



Bundeskriminalamt



Edited by

Ursula Töttel

Gergana Bulanova-Hristova

Heinz Büchler

Research Conferences on Organised Crime at the Bundeskriminalamt in Germany (Vol. II)

Organised Crime – Research and Practice
in Western and Northern Europe

2011 - 2012

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Research Conferences on Organised Crime

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Beirat:

Prof. Dr. Johannes Buchmann

Direktor des Center for Advanced Security Research Darmstadt

Wolfgang Gatzke

Direktor des Landeskriminalamtes Nordrhein-Westfalen

Prof. Dr. Manfred Hennecke

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Präsident der Deutschen Hochschule der Polizei

Prof. Dr. Peter Wetzels

Professur für Kriminologie an der Rechtswissenschaftlichen
Fakultät der Universität Hamburg



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Projektleitung im BKA:

Dr. Heinz Büchler

Ursula Töttel

Kriminalistisches Institut

KI 14 – Forschungs- und Beratungsstelle

für Organisierte Kriminalität,

Wirtschaftskriminalität und Kriminalprävention

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Foreword

Hardly any other crime phenomenon is as complex and dynamic as organised crime (OC). In an increasingly globalised and highly technical world, OC spans a number of convergent crime fields. In spite of its conspiratorial nature, OC poses a very serious threat, is capable of inflicting extensive damage and represents a considerable security problem. The worldwide scale of OC is not only demonstrated by the examples of the notorious mafia organisations in Italy, but also by the longstanding fight against drug cartels in Latin America or the internationally operating human trafficking groups.

OC is therefore not an imaginary phenomenon skilfully marketed in the media by various stakeholders. We are in fact dealing here with criminal activities carried out by perpetrators who exploit social and economic conditions in order to make illicit profits. OC also manifests itself each day on the streets of European cities, where people are forced into prostitution, are smuggled into a country and exploited as "slave labour", or where drug dealers earn vast profits through their extensive trafficking networks. The perpetrators use the financial system to launder their criminal proceeds and become members of the legal business community. They thus continue to pose a serious threat – this is confirmed not only in the Bundeskriminalamt's OC Situation Report 2011 for Germany, but also in Europol's Threat Analysis 2011 (OCTA) for the whole of Europe.

OC groups are characterised by the fact that they can quickly identify new business fields and are invariably able to adjust their *modi operandi* to match the economic and social circumstances prevailing. This characteristic flexibility and adaptability also enables the perpetrators to respond to the dramatic changes taking place in the 21st century as a result of the rapid development of information and communication technology. Long ago OC perpetrators discovered the opportunities offered by the Internet, which has in the meantime become an integral part of our everyday life. Whether as a communication and information channel, as a market and recruiting platform or as an instrument for conducting financial transactions throughout the world – the Internet facilitates almost all typical OC crimes such as trafficking in drugs, weapons and human beings, facilitated illegal immigration and the laundering of proceeds from such activities. At the same time it has become apparent that behind the typical offences in the field of cybercrime – such as hacking, phishing, fraud involving access authorisation, data falsification, data manipulation, computer sabotage and the dissemination of malware – there are frequently groups of perpetrators. As a rule, they are connected in networks, but often do not know each other personally and usually use encrypted communications. Perpetrators especially profit from the international character of the Internet and take advantage of that to outsmart the mainly nationally operating investigation agencies. The security authorities are constantly competing with the offenders and their ability to adapt. It is therefore not surprising that the law enforcement authori-

ties respond with a number of organisational and structural changes designed to successfully combat, for example, cybercrime.

Against the backdrop of these developments it has become obvious that national efforts alone are not a suitable response when combating internationally operating organised crime. For this reason, the exchange of information and co-operation across national borders has become even more important. The successful fight against crime also requires the involvement of criminalistic and criminological research, especially when it comes to understanding the roots of new forms of crime, to identify and understand new trends in their complexity and to adapt recommendations for action to meet the changing security challenges.

This book is the product of the Bundeskriminalamt's ongoing work as the initiator of trans-European exchange between police practice and criminological research within the framework of the OC research network established in 2008. In addition to the BKA, the "Crime Research Development Unit" at the Home Office in London, the "Research and Documentation Centre" (WODC) at the Ministry of Justice in the Netherlands and the "Swedish National Council for Crime Prevention" (Brå) are part of the OC research network. The objective of this network is to share information at a trans-national level on research carried out into organised crime whilst at the same time focusing on the close co-operation between police practice and OC research. The OC research conference, which has taken place annually since 2008, is organised by the BKA and OC research-network partners and is the central forum for this exchange. This initiative is supported by the European Union within the framework of the funding programme, "ISEC – Prevention of and Fight against Crime".

The publication of this second anthology offers a broad spectrum of international experts an insight into current questions and research findings in the field of organised crime. The publication contains selected contributions on subjects which were at the centre of the OC research conferences in 2011 and 2012. It is hoped that this publication will encourage an interest in closer co-operation between research and practice and generate an interest in other partners at a national and international level.

Translation of the German foreword

Vorwort

Es gibt kaum ein komplexeres und dynamischeres Kriminalitätsphänomen als die Organisierte Kriminalität (OK). In der heutigen stark globalisierten und hoch technisierten Welt umfasst sie eine Reihe konvergierender Kriminalitätsfelder. Sie ist gekennzeichnet durch ein hohes Maß an Konspiration, weist ein extrem hohes Gefahren- und Schadenspotenzial auf und stellt daher ein erhebliches Sicherheitsproblem dar. Welches Ausmaß die OK weltweit annehmen kann, zeigen nicht nur die Beispiele der berüchtigten Mafiaorganisationen aus Italien, sondern auch der seit Jahrzehnten andauernde Kampf gegen Drogenkartelle in Lateinamerika oder international agierende Menschenhändlerringe.

Die OK stellt also kein imaginäres Phänomen dar, das unterschiedliche Akteure medienwirksam in der Öffentlichkeit vermarkten. Vielmehr handelt es sich um kriminelles Handeln von Straftätern, die gesellschaftspolitische und wirtschaftliche Bedingungen für sich nutzen, um illegale Gewinne zu erzielen. Es manifestiert sich auch im täglichen Leben auf den Straßen europäischer Städte, wo Menschen in die Prostitution gezwungen werden, als „Arbeitssklaven“ eingeschleust und ausgebeutet werden, oder Drogenhändler über breit angelegte Händlernetze erhebliche Gewinne erwirtschaften. Über das internationale Finanzsystem waschen die Täter ihre kriminellen Erträge und etablieren sich im legalen Wirtschaftsleben. Damit weisen sie ein unvermindert hohes Gefahrenpotenzial auf – das bestätigt nicht nur das OK-Lagebild 2011 für Deutschland, sondern auch Europol in der OK-Bedrohungsanalyse 2011 (OCTA) für ganz Europa.

