries on the one hand, and, on the other, on the policies and measures launched by the member states and the EU at the borders. International agreements and coordinated action exert a powerful impact on the changes in figures and routes of irregular flows, although this does not mean lower irregular flows in total; instead, more effective control in one place (the Spanish or Italian coast) results in

<sup>5</sup> Regulation 863/2007 established “a mechanism for the creation of Rapid Border Intervention Teams”, known by its acronym as RABITs. RABITs are composed of national border guards of EU member states and are deployed by Frontex at short notice after particular member state request. Rapid Border Intervention Teams are intended to provide short-term assistance to the state which experiences an urgent and unexpected migratory pressure at its border.

substantially higher flows elsewhere (Greek-Turkish border). It seems that illegal migrants (and especially the facilitators) are acting rationally, identifying and exploring new gateways to get to the EU. The Greek border (both land and sea) and Turkey as the most popular transit country are now the main challenges to effective surveillance at the EU level.

If a full picture is to be presented, the impact of recent political unrest pervading the Northern African countries since the beginning of 2011 should also be factored in. Political turmoil in Egypt, Tunisia, and now in Libya and Syria has boosted significantly irregular flows across the Mediterranean Sea. The massive influx of irregular migrants targeted first and foremost the Italian island of Lampedusa, where some 20,000 Tunisians were detected during the first quarter of 2011, followed by a second wave of migrants from Libya. The big Tunisian diaspora in France means that many Tunisians arriving in Italy see France as their final destination, and the Italian authorities are doing little to stop them. At the political level this situation confirms that under migration pressure the interests of individual member states prevail over EU solidarity, with tensions between Italy and France calling into question the future of the Schengen area. It is also clear that the EU remains strongly linked with its neighbourhood and the political situation outside its borders exerts a powerful impact on interstate relations within the Union.

### **Eastern EU Border**

The nature, role and functioning of the EU's eastern external border are different for number of reasons. The first is its geography: as a land border it seems easier to control in practice than the southern border. Secondly, although the political situation in the Union's eastern neighbourhood seems to be rather stable, ethnic and national conflicts break out regularly. The conflicts in Chechnya (1994–1996 and 1999–2003) and the last one in Georgia (2008) resulted in refugee crises and rising irregular flows at EU borders. In 2009–2010 Latvia, Lithuania and Poland reported a higher number of Georgians detected at the border and applying for asylum. In 2009 they were the number one national group of asylum-seekers in Poland (4,182 out of 10,590 applications).

Statistics show that there is lower migratory pressure of irregular flows at the eastern EU border in comparison with its southern frontier (see: Table

2figure 1). According to recent Frontex analyses,<sup>6</sup> the number of detections of illegal border crossing at the eastern border remains low and fairly stable. Official Frontex data for 2009 and 2010 shows that there were 1,135 detections in 2009 and 1,043 in 2010 (see table 2). Prevailing among the nationalities stopped at the border were Moldovans, Georgians, Afghans, Russians and Ukrainians, with the highest number of detections registered at the Slovak-Ukrainian border.<sup>7</sup>

**Table 4. Detections of illegal border crossing at Polish borders (2006–2011)**

| Year                                 | Total | EU external border | EU internal border | EU/EEA citizens | TCNs  |
|--------------------------------------|-------|--------------------|--------------------|-----------------|-------|
| <b>2006</b>                          | 4,126 | 1,483              | 2,497              | 1,305           | 2,821 |
| <b>2007</b>                          | 3,222 | 1,307              | 1,913              | 1,106           | 2,116 |
| <b>2008</b>                          | 5,797 | 3,452              | 2,096              | 1,111           | 4,686 |
| <b>2009</b>                          | 3,581 | 1,561              | 1,849              | 159             | 3,422 |
| <b>2010</b>                          | 2,349 | 1,361              | 998                | 179             | 2,170 |
| <b>2011 (1<sup>st</sup> quarter)</b> | 544   | 312                | 232                | 26              | 518   |

Source: author's elaboration based on Polish Border Guards data.

Poland's border with Russia (Kaliningrad), Belarus and Ukraine accounts for the longest segment of the Union's external border in the east. Polish Border Guards statistics (table 4) show a declining trend in irregular flows detected at the Polish border, although it should be borne in mind that Polish Border Guards and Frontex figures are not always consistent.<sup>8</sup>

<sup>6</sup> See: *FRAN Quarterly Update Issue 1* (January March 2010), [www.frontex.europa.eu/situation\\_at\\_the\\_external\\_border/art15.html](http://www.frontex.europa.eu/situation_at_the_external_border/art15.html); *FRAN Quarterly Update Issue 2* (April- June 2010), [www.frontex.europa.eu/situation\\_at\\_the\\_external\\_border/art21.html](http://www.frontex.europa.eu/situation_at_the_external_border/art21.html); *FRAN Quarterly Update Issue 3* (July-September 2010), [www.frontex.europa.eu/situation\\_at\\_the\\_external\\_border/art22.html](http://www.frontex.europa.eu/situation_at_the_external_border/art22.html); *FRAN Quarterly Update Issue 1* (January March 2011) [www.frontex.europa.eu/situation\\_at\\_the\\_external\\_border/art25.html](http://www.frontex.europa.eu/situation_at_the_external_border/art25.html).