OK-Gruppierungen zeichnen sich dadurch aus, dass sie neue Geschäftsfelder schnell erkennen und ihre Modi Operandi ständig den wirtschaftlichen und gesellschaftlichen Gegebenheiten anpassen. Mit dieser charakteristischen Flexibilität und Anpassungsfähigkeit reagieren die Täter auch auf die herausragenden Veränderungen im 21. Jahrhundert, die aus der rasanten Entwicklung der Informations- und Kommunikationstechnologie entstehen. Die OK hat die Möglichkeiten, die das Internet als nicht mehr wegzudenkender Bestandteil unseres Lebens auftritt, längst für sich entdeckt. Ob als Kommunikations- und Informationskanal, als Markt- und Rekrutierungsplattform oder als Instrument des weltweiten Finanzmitteltransfers – das Internet erleichtert die Begehung fast aller OK-typischen Straftaten, wie Rauschgift-, Waffen- und Menschenhandel, Schleusung und der damit zusammenhängenden Geldwäsche. Gleichzeitig zeigt sich, dass auch hinter den typischen Straftaten aus dem Bereich Cybercrime – wie Hacking, Phishing, Betrug mit Zugangsberechtigungen, Datenfälschung, Datenveränderung bzw. Computersabotage sowie der Verbreitung von Schadsoftware – häufig Tätergruppierungen stehen. Sie sind überwiegend in Netzwerken zusammengeschlossen, kennen sich häufig nicht persönlich und kommunizieren zum Teil über verschlüsselte Wege. Dabei wird insbesondere die Internationalität des Internets von der Täterseite gezielt gegen die überwiegend national operierenden Ermittlungsdienststellen genutzt. Die Sicherheitsbehörden befinden sich in einem permanenten Wettlauf mit den Straftätern und

deren Anpassungsfähigkeit. So ist es nicht überraschend, dass die Strafverfolgungsbehörden mit einer Reihe organisatorischer und struktureller Veränderungen reagieren, um etwa Cybercrime erfolgreich zu bekämpfen.

Vor dem Hintergrund dieser Entwicklungen ist es offensichtlich, dass nationale Alleingänge keine adäquate Reaktion im Kampf gegen die international agierende OK sind. Der Informationsaustausch und die Zusammenarbeit über Landesgrenzen hinweg gewinnen daher immer mehr an Bedeutung. Eine erfolgreiche Kriminalitätsbekämpfung erfordert außerdem die Einbindung der kriminalistisch-kriminologischen Forschung, insbesondere wenn es darum geht, die Ursachen neuartiger Tatbilder zu verstehen, neue Tendenzen zu identifizieren und in ihrer Komplexität zu erfassen sowie Handlungsempfehlungen an sich ändernde Sicherheits Herausforderungen anzupassen.

Dieser Sammelband ist ein Ergebnis der andauernden Aktivitäten des Bundeskriminalamtes (BKA) als Initiator eines europaweiten polizeilich-wissenschaftlichen Austausches im Rahmen des 2008 eingerichteten OK-Forschungsnetzwerks. Neben dem BKA sind darin die „Crime Research Development Unit“ des Home Office in London, das „Research and Documentation Centre“ (WODC) des niederländischen Justizministeriums und der „Swedish National Council for Crime Prevention“ (Brå) vereint. Ziel dieses Netzwerks ist es, Erkenntnisse über den Forschungsgegenstand Organisierte Kriminalität grenzüberschreitend auszutauschen und dabei die enge Zusammenarbeit zwischen Polizeipraxis und OK-Forschung in den Mittelpunkt zu stellen. Die seit 2008 jährlich stattfindenden OK-Forschungskonferenzen, die das BKA in Kooperation mit den OK-Forschungsnetzwerkpartnern ausrichtet, bilden das zentrale Forum dieses Austauschs. Im Rahmen des Förderprogramms „ISEC – Kriminalprävention und Kriminalitätsbekämpfung“ wird diese Initiative von der Europäischen Union unterstützt.

Mit der Herausgabe dieses zweiten Sammelbands soll einem breiten internationalen Fachpublikum Einblick in aktuelle Fragestellungen und Forschungsergebnisse aus dem Kriminalitätsbereich Organisierte Kriminalität gegeben werden. Das vorliegende Buch enthält ausgewählte Beiträge zu den Themen, die im Mittelpunkt der OK-Forschungskonferenzen 2011 und 2012 gestanden haben. Mit der Veröffentlichung ist die Hoffnung verbunden, das Interesse an einer engen Zusammenarbeit zwischen Forschung und Praxis zu stärken und bei weiteren Partnern auf nationaler und ausländischer Ebene zu wecken.

Jörg Ziercke

Präsident des Bundeskriminalamtes

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English Part

Part I

Research Network on Organised Crime and Research Conferences on Organised Crime at the Bundeskriminalamt

Origin and development of the OC-Network and the yearly OC-Research Conferences at the BKA

Organised crime (OC) and its impact on international security are undoubtedly one of the greatest challenges for security agencies in the 21st century. Criminal networks operate across national borders, presenting a challenge to law enforcement agencies operating predominantly at a national level. For this reason, close police cooperation at international, and especially European, level is becoming ever more important. National borders traditionally play a secondary role in academic research. Even so, until the year 2008 cross-border collaboration between different OC research institutions was only rudimentary in nature. Against this backdrop, the Bundeskriminalamt (BKA, the German Federal Criminal Police Office) came up with the idea of promoting a Europe-wide exchange of information on issues of security relevance, methodical approaches and research findings in the area of OC research, and of organising conferences for this purpose on a regular basis.

In the years from 2008 to 2012 the Bundeskriminalamt, in cooperation with the Research and Documentation Centre (WODC), the Police Academy of the Netherlands (until 2010), the Serious Organised Crime Research Team at the British Home Office and – from 2010 – the Swedish National Council for Crime Prevention (Brå), organised five international OC research conferences in Frankfurt am Main and Wiesbaden. These conferences provided a comprehensive overview of the situation regarding OC research in many European countries. They functioned as a forum for cross-border exchange of information between researchers and police practitioners on issues such as actually chosen as well as potential field approaches for the purpose of carrying out empirical research projects, the implementation of research findings in practice, and the target groups for research projects.

In the years 2008 to 2011, scientists and police practitioners from Belgium, Bulgaria, Germany, France, Greece, Italy, Poland, the Czech Republic, Sweden, Slovenia, Spain, Turkey, Hungary and the United States had reported on their research activities or on the current situation in the fight against crime in their countries. In the years 2011 and 2012, scientists and practitioners from Denmark, Estonia, Finland, the United Kingdom, the Netherlands, Sweden, and

from Interpol reported on OC research and the OC situation in their countries or areas of responsibility.

The present conference volume summarises the proceedings of the research conferences held in the years 2011 and 2012. It is intended to give the reader an impression of the spectrum of research activities concerning OC as well as the main issues and methods employed in law enforcement in Western and Northern Europe.

The international conferences on OC research are organised jointly by the BKA, Wiesbaden, the WODC, The Hague, the Home Office, London, and Brå, Stockholm. Their aim is to promote the exchange of information on OC between researchers and law enforcement practitioners and assist them in assessing the threat posed by OC.

A second initiative led to the establishment of an international OC research network in the year 2008. Its purpose is to intensify the direct exchange of information between government research institutes, thus facilitating coordinated evaluations of developments in science or police practice. This has already led to the launch of a joint research project. The network's members include the Research and Advisory Unit for Organised Crime (OC), Economic Crime and Crime Prevention of the German Federal Criminal Police Office, the "Crime Research Development Unit" of the British Home Office, the "Research and Documentation Centre" (WODC) at the Dutch Ministry of Justice, the Police Academy of the Netherlands (until 2010), and the Swedish research institution "Swedish National Council for Crime Prevention" (Brå). In addition to the case-specific exchange of information at working level, the network's activities include two meetings of the government institutes each year. The network meetings institutionalise the continuous exchange of information and findings from research projects, threat analyses, situation assessments and approaches to fighting OC. In addition, new development trends in OC research are discussed and assessed in terms of their potential for joint implementation.

Financial support was granted by the European Commission for both initiatives, the OC research conference and the OC research network. The key objectives of the funded project as a whole are to ensure close, long-term cooperation between the research facilities, and to provide a forum for interlinking research and police practice across Europe. The "International Research Network on Organised Crime" project (March 2010 – February 2013) has been co-funded by the European Commission as part of the Internal Security (ISEC) programme "Prevention of and Fight against Crime".

The organisation of this book

On the one hand this book seeks to give an overview of the topics and discourses, which dominated the OC-research conferences at the BKA in 2011 and 2012. On the other hand it gives the opportunity to the conference speakers to make the results of their criminological research projects and / or practical police work publically available.

This book is organized into five parts. After a short introduction and description of the partnering institutes of the OC-Research Network in the Part I, follows an overview of the 4th OC Research Conference from 2011 together with the articles of the conference speakers (Part II). Part III contains the description of the 5th OC-Research Conference from 2012 as well as the articles of the speakers of this conference. An overview of both conferences from 2011 and 2012 as well as a short description of the next steps and further conferences in German is delivered in Part IV of the book. The concluding Part V contains lists of figures as well as short descriptions of the institutional background and research interests of the authors.

Description of the research partnering institutions

The following section offers a brief description of the institutes participating in the EU project.

Research and Advisory Unit for OC, Economic Crime and Crime Prevention of the Bundeskriminalamt (BKA) Wiesbaden, Germany

Forming part of the criminalistic-criminological research group (KI 1) of the BKA, the Research and Advisory Unit for OC, Economic Crime and Crime Prevention (KI 14) is the leading OC research unit of the German police. KI 1 is organised into the following research units.

- Terrorism/Extremism Research Unit (German acronym: FTE)
- Police Crime Statistics Research Unit (PCS), crime statistics-related/criminological analyses, research on unreported/undetected crime
- Research Unit for Violent Crime, Juvenile Delinquency and Operational Case Analysis (OCA)
- Research and Advisory Unit for Organised and Economic Crime and Crime Prevention
- Legal Affairs, Research and Advisory Unit for Legal Matters
- Research and Advisory Unit for Cyber Crime

According to § 2 of the BKA Law it is the responsibility of the criminalistic and criminological research group to support the federal and state police in researching and answering questions related to police methods and approaches as well as phenomenological issues of crime suppression. The Research Unit for OC, Economic Crime and Crime Prevention is staffed by police practitioners and researchers operating at the interface between science and practice. Working in an interdisciplinary fashion and using scientific methodologies, the unit is tasked with resolving policing issues and pursuing the (further) development of implementation concepts. The process places emphasis on close coordination with users and clients. Section KI 14 carries out research and advisory tasks in the fields of organised crime, human trafficking and smuggling, as well as economic and financial crime and crime prevention. With a background of an applied research orientation and the general responsibility for performing the coordinating function of a central office, KI 14 has the task of taking up and analysing new or as yet unresolved police issues and problems in the national and international context, and of researching and developing ways and methods for solving these issues. The results of the unit's research are incorporated into the work of the criminal police. In addition to the carrying out of research projects and analyses, this task is fulfilled primarily through monitoring, i.e., the systematic observation, identification and evaluation of relevant developments from the field of the crime spectrums mentioned above.

Key research topics in relation to organised crime

In the crime field of human trafficking for the purpose of sexual exploitation, the issue of the identification of victims remains of great significance, not least given the difficulties of access to victims as a result of the extended range of opportunities for legal residence in Germany. For this reason the Institute of Law Enforcement Studies and Training at the BKA carried out a research project designed to improve the process of victim identification, which in the course of three sub-projects analysed options for optimisation in the fight against the phenomenon of human trafficking for the purpose of sexual exploitation from different perspectives: From the victims' perspective, the factors determining the willingness of victims to provide a statement were investigated. From the perspective of the police, the reasons recorded for the initiation of investigations were analysed in the context of the police's National Situation Report on Human Trafficking. From a more general perspective, information was collected on national and international strategic concepts and activities to combat trafficking in human beings for the purpose of sexual exploitation. The project report *“Palermo-Protokoll und die Folgen, Bekämpfung des Menschenhandels zum Zweck sexueller Ausbeutung – Materialsammlung zu nationalen und internationalen eher strategisch ausgerichteten Aktivitäten”* (“Palermo Protocol and the consequences, fighting human trafficking for the purpose of sexual exploitation – collected materials on national and international more strategically oriented activities”) was made available on the homepage of the BKA as an eBook in the spring of 2010.

On the subject of organised crime and the phenomena subsumed thereunder, the BKA, in addition, continually conducts analyses for the purpose of internal assessment and which are not intended for publication.

Key research topics in relation to economic crime

The focus is on economic and financial crime in the broader sense. This means that, in addition to offences the police consider constitute economic crime, environmental crime phenomena (e.g. pharmaceutical crime) and corruption offences are also the subject of research – depending on the level of requirements at any particular time.

- **Pharmaceutical crime – a growth market? (2007)**

This project dealt with relevant aspects of the phenomenon of “pharmaceutical crime”, in particular with the way the situation is developing, the threat potential and the legislative framework, the responsibilities and forms of cooperation, and a comprehensive situation report was produced in close cooperation with police practitioners and scientific researchers. The study findings provide the affected agencies and partners with numerous recommendations for action, on the basis of which the fight against the pharmaceutical crime phenomena can be made even more effective in the future. The BKA study *“Arzneimittelkriminalität – ein Wachstumsmarkt?”* (“Pharmaceutical crime – a growth market?”)

was published as Volume 36 in the series “*Polizei + Forschung*” (“Police + Research”) in the autumn of 2007.

- **Waste management crime, in connection with the EU’s enlargement to the east (2007–2008)**

As part of an experts’ survey, an empirical study was carried out with the focus on waste management crime in connection with the eastward expansion of the EU, and shortcomings in law enforcement were identified. The legal opinion is based on a jurisprudential evaluation of current legislation, court rulings, administrative, policing and law enforcement practices.

The study “*Abfallwirtschaftskriminalität im Zusammenhang mit der EU-Osterweiterung*” (“Waste management crime in connection with the EU’s enlargement to the east”) was published as Volume 37 in the series “*Polizei + Forschung*” (“Police + Research”) in the autumn of 2008.

- **Combating product and trademark piracy – an evaluation of police control measures (2008–2009)**

The fight against product and trademark piracy is increasingly attracting the attention of society at large. Aside from the financial losses sustained by businesses, product and trademark piracy also harms consumers in particular. In this context, the main focus is on the dangers to human health posed by these types of crimes. However, environmental damage must not be excluded from consideration either in the evaluation of this phenomenology. The aim of the project was to report on the current situation in the fight against product and trademark piracy, by including situational reports, information on the current extent of police activities, and a description of the legal, organisational responsibilities in controlling this type of crime. In addition, (internal police) information on how to conduct investigations in the crime field of product and trademark piracy was also produced.

- **Economic crime network**

Since 2008, the BKA has maintained an “economic crime network”, a platform where representatives of the corporate security services of major companies and the BKA exchange information on forms of economic crime twice yearly. The objective here is to be able to detect crime trends at an early stage and allow best-practice models to be developed.

- **Additional topics**

The topics of “Crime in the context of capital markets”, “Combating money laundering” and “Compliance systems and their effects on the prosecution and prevention of economic crime and corruption” are the subject of projects carried out at present.

Crime prevention

Since 01–11–2012, section KI 14 has acted as the interface to the crime prevention units of the state and federal police forces, and in this role, it has been actively engaged in shaping the agenda and the services and options available within the “*Programm Polizeiliche Kriminalprävention*” (ProPK) (“Police Crime Prevention Programme”). Requirements for preventive action stemming from the findings of the specialised divisions of the BKA are incorporated into the prevention-oriented cooperation between federal and state agencies by KI 14.

Organised Crime Research Team, Home Office, UK

The Organised Crime Research Team forms part of the Crime and Policing Analysis Unit in the Home Office. The Home Office is the government department responsible for crime, policing, counter terrorism and immigration.

The research team conducts and commissions research that examines the scale, impact and nature of organised crime in the UK. The main themes covered by the research team are:

- the characteristics and criminal careers of organised criminals;
- public perceptions of organised crime;
- the effectiveness of law enforcement, regulatory and criminal justice responses to organised crime; and,
- the scale, costs and social harms of organised crime in the UK

The research programme is principally directed by commitments made in the Home Office strategy for tackling organised crime, *Local to Global*¹. The key elements of this strategy for tackling organised crime are summarised by the following three strands:

1. ***‘Stem the opportunities for organised crime to take root***

We will seek to stop individuals in the UK becoming involved in organised crime and tackle the causes of organised crime through overseas development and stabilisation work.