<sup>7</sup> *Annual Risk Analysis 2010*, [www.frontex.europa.eu/gfx/frontex/files/frontex\\_ara\\_public\\_version.pdf](http://www.frontex.europa.eu/gfx/frontex/files/frontex_ara_public_version.pdf), p. 22.

<sup>8</sup> According to latest report of Frontex "Belarus and Ukraine are still regarded as nexus points for irregular migrants intending to enter the EU green border (...) Afghans constituted the largest number of third country nationals irregularly entering the EU across the green border from Belarus, but nationals of Vietnam were also important". See: *FRAN Quarterly Update Issue 1*, *op. cit.*, p. 16. At the same time, data of Polish Border Guards hardly confirms this opinion. In the first quarter of 2011 there were 33 detections of third country nationals at the Polish-Belarusian border (among others only one Afghan and no Vietnamese). In 2010 there were 143 detections (among them 30 Vietnamese and no Afghans). It shows the inconsistency of data collection and data analysis at

The main problem at the eastern EU border is not excess migration but human smuggling. As a very profitable business it is highly organised, with facilitators from Moldova, Georgia, Chechnya, Pakistan, Vietnam and China operating at the eastern border. Criminal gangs from the neighbouring eastern countries smuggling such goods as cigarettes, alcohol, drugs or stolen cars are another concern.

An important factor impacting on the daily functioning of the Border Guards at the eastern EU flank is reorganisation and considerable investments in border facilities.<sup>9</sup> Over the past decade, Poland and other countries in the region (first as associated countries, and then as member states of the EU and the Schengen area) have invested considerable effort and resources in modernising the border infrastructure in order to increase the effectiveness of border control. The deployment of modern technological means of control was possible thanks to massive support of individual countries (first of all Germany) and funding from the European External Border Fund. Common training exercises, experts exchange, specialist seminars and language training are among the frequent activities aimed at improving the quality of Border Guards' work.

Moreover, the implementation of an integrated system of information offers permanent and direct access to the EU and national databases not only to EU member states' Border Guards but also to specialised personnel from third countries. Among other joint activities, close cooperation was developed between Polish and Ukrainian Border Guards to launch a one-stop control system for the UEFA Euro 2012 football championships.

A series of local border traffic agreements signed between neighbouring countries on the EU eastern border is a unique local feature. Such agreements have come into force between Ukraine on the one hand and Poland, Hungary and Slovakia on the other. A local border traffic agreement allows certain groups of border region residents to cross the border without a visa with a special local border traffic permit, although this is limited to an area up to 50 km from the border and up to 90 days in six months. Anxieties that such agreements might create uncontrolled gateways for irregular flows and smuggling have turned out to be groundless, as Polish Border Guards

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national and EU level and proves the urgent need for improvement of the data aggregation, and a need for giving more weight to the regional context in the process of data aggregation.

<sup>9</sup> *Annual Policy Report 2010, op. cit.*, pp. 26–29.

statistics indicate that the level of local border traffic remains practically unchanged and exerts no negative impact on irregular inflows.

The possible accession of Romania and Bulgaria to the Schengen area would extend significantly the EU's external border in the east. Taking into account the recent migratory pressure from Northern Africa and internal tensions between Schengen member states, this will be a real challenge for the Union. The two countries have to fulfill the requirements regarding efficient border control. This is a crucial issue, as the Bulgarian border on the Black Sea could be another sensitive point at the Schengen border targeted by irregular inflows.

To assess the migratory situation at the eastern border correctly, an additional vital factor has to be taken into account. In contrast to the southern neighborhood, where the EU is the sole magnet attracting migrants from all regions of Africa and the Middle East, Russia is a powerful alternative at the eastern flank. This country remains the main destination of migration flows from Eastern Europe and Central Asia, with the EU ranking second at best on the list of immigrants' potential and actual targets. Consequently, Russia can be described as a "buffer zone" for the EU against irregular immigration from eastern routes.

### **Institutionalisation of EU Border Protection: The Role of the Frontex Agency**

The main task of Frontex is to coordinate operational cooperation between EU member states in the area of border security. Underlined in the Frontex mandate is that this institution do not replace the national systems of border protection, serving as a complimentary institution providing particular added value to the member states' systems of border management.