2. ***Strengthen enforcement against organised criminals***

We will use the full range of lawful interventions against organised crime, with hard-edged enforcement through prosecutions where practicable; but also by using a wider range of innovative disruptions. We will particularly strengthen our focus on tackling criminal finances.

3. ***Safeguard communities, businesses and the state***

We will help reduce their vulnerability to becoming victims of organised crime. We will raise awareness of the threat and methods used by organised criminals; provide the public and businesses with information to enable them to protect themselves; and ensure closer working with partners.

The UK research priorities are summarised in the document *Future Directions for Organised Crime Research* (2011). These were developed following a consultation exercise on key research needs undertaken across government departments². This document does not provide an exhaustive list of research priorities. The aim is to provide a starting point for dialogue between government

1 Local to Global: Reducing the Risk from Organised Crime (2011), available at: <http://www.homeoffice.gov.uk/publications/crime/organised-crime-strategy?view=Binary>

2 Future Direction for Organised Crime Research (2011), available at: <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/future-organised-crime-res-2011?view=Binary>

and agencies, research councils, universities and industries as well as others with an interest in organised crime research. It also provides a focal point for government departments and agencies when considering organised crime research needs.

Recent published reports include a study examining the links between homicide and organised crime³, and another looking at the contribution financial investigations make to tackling organised crime⁴. Ongoing research projects include several strands of work looking at the criminal careers of organised criminals. Most studies are made available to the public via the Home Office website.⁵

In early 2012 the team established the Organised Crime Virtual Research Network. This is an online forum designed to improve communication across agencies and organisations (government, law enforcement, academia and the private sector) with an interest in research and evidence on organised crime.⁶

3 Exploring the links between homicide and organised crime (2011). Available at: <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/horr54?view=Binary>

4 Available online at <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/horr65?view=Binary>

5 Published studies are available at: <http://rds.homeoffice.gov.uk/rds/index.html>.

6 If you would like to join please contact OC_ResearchStrategy@homeoffice.gsi.gov.uk

Research and Documentation Centre (WODC), Ministry of Security and Justice, the Netherlands

WODC is the semi-independent research and knowledge centre belonging to and working for the Netherlands Ministry of Security and Justice and its chain partners. WODC conducts social and behavioural scientific as well as legal research. The institute aims to produce knowledge about current and future phenomena relevant to Security and Justice, including policy and programme assessments and forecast (models).

WODC broadly disseminates the knowledge it has acquired. All research results are made available on its own website, while all key and comprehensive research is published in book form or electronically. Moreover, on the basis of its research findings, WODC plays an advisory role with regard to the Ministry of Security and Justice. Finally, WODC acts partly as a granting organisation, since a considerable part of the research portfolio is outsourced to external partners.

The organisation of WODC is made up of the following divisions:

- Crime, Law Enforcement and Sanctions Research Division
- Justice Administration, Legislation, International and Aliens Affairs Research Division
- Commissioning Research Division
- Statistical Data and Policy Analysis Division
- Documentary Information Division

The Crime, Law Enforcement and Sanctions Research Division has about 30–35 staff. It carries out several kinds of research, but an important line of research focuses on organized and economic crime, terrorism, and criminal investigation methods. WODC cooperates with key external research institutes, including the Centre for Information and Research on Organized Crime (CIROC) (a collaboration between WODC and VU University (Amsterdam), Erasmus University Rotterdam, Utrecht University, and Maastricht University) and the International Research Network on Organized and Economic Crime.

Dutch Organized Crime Monitor

An important ongoing research project is the Dutch Organized Crime Monitor. The main sources of this research project are files of closed Dutch police investigations of criminal groups, often spanning a period of several years. In the period 1996–2012, 150 large-scale investigations were analyzed systematically. Each case study always starts with structured interviews with police officers and public prosecutors. After these interviews the police files are analyzed and summarized. Describing and analyzing these files, use is made of an extensive checklist which elaborates upon the following leading questions: What is the composition of the group and how do offenders cooperate? What kinds of illegal activities do they engage in and how do they operate? How do they in-

teract with the opportunities and risks of their environment? What are the proceeds of the criminal activities and how do they spend these proceeds? Transcripts of wiretaps, and data obtained from police observations and interrogations of victims and offenders, often provide us with a detailed and interesting look into the social world of organized crime. In the period 1996–2012, a wide cross-section of 150 cases was collected, not only about the various forms of organized crime and various forms of cooperation, but also set within a specific timeframe. In addition, use was made of expert interviews, information from other investigations, confidential reports, crime analyses and (scientific) literature. The case studies of the Dutch Organized Crime Monitor were used to draft four main reports for the Dutch parliament on the nature of organized crime in the Netherlands and numerous scientific articles (see o.a. <http://english.wodc.nl>: Organized Crime Monitor).

Criminal careers in organized crime

One of the interesting research lines of the Dutch Organized Crime Monitor is unique multi-method research into criminal careers of organized crime offenders, using data from the Dutch Organized Crime Monitor, register data, police files, and interviews with offenders. Links to the scientific papers of this project can be found at www.wodc.nl and at the personal websites of Edward Kleemans and Vere van Koppen (VU University Amsterdam). Vere van Koppen will defend her PhD thesis at VU University Amsterdam in 2013. Her PhD thesis is supervised by Prof. Dr. Edward Kleemans, Dr. Christianne de Poot and Prof. Dr. Arjan Blokland.

Investigation methods

Another important line of research at WODC is research into criminal investigation methods. Recent reports include the following topics: undercover policing and human intelligence; wiretapping (including internet tapping); human trafficking in the Amsterdam Red Light District: phenomenon, investigation and multi-agency approach; and Emergo: a multi-agency approach in Amsterdam. Forthcoming reports include: cloud computing and criminal investigation; retention (telephone traffic and internet data); and regulation of investigation methods in terrorism investigations.

For further information please visit the website: <http://english.wodc.nl/>

Division of Economic and Organised Crime Research (EkoOrg), Swedish National Council for Crime Prevention (Brå)

The Swedish National Council for Crime Prevention

The Swedish National Council for Crime Prevention (Brottsförebyggande rådet – Brå) – an agency under the Ministry of Justice – is a centre for research and development within the judicial system.

Brå primarily works to reduce crime and improve levels of safety in society by producing data and disseminating knowledge on crime and crime prevention work.

The Council produces Sweden's official crime statistics, evaluates reforms, conducts research to develop new knowledge, and provides support to local crime prevention work. The results of Brå's research serve as a knowledge base for the decision and implementation of laws and policies by decision makers within the judicial system, the Parliament and the Government. Brå collaborates on a regular basis with organisations and public sector agencies. The Council also arranges the Stockholm Criminology Symposium, an annual international research conference, on behalf of the Swedish Government. Brå is headed by a director general appointed by the Government.

The Division of Economic and Organised Crime Research

The Division of Economic and Organised Crime Research aims at maintaining a national expert function in the field of economic and organised crime. Environmental crime and cultural heritage crime are also part of the Division's research areas. The Division conducts various research projects, often in cooperation with other actors and through external funding, and disseminates this research through various means. The research concerns uncovering the nature of economic and organised crime, primarily in Sweden, with an overarching focus on methods and strategies for crime prevention. Apart from conducting research, the Division regularly takes part in reference groups and responds to referrals. The Division is led by a head of division.

Research strategy

The Division of Economic and Organised Crime Research is largely focused on new and previously unexplored forms of crimes and community action against such crime. During previous years, the Division has published reports on various topics, such as extortion, corruption and other forms of unlawful influence, money laundering, the financial management of drug dealing, organised tax fraud, social benefit fraud, cultural heritage crime, environmental crime, multi-agency approaches to combat organised crime, money laundering and criminal assets recovery.

The research carried out by the Division primarily concerns applied research and development. Based on empirical studies, the Division develops crime prevention strategies and methods together with other agencies within the judicial system. It also cooperates with other government agencies as well as international actors in common research projects. The Division is currently a member of four international research networks through which it takes part in and organises conferences, seminars and publications.

There is noticeable interest among government agencies, the public and various organisations for research on economic and organised crime. The employees of the Division give regular lectures on past and current projects, provide expertise advice to government agencies and maintain frequent contact with the media.

Past and current projects

The Division of Economic and Organised Crime Research is currently undertaking two research projects: unlawful influence against strategic insiders and a case study of the multi-agency approach towards organised crime in the municipality of Södertälje.

The former project concerns individuals in government agencies who are strategic for offenders linked to economic and organised crime. The project intends to identify positions that are at greater risk of unlawful influence than others. The aim for the offenders is, for example, to gain information about investigations against them, influence decisions, and develop profitable relationships with the strategic persons. The project seeks to uncover how this unlawful influence is carried out, and what characterises the affected individuals and agencies. The empirical material consists of intelligence, investigations, and interviews with insiders, organised criminals and security staff within government agencies.

In the case study of Södertälje, the multi-agency approach towards organised crime is studied through participatory observations, interviews, and evaluations of investigation files. The project is unique in the sense that it follows the joint agency initiative real-time, thus enabling an in-depth analysis on how cooperation between the different government agencies involved develops. The study is a spin-off from a larger evaluation of the national multi-agency initiative to combat organised crime in Sweden, and is carried out in cooperation between Brå and the Stockholm County Police, Regional CID.

In 2012, the Division published two reports on unlawful influence: one more general on extortion, and the other specifically on unlawful influence on businesses and entrepreneurs. Both reports attracted noteworthy attention in media. The Division contributed to the Swedish Government Official Report on coercive measures. In addition to the above mentioned projects, a report on corruption in Sweden was finalized and will be published in the beginning of 2013. Together with other government agencies, the Division is also supervising a research anthology on criminal assets recovery that will be published in 2013.

Future projects include investigating how false identities and other types of false official documents are used to commit various types of fraud. The project is planned to start in the fall of 2013 and is a joint initiative between Brå and a number of government agencies in the welfare system. During 2013, the Division of Economic and Organised Crime Research also plans to initiate two new research projects on trafficking for labour exploitation and environmental crime.

Part II

OC Research and Practice in Western Europe: 4th OC Research Conference in Wiesbaden, 2011

The status quo of OC research and the OC situation in the countries of Western and Northern Europe were described and discussed at the annual research conferences. The importance of OC research in the various countries, implemented and potential empirical research approaches, the implementation of research findings into practical police work, the target groups of the projects, as well as the efforts undertaken and expenditure incurred were the key topics dealt with in the presentations and subsequent discussions, where researchers and practitioners shared experiences. Special emphasis was placed on examples of cross-border research in the context of EU projects as well as on planned research projects. This and the next book's parts start with summaries of the contents of the presentations given at the conferences in the years 2011 and 2012, followed by selected contributions of the conference speakers.

Conference overview, including summaries of the individual presentations

The fourth OC research conference was held in Wiesbaden in November 2011. It was dedicated to the subject of OC research and the current OC situation in Western European countries. The speakers invited to address the conference and present their expert knowledge and research findings were scientists and law enforcement personnel from the UK and the Netherlands, as well as representatives from Interpol. Issues raised and discussed included the specific problems in combating OC encountered in the different countries owing to the legal, political and contextual conditions prevailing in the individual countries in question.⁷

The event kicked off with a lecture by **Dr Gianni Baldi**, Assistant Director of the “Specialized Crime and Analysis” Directorate at Interpol. In his presentation titled **“The global organised crime situation and its impact on Western Europe”**, he first outlined the core functions of Interpol before introducing the “Millennium” project as an example of the type of undertaking in which Interpol invests a large part of its analytical resources. The project was conceived in 1999, at the recommendation of the G8 Law Enforcement Group. Its focus is on transnational Eurasian OC. At present, some 42 Interpol member countries participate at various levels of the project or its sub-projects. The objective is to optimise the exchange of operational information on Eurasian OC groups between member countries. Eurasian OC groups are involved in systematically

⁷ The description of the conferences presented here is based solely on the lectures presented; accordingly, it does not reflect the position of the BKA, nor the views of the publisher of this book.

planned and executed criminal transactions, with some of them even benefiting from the protection and support from corrupt government employees. These groups and their illegal activities also have a marked impact on Western Europe and North America.

Other Interpol projects of OC relevance mentioned by Dr. Baldi were “BESA”, which deals with OC in South-Western Europe, the “Asian Organised Crime” project, and “Pink Panthers”, which is aimed at groups carrying out armed robberies of jewellery shops in Europe, the Middle East, Asia and America. Other key areas of Interpol’s work in dealing with OC are the fight against drug trafficking, human trafficking and sexual abuse of children. Interpol is active in all these fields and supports international searches as well as measures to combat crime both at the operational level and through extensive advisory and training programmes.

New insights derived from research into OC in the Netherlands were presented by **Prof. Dr Edward R. Kleemans**, Chairman of the Research and Documentation Centre (WODC) and professor at VU University Amsterdam, in his lecture “**Criminal careers in organised crime**”. Prof. Kleemans presented findings from empirical research into the criminal careers of OC offenders in the Netherlands. The study is based on the database of the Dutch Organized Crime Monitor and looked at 120 OC cases⁸ involving 1,623 perpetrators. The following questions were asked as part of the study: How exactly do individuals become involved in OC? Are some people “born” as criminals, or do they only become criminals later in life? What are the stages in their development?

The findings cast doubts on a number of traditionally accepted criminological views regarding the careers of criminal offenders. Firstly it was found that there are hardly any young offenders involved in OC. Secondly, a large proportion of OC offenders only becomes active as they get older. This means that the so-called “late starters” are not the exception in the field of OC, but rather, they represent the largest group of offenders. These findings run counter to the thesis that older criminals must have a criminal past, and that individual characteristics and long-term risk factors constitute the real explanation as to why people turn into criminals.

In addition to the findings about the entry age, the mechanisms facilitating entry were also analysed. According to this research, four separate factors play an important role here, in addition to targeted recruitment: social ties, work relationships, leisure activities and traumatic life experiences (including financial setbacks). For Kleemans, one of the reasons why criminal OC careers may exhibit a different developmental pattern compared with conventional “criminal careers” is that the options for entry into OC are not open to everyone, and if they do become available, they will only do so later in life. Many OC offenders specialise in one field of crime, and they are frequently involved in international criminal activities through well-developed networks. A further difference

⁸ Number of registered large-scale investigations of the Dutch Organized Crime Monitor at the time of the study.

compared with more general crime is that organised criminals tend to amass considerable capital, sometimes to the point where they achieve elevated social standing thanks to their financial success. Prof. Kleemans concludes that criminal careers in organised crime take a different trajectory because they rely on different mechanisms of involvement, and because many offenders are “late starters”. For this reason, they act and network in ways that differ from those of general criminals.