Its resources—the budget as well as personnel—have grown significantly over the years, confirming that this institution is among the most relevant for EU bureaucrats. Since the establishment of the Frontex agency, its budget increased progressively from €6.2 mln in 2005 to €87.9 mln in 2010, and so did its personnel—the agency now employs 290 staff members. The scope of activities and powers of Frontex has also been extended significantly over the years.

From the perspective of EU policymakers, Frontex should no doubt be a front institution dealing with the problem of irregular migration flows. As a result of the meeting of the EU Justice and Home Affairs Council in February

2010, the European Commission discussed the implementation of the Internal Security Strategy and “Council conclusions on 29 measures for reinforcing the protection of the external borders and combating irregular immigration” were published. Most of those conclusions apply directly to the Frontex agency and are aimed at reinforcing its capabilities and strengthening its institutional role and position, also in order to improve operational cooperation with third countries of origin and transit “in the field of border management and irregular migration”.

The long-term target is to develop a European Border Surveillance System (EUROSUR) as a “single national border surveillance system and a single Coordination Centre”, consisting of an information exchange system and cooperation mechanism (based on national centres and Frontex). In line with the Commission’s plans, the legislative proposal establishing the EUROSUR should be ready by the end of 2011, with the system operational by 2013. The fundamental objective behind this initiative is to strengthen internal security through border management.

## **Conclusions**

The protection of borders is not enough, as neighbourhood policy also plays a crucial role. As has already been mentioned, migration control is one of the main objectives at the EU as well as national level. This means focusing on border protection as the key goal, especially at a time when internal EU borders play a predominantly symbolic role. Tackling irregular (i.e. undesirable) migration is at the top of the list of political priorities, but in view of the geopolitical reality within Union, irregular flows cannot be addressed effectively without joint measures and cooperation, with its scale extending beyond the national and even the EU level, as it involves the EU neighbouring countries. This cooperation is pursued within a network of bilateral agreements between the EU and third countries as well as within broader networks of Migration Partnerships, Mobility Partnerships or the Söderköping Process. All these constitute a part of the Union’s migration policy, which exerts an impact on transformations both within the EU itself and in the neighbouring countries.

It is worth reiterating here that while protective measures and strict border control make irregular flows more difficult for individuals, migratory pressures from the southern and eastern external peripheries will not diminish in the nearest future. Migrants from all over the world are seeking an opportunity to enter the Union, often relying on the services of organised

crime groups operating at EU borders. Given the economic reality, i.e. mounting development disparities between low-income and high-income countries, and an uncertain political situation in some regions of the world, the pressure towards EU borders will remain a key problem to tackle for the border states as well as the European Union.

## **Immigration from the Southern and Eastern Mediterranean to Central Europe**

New Central European member states of the EU traditionally have not been and still are not the targets of migration in general or of Mediterranean–MENA migration in particular. The movements of people in the region have been and still are much more connected to and influenced by the traditional ethnic and political realities of the region, systemic changes since 1989–1990, including the civil war in the former Yugoslavia, and, most recently, an economic situation in which educated young people have tended to leave while looking for better opportunities abroad.

In a traditional sense, any meaningful relationship between the new Central European member states and the Mediterranean region in general (or its southern and eastern shores, in particular) has been scarce and sporadic—and at times non-existent—and was Soviet-led or directed during the Cold War. This is reflected by the very small Muslim communities in Central Europe. Their experience of Islam has been Ottoman–Turkish in practice, not Arabic or from some other Muslim tradition, which is a relatively new phenomenon for the region.

In the post-Cold War era, Central European–Mediterranean relationships reverted to their historically low levels. While European Union membership has proven to be a driving force for the new Central European members to once again establish Mediterranean relations, they are still adjusting in a way to regional EU policies and policy-making as part of a supra-national body: the EU. Events of the Arab spring and the war in Libya, however, have proven that within the EU framework Central Europe has come to be directly influenced by events on the southern shore of the Mediterranean and that with realisation of this fact they have become responsible actors in this context, too. Yet, while migration data still tend to reflect the status of historical relations, EU membership in itself so far has failed to prove to be a magnet for migrants.

### **Migration in Central Europe**

The new Central European members of the European Union appeared on the migration “market” at the beginning of the 1990s not as a result of organic



development but as a direct consequence of the collapse of their authoritarian regimes. The regime change initiated migration *from* Central Europe, and much less, if at all, *to* Central Europe. However, the opening of the borders created a favourable situation for transit migration, especially from Asia to Western Europe. As a new phenomenon characteristic of the region, the regime change introduced migration *within* Central Europe, especially following the dissolution of the Soviet Union, Czechoslovakia and Yugoslavia. The dissolution of Yugoslavia created a special case in the sense that many Yugoslav citizens—not only Hungarians—came to “stay out the war” and then either left for western Europe or returned home. Immigration to Central Europe, on the one hand, follows previous patterns, i.e., marriage to Central European citizens, while, on the other hand, it also originates from a common Central European history—people who fled the Communist regimes and took refuge in Western Europe or the United States moved back in significant numbers.

Migration to Central Europe still has remained relatively limited and basically has consisted of asylum-seekers, “transitors” on their way through the region towards other target countries, mainly older EU member states or the United States, and immigrants who came to settle down in the region or in a certain country in the region. The number of asylum-seekers in the new Central European member states dropped after EU accession. Central Europe is still mostly a transit region, especially since the expansion of the Schengen zone to Central Europe.

### ***Migration to Central Europe from the Southern and Eastern Mediterranean***

While in the general discourse on migration the European Union is usually considered to be a homogenous entity, especially from the point of view of migration from southern and eastern Mediterranean (i.e., from the direction of the Muslim world), Central Europe has unique and exceptional characteristics when compared to the “old” western EU member states. But Central European countries can be very different among themselves, too, e.g., in their relationship to the Mediterranean. While Slovenia, Hungary and Slovakia from time to time had been directly or indirectly involved in developments around the Mediterranean—mostly through the Habsburg Empire/Austro-Hungarian Monarchy and Ottoman Turkey—the other Central European states did not have even that kind of relationship to the Mediterranean region and/or countries until after the Second World War. Yet, there are common characteristics as well. Within the EU context, the relationships of Central Europe have changed and new patterns of relations are in formation. Not only

can this be perceived by an increase in diplomatic and other foreign policy contacts between Central Europe and the region or that southern and eastern Mediterranean increasingly is becoming a favourite tourist destination but also by the public awareness of the Middle East and North Africa and of Muslim communities living in Central Europe. The Arab spring has turned public attention towards the region and raised concerns about possible migration, which has fallen in line with former patterns, however, and has mostly been directed towards the southern and western countries of the European Union.

Despite several centuries of the presence of minority Islam and Muslim communities in Central Europe and the majority's coexistence with them, public knowledge about these communities is very limited. On the one hand, old Muslim communities have been integrated and have become parts of the majority population's understanding of the community as a whole. New groups of Muslims, on the other hand, may seem to present challenges since they are seen as something foreign and exotic, but because of their small numbers (estimates of this population are highest in Hungary although even then there are usually not considered to be more than 25,000 people in this group) their presence usually does not evoke much debate.

While historically Muslim communities lived in the present territory of Hungary even before Hungarian tribes moved to the area and Hungarian history records several centuries of fighting against Muslim Ottoman Turks, other Central European states have had no Muslim "experience" before the Soviet kind of relationships were established. (The Polish and Lithuanian Muslim past is connected to the Tartars, which in many ways is distinctly different from the Islam practiced around the Mediterranean). As a consequence, the new Central European member states (with the exception of the newest newcomer, Bulgaria, which has some 10%–12% Turks) have no sizeable traditional Muslim communities. In some countries, such as Hungary, Muslim presence ceased to exist during or after the Second World War, so even the "old" Muslim community is relatively young.

Present-day Muslim inhabitants came either in the framework of the Socialist-Period relationship (which means that most of them are Arabs from "friendly Arab states"), are mostly secular and integrated into society, or are businessmen, diplomats or others staying temporarily in the region. Although following the change in regime, new freedoms for religious practice resulted in the establishment of Muslim communities, few "natives" converted to Islam. Therefore, Muslim communities are very few and very small in number. This, in fact, is a very important factor when analyzing migration trends towards Central Europe from the southern and eastern Mediterranean. Immigrants

coming outside of Europe have a tendency to go where they have contacts: families, relatives, friends, people from the same village or a known religious community they can join and use as a social umbrella.

Another important attraction could be economic stability and welfare, but since Central European economies are still in transition and most of them were severely influenced by the global crisis, immigrants choose another destination once they are within Europe. There might be another, very specific barrier to Central Europe becoming an inviting migration target: the new Central European member states—with the exception of Poland—are small countries (from one to 10 million each), which after the regime change have undergone a new identity formation (independence, liberal market economy, national identity, etc). One of the practical distinguishing factors is that they all have their own native languages, which are practically incomprehensible outside the country.

The very small numbers of Muslim communities (in some cases, they are practically non-existent) in Central Europe's new EU members, however, are increasingly in contrast with the social realities and composition of most older EU members. That may lead to serious troubles not only because the idea of "sharing the burden of immigration and distributing the immigrants among the EU member states" idea has resurfaced in the wake of the Libyan war but also because the increasingly surfacing tensions among the majority and the Muslim communities in Western Europe, e.g., the events in France at the end of 2005, the cartoon crises and the campaign against Turkey's EU membership by some NGOs are fully presented by Central European media and inciting hatred against a community that in Central Europe is practically non-existent. While at the moment Central European societies on the whole are still not unfavourably biased against Muslims in general, Islamophobia may spread there very quickly, too.



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