The geographical expansion of the Italian Mafia in Scotland and in the Netherlands was the subject of the presentation by **Dr Paolo Campana** from the Extra Legal Governance Institute at Oxford University in the UK. In his lecture with the title **“The diversification of Mafia activities: Italian organised crime in Scotland and the Netherlands”**, Dr Campana presented the results of a study from the year 2011, which analysed the geographical expansion and the criminal activities of an Italian Camorra clan. The study was based primarily on an analysis of more than 1,800 telephone surveillance protocols. The results show that the members of the Camorra “La Torre” clan left their home region of Mondragone in the 1980 s and 1990 s in order to “launder” their criminally acquired assets in Aberdeen, Scotland, by investing in the legal economy, e.g. in restaurants, the construction industry and in real estate. The “La Torre” clan expanded its activities to Amsterdam, where members invested in drug trafficking and in the production of counterfeit money. Dr Campana did however point out that the “La Torre” clan tends to be organised more at the local level, and that it relies on the country of origin even for activities carried out abroad. This is because protection racketeering remains the core business and principal source of income for the clan, and this is not an activity that can easily be transferred to or implemented in other countries. Moreover, in his research Dr Campana was unable to find evidence of international alliances with other criminal groups. Instead, the clan’s international networking makes use of hubs established by the clan itself. Interestingly enough, according to Campana, violence and threats are used only in Mondragone, the clan’s home region.

The author argues against the concept of cross-border organised crime, since, as this example demonstrates, the “La Torre” clan did not transfer its core business to other countries (transplantation), but instead is focusing on new fields of crime (diversification), in essence behaving just like any other actor in the international criminal market. Branches (“hubs”) were established in Scotland and the Netherlands (functional diversification) in order to be able to carry out certain criminal activities, without entering into any major international criminal alliances in the process. The majority of the members were and still are recruited in the country of origin.

Warner ten Kate, from the Dutch National Prosecutor’s Office in Zwolle, presented the work of his agency in the field of human trafficking. The starting point for his presentation titled **“Investigating and prosecuting human trafficking”** was the statement that despite the fact that prostitution has been prohibited in the Netherlands since the year 2000, human trafficking could not be prevented or eradicated. On the contrary, the United Nations Office on Drugs

and Crime (UNODC) lists the Netherlands as one of the most popular destination countries for human trafficking, both for sexual and labour exploitation. Ten Kate advocated the use of the so-called “multi-institutional approach” to combat not only human trafficking but OC in general. This approach tries to go beyond the boundaries of traditional criminal investigations by police and the judicial authorities, with both administrative and law enforcement agencies working together and contributing their specialist knowledge and competences in combating and preventing crime. The “multi-institutional approach” is based on the so-called “barrier model”, which involves the identification of suitable agencies or areas where barriers can be set up to impede the activities of the criminals. In the Netherlands, such barriers are being established in the following areas: access (smuggling, border crossing); accommodation (prostitution precinct, illegal housing); identity (forged papers, forged social security documents); work (pimps, exploiters, violence, exploitation) and finance (money laundering, investments). This “barrier model” is aimed at identifying providers of illegal services as well as illegal activities at all five stages of the model. The model simultaneously relies on the training and on the intensive exchange of information between government agencies involved in the fight against human trafficking. Financial investigations also form an integral part of the model.

The barrier model was implemented in the form of a pilot project in 2006, in the so-called “Sneep Operation”. This operation centred on investigations against Turkish nationals involved in human trafficking who had forced hundreds of women into prostitution. The aim of the operation was to establish a broadly based cooperation between administrative and law enforcement agencies in order to gain detailed knowledge of the activities of, and the connections between, the criminals. The model was implemented successfully: once all the relevant partner institutions had been informed about the Sneep investigations, they agreed to close cooperation within the scope of this project.

The setting up of a task force to combat human trafficking in the year 2008 is one of the most important outcomes of the development and implementation of the “barrier model” in the Netherlands. The task force is charged with the responsibility of identifying weak spots in the fight against human trafficking and having them eliminated through advocacy at the highest level. Judicial and police cooperation at the international level is another important element in the implementation of the model, since the majority of human trafficking cases in the Netherlands involve international contacts.

Human trafficking was also the subject of the presentation by **Prof. Dr Toine Spapens** from the University of Tilburg in the Netherlands. His lecture was titled **“XTC production and trafficking in women for sexual exploitation: problems and approaches in the Netherlands”**. He described the use of the “multi-institutional approach” in combating human trafficking in Amsterdam’s red-light district (the “Emergo” project). In addition, Prof. Spapens also presented findings and experiences in the fight against XTC production in the Netherlands. XTC became popular in the late 1980 s, and the Netherlands have been a leading producer of synthetic drugs since the 1990 s. Growing international cri-

ticism, mainly from Germany, France and the United States, forced the Dutch government to establish specialist XTC teams and to intensify the relevant investigative efforts, through inter-departmental cooperation, among other measures. Similar to the “barrier model”, the inter-agency approach focuses on the identification of key players as well as any weak spots within the XTC networks. Such weak spots can be the suppliers of chemical substances, both legal (e.g., methylamine, acetone) and illegal (e.g., PMK), as well as suppliers of the required hardware. The inter-agency approach also relies on the cooperation between and linking of law enforcement (police and judicial authorities), administrative measures (at municipal level) and financial investigations (revenue authorities). A precondition for this approach to work is the drawing up of a framework agreement between the various agencies regarding the smooth and efficient exchange of information.

Prof. Spapens then outlined the concept and structure of the criminal “macro network” from a theoretical perspective. This is a network consisting of persons who are prepared and able to commit certain types of offences. They are connected to each other through “criminal relations”, as a kind of social contact. The “criminal macro network” can essentially be viewed as a worldwide criminal network, yet in practice it is a type of “local cluster”. Network density generally diminishes as geographical distances increase, which means that there is a higher density at local and regional levels than at the international level. Success in reducing the size of the criminal macro network at the local, regional or supra-regional levels could be achieved by preventing access to the network for new members on the one hand, and by facilitating the exit of existing members on the other.

An insight into the current OC situation and the strategy to combat OC in the UK was provided by **Miles Bonfield**, Regional Manager for the Netherlands and France at the International Department of the Serious and Organised Crime Agency (SOCA) in the UK. In his presentation “**Combating organised crime in Great Britain**”, he stated that OC was causing financial losses in the order of 20 to 40 billion pounds sterling annually in the UK. Some 6,000 OC groups and 38,000 offenders are active there. The government’s new strategy for combating OC focuses on an approach based on the formula “local to global”, which is aimed at reducing the risks OC represents for the country and its interests. The inclusion of scientific research in the fight against OC is an integral part of the new government strategy. It was in this context that Miles Bonfield described a joint project of the University of Cambridge and SOCA. The aim of the project was to analyse the structure and distribution of OC groups in the UK. Organisational theory and the premises implicit in network research formed the theoretical basis for the project. In addition to the evaluation of OC statistics, the project also relies on information derived from a number of SOCA cases involving around 9,300 persons and more than 1,500 groups. The analysis showed that the average age of OC group members is 46, that a group consists of 11.8 members on average, that 15 % of groups have links to another group, and that 54 % of OC groups are involved in illegal drug trafficking.

Miles Bonfield also presented the results of a SWOT analysis showing the impact of OC activities in the Netherlands on the OC situation in the UK. According to this analysis, reasons for OC groups to relocate from the United Kingdom to the Netherlands are as follows:

- OC groups from the UK have a strong interest in placing their own representatives in the Netherlands.
- It is easier to “operate under the radar” in the Netherlands due to the well-established transport and logistics infrastructure for drug trafficking. A further facilitating factor is that English is spoken throughout the Netherlands.
- OC groups can rely on the support of well organised criminal intermediaries in major cities in the Netherlands.
- All the relevant goods, and the groups controlling them, are available.
- The Netherlands are seen as a safe place for fugitives from justice.

The SWOT analysis showed, however, that the above-mentioned perceptions are changing, in that Amsterdam is no longer considered as “safe” for criminals as it was seen in the past. Moreover, the security agencies in both countries benefit from the close cooperation and well-functioning exchange of information, and this in turn is boosting the success of the cross-border fight against OC.

In a lecture titled **“Organised economic crime in the UK – the challenges of harmonising public and private policing”**, Prof. Dr Michael Levi from the Cardiff School of Social Sciences in the UK introduced the dimension of public-private relationships and their potential in combating OC. Prof. Levi presented his ideas for the inclusion of business in the prevention of organised and economic crime because, according to him, organised crime is not a phenomenon that exists only in hidden places and only manifests itself in the so-called shadow or informal economy. Instead, OC also impacts on legal markets and has links with institutions and businesses. Accordingly, the security agencies are not the sole participants in the information flow in relation to OC but – since OC affects all social and economic spheres – so are public and private investigators, journalists, tax offices, customs officers, service providers (such as accountants and solicitors), various anti-corruption bodies, national and international media, as well as citizens in general who are all aware of various forms of OC. For this reason, the establishment of broad-based public-private partnerships should be pursued as an integral part of successful crime prevention. In relation to combating economic crime and minimising associated losses, Prof. Levi perceives a shift in responsibility in the direction of private enterprise. For example, data matching within the public sector and the exchange of information have the potential to reduce the incidence of obtaining credit by fraudulent means. Professor Levi outlined three non-traditional approaches to OC prevention which could be used to improve prevention and eradication:

- Shared or communal approaches, i. e. joining forces to prevent crime: These are on the one hand the passive participation of citizens, in that they provide information about losses and risks, and active participation on the part of citizens, e. g., through the formation of response groups, on the other.

- Regulatory approaches covering the creation and implementation of specific guidelines, programmes or even committees or commissions, involving the participation of national and international organisations, tax authorities, security and intelligence services, foreign policy and economic aid programmes.
- Approaches to foster the involvement of the private sector, e.g., through active support in the search for stolen or misappropriated capital, or through the drafting of agreements for better cooperation with law enforcement agencies, since businesses today have extensive experience in self-regulation and compliance strategies, which would allow them to assist in criminal investigations. Furthermore, the development and deployment of software for detecting money laundering activities could be promoted more vigorously.

In his lecture titled **“The impact of drug interdiction on the local availability of illicit drugs”**, **Dr Joseph McGallagly** from the University of Glasgow, UK, presented the findings of a study conducted in 2011 in cooperation with SOCA. The study analysed drug consumption at three different locations over a 30-day period. A detailed questionnaire on drug consumption was handed out to drug users. At all three locations, the respondents indicated that illegal drugs were “normally” very easy to obtain. More than half of the respondents said they were able to buy heroin within five minutes. However, the responses changed at all three locations as soon as the police were on the scene. A third of the respondents then indicated that it had become increasingly difficult over the last 30 days to buy drugs. Depending on the location, some 50 % to 90 % of people were aware of police anti-drugs operations. However, only a quarter of the respondents said that they were aware of a reduction in drug trafficking. The study ultimately showed that maximising the police presence has positive effects on drug trafficking and on the consumption of drugs. Dr McGallagly therefore voiced the opinion that success in combating or reducing the availability of drugs required not only a greater police presence in known and established drug hot spots, but also in smaller communities, and on a long-term basis. It manifests itself that police presence not only serves as a measure to make it harder to buy drugs; it also increases the willingness of people taking drugs to undergo therapy.

Articles of the speakers

Organized crime evolution and its impact on Western Europe. The International Criminal Police Organization-INTERPOL action in support of the international law enforcement

Gianni Baldi
INTERPOL Lyon

Foreword

In the last twenty years the world has witnessed some momentous global changes, many of which are still evolving, particularly in the area of the geo-political balance of the world's major powers, of technological developments – especially in the field of the information/communication industry, of global migration, of strong economic development in emerging countries, etc.

One of the most comprehensive words commonly used to define this process is "globalization."

The increased mobility of masses of populations, following the collapse of the military-political spheres of influence which were set up in the aftermath of World War II, the simplification of internal mobility in important economic regions, such as the European Union, the economic development of countries which entered with force in the arena of the world economy, finance and trade, such as the so-called BRIC (Brasil, Russia, India, China) countries and others, all this, coupled with an accentuated gap in economics and well-being between different regions in the world, have determinedly impacted the way organized criminal groups operate and develop worldwide, in conducting their diverse and numerous forms of illicit trafficking and overall criminal practices.

In synthesis, we can say that criminal organizations make the most of the above mentioned scenario, on the one side adapting their criminal enterprise and widening their range of action according to the increased opportunities offered by the globalization of commerce, capital circulation, people movement etc., on the other side taking advantage of the circuitous process of reaction imposed on law enforcement by trans-national crime, of the possibility of a lack or delay of coordinated response at international level, and subtly exploiting the rule of state law sovereignty and the related complex procedures of international cooperation.

INTERPOL-the International Criminal Police Organization: in the front line against organized crime

Before highlighting Interpol's role in fighting organized crime, I deem it useful to clarify some related aspects.

INTERPOL, the International Criminal Police Organization, is the largest global police organization, but is not the world's global police force, nor the world's exclusive repository of all crime related information, nor the exclusive channel for the exchange of criminal data and the coordination of international investigations on major organized crime groups, and this for the following reasons:

Important transnational investigations are often conducted by countries who have established their own "communication" channels and networks, such as liaison officers, police attaches, so-called "platforms", etc. Even while they willingly take advantage of INTERPOL's numerous tools, by searching its databases or by requesting specific information, not always do they turn to Interpol to seek its assistance in coordinating major international investigations.

And, especially during the preliminary stages of an investigation, there can frequently be limitations and/or restrictions imposed by national regulations on the exchange and dissemination of data.

Lastly, at international level, the clear distinction between the acquisition and exchange of information and intelligence at the police level to be used for developing an investigation, crosscheck information, widen the range of possible connections etc., in contrast to the acquisition of evidence, to be subsequently directly used in court, where a Rogatory Commission plays a major (although not exclusive) role, has not yet been fully understood nor assimilated into every practice by many parties.

In the end, I would say that INTERPOL tools and services are still being not exploited to the utmost of their capacity.

That being stated and set aside, we can safely and proudly state that INTERPOL remains in and maintains a privileged position of observation, for a number of reasons including the following:

Firstly, because INTERPOL provides its 190 member countries a global and secure communication system reserved for the exchange of police information, the now-famous I/24-7, considered to rank among the most secure and reliable of its kind, through which in 2011, more than 17 million messages were exchanged;

Secondly, because INTERPOL, as the largest global police organization, provides, maintains and updates global police databases and circulates worldwide notices on wanted criminals, which renders a substantial service to LEAs and contributes to finalize successful operations and investigations;

Finally, INTERPOL, which has no other goals than those of assisting member countries in fighting crime and bringing criminals to justice, considers as one of its core functions improving the capacity of countries requesting assistance by adequately responding to crime threats: to this end, INTERPOL is present with its action in regions where this need is most perceived and where often organized crime tries to penetrate and settle down, taking advantage, for a num-

ber of reasons, of diminished resistance and capacity of reaction by the law enforcement system (e.g., countries just coming out of armed conflicts, etc.) ;

From this privileged perspective, and based on the above mentioned preliminary remarks, at this point I would like to interject, with no claim of exhaustiveness and/or exclusivity, some comments and observations on salient points of the global organized crime situation, its impact on Western Europe, and some features about INTERPOL's actions in facilitating international cooperation on the issue.

The transnational criminal organizations

There would appear to be a noticeable parallel in the development of transnational organized crime groups : while the traditional, major criminal organizations, such as the well known European groups (Southern Europe mafia-type groups, Balkan mafia, etc.), Eurasian (East Europe, Caucasian and Central Asian regions), Asian criminal organizations (Triads, Yakuza), Hispanic/Latin American groups still remain feared and lethal criminal machines, new emerging groups worldwide are consolidating their grip on crime areas and territories, after having grown up in the shadow of the stronger, traditional criminal organizations and having adapted their development strategy to the circumstances and chances offered by the evolving criminal markets (e.g. criminal routes crossing their originating countries, diaspora settlement in economically prosperous regions, etc.).

As far as the first category is considered, these groups maintain essentially their traditional structure, with a clear hierarchy, typical criminal sectors of interest, and an increased and more pronounced tendency to cover their illegal trafficking activities which constitute their real source of income, with naturally less obvious legal/legitimate activities.

To this end, as an essential aspect for their survival and development, they relentlessly make approaches and inroads to infiltrate, often through corruption, the local and national institutional and political environment of the countries where they are based or are seeking to expand their criminal operations. Violence (especially against officials or public figures) is used in a more selective manner, while the organization makes strong use of powerful legal defence structures, which can make it more difficult, delay or neutralize indictments or other legal actions taken against them by judiciary and law enforcement authorities.

In some areas of our planet, an extremely alarming feature of some criminal groups is their collaboration with those who are often referred to as the "conflict entrepreneurs". Through this connectivity, organized criminal enterprises increasingly take advantage of cross-border wars, armed conflicts and/or terrorist connections, and those who are active in such contexts ("warlords", terrorists etc.) are often in business with the leaders of said enterprises.

These features may also result in the diversification of established « trafficking routes », which are then re-directed through regions where running a criminal enterprise and crossing borders finds less obstacles and reduces the probability of detection (e. g. “failed states”).

As far as the second category of criminal groups with significant international outreach is concerned, these groups are characterized by a less strict hierarchical structure, a higher versatility in involvement in different kinds of criminal activities, and often in ancillary activities for the larger criminal groups. They are also considered to be less stable, because the links of national origin, language etc. which traditionally formed the basis of the aggregation now live in search of easily and quickly acquired money. The above mentioned features also determine a less controlled use of violence by the members of these groups, i.e. less linear discipline in their ranks. One variant of this kind of group are the so called “itinerant criminal groups”, whose are increasingly perceived as posing a significant threat to law enforcement and society, especially at the European level.

These statements illustrate the different criminal threats posed by the two kinds of criminal syndicates:

The first ones are by far the more dangerous of the two, as far as the structure of the state and the economy are considered, in their ability to threaten the “fair” evolution of economic market and entrepreneurial activities, as well as to infiltrate politics and institutions, whilst the new emerging groups constitute a major threat to the day to day life of the average citizen, by being involved in so-called “street crime”, but also being, on a needs and services rendered basis, ancillary to the stronger transnational groups.

Organized crime – trends and impact on Western Europe

Although much schematized, due to the space constraint of this article, the following observations can be made:

Western Europe, being one of the most economically developed regions in the world, remains, on the one side, a target territory for organized crime originating from other regions of the world

Moreover, Western Europe is the area from where powerful criminal groups are moving further on, in order to widen their range of influence, diversify their illicit activities, also trying to escape the strong action of police and judiciary equipped with “state of the art” anti-organized crime legislation (including illicit asset recovery) and tools and technology for effective investigation and collection of evidence.

From the first point of view, there are some principal features of criminal trends that we can point out:

As far as illegal “commodities” are considered, Western Europe remains one of the main destination markets of the three types of drugs mostly produced in other regions: cocaine, heroin and cannabis products.

Counterfeit goods also make their way massively into Western Europe.

Trafficking in human beings and people smuggling are also likely to remain among the major illegal activities affecting Western Europe.

As far as organized crime is concerned, strong and seasoned organized crime syndicates from Eastern Europe, Eurasian regions and from Africa are progressively infiltrating the Western Europe criminal environment and settling in, while Hispanic/South American organized crime groups, despite a limited presence in Europe, have set up a strong business relationship with powerful local European criminal syndicates. Asian criminal organizations penetrate the Western European criminal environment in a softer way, mainly from inside the communities already established in a given country, and focus on specific crime areas (illegal immigration and trafficking in human beings, credit card fraud, match fixing, money laundering etc.)

Western Europe, like other regions with high levels of computerization and large Internet development and access, is suffering from cyber-criminality, to which criminal organizations have also turned their interest.

From the second point of view, the scenario is quite different:

European-produced synthetic drugs are delivered to markets in Eastern Europe and beyond, while chemical precursor substances are exported from Europe to drug producing countries, more often than not via circuitous routes.

Western European organized crime groups are extending their outreach in emerging economies, in the most different and remote regions. This move is based on the use of good business logic and on a simple economic rule: the enormous capital accumulated through illicit activities must be invested, and in an emerging economy, destined to grow, you can expect very good bargains with the added prospect that things can only get better in the long run.

Moreover, the pressure of the LEAs in the originating countries is often so strong as to suggest to criminal organizations a distribution of the risk, limiting the investments domestically and expanding them to emerging, possibly remote countries, where the illegal origin of investments is unlikely to be immediately detected, and in time the providential shield provided by the best available legal defence will help protect them.

INTERPOL's Action and Initiatives

INTERPOL is heavily involved in tackling aggression by the criminal organizations, standing alongside with its member countries and fighting back, in two main ways:

On one side, on a day by day, case by case basis, by providing member countries the assistance required in order to facilitate any kind of cooperation and the development of investigations at international level. INTERPOL's Command and Coordination Centre provides members concrete assistance 24 hrs a day, 7 days a week, in all four Interpol official languages (English, French, Spanish and Arabic), where necessary involving a specialized INTERPOL unit dealing in a specific crime area.

On the other side, in response to a specific criminal phenomenon or subject, INTERPOL has the ability to promptly set up a trend-case/dedicated Operation/Project, based on the interest of or a request from member countries, expressed/communicated via their Interpol National Central Bureaus (NCBs).

The typical model of such an Operation/Project consists of the following main actions and initiatives:

setting up common strategies, exchanging relevant operational information, gathering and compiling information on real/live cases, setting up an archive system useful for the investigators, creating a network of contact officers, setting up working groups and calling working group meetings, sharing analysis of common interest, deploying, upon request of the interested country, Interpol Response Teams (IRTs), in order to give any needed assistance on the spot, especially with regard to the international aspect of the investigation, issuing alerts and, through Interpol's Command and Coordination Centre, issuing Interpol notices⁹.

INTERPOL, in cooperation with a number of member states, international organizations and regional police organizations, is presently conducting or participating in several projects, addressing different criminal issues.

Most of these initiatives are posted on our public Website; some of them are only available to the police circuit through the local National Central Bureaus.

I'd like here just to mention a couple of success stories, out of the many that we could tell, emblematic of how Interpol tools and services and /or assistance can be decisive in solving cases and how Interpol's projects could enhance international police cooperation and achieve more positive results.

9 INTERPOL Notices are international alerts allowing police in member countries to share critical crime-related information. Notices are published by INTERPOL's General Secretariat at the request of National Central Bureaus (NCBs) and authorized entities, and can be published in any of the Organization's official languages: Arabic, English, French and Spanish.

In the case of Red Notices, the persons concerned are wanted by national jurisdictions and the notices requested are based on an arrest warrant or court decision. INTERPOL's role is to assist the national police forces in identifying and locating these persons with a view to their arrest and extradition.

In addition, Notices are used by the United Nations, International Criminal Tribunals and the International Criminal Court to seek persons wanted for committing crimes within their jurisdiction, notably genocide, war crimes, and crimes against humanity

One is about drugs trafficking, still the most profitable crime area exploited by powerful organized crime, while the other relates to the expanding threat of maritime piracy.

“WHITE FLOW “

The operation I will summarize hereafter was conducted in the framework of the Interpol led Project “WHITE FLOW”, the aim of which is to assist affected member countries in identifying and prosecuting criminals involved in the illegal *cocaine trafficking* with a connection to Africa, especially West Africa, with a view to dismantle criminal networks, and not only limit the action to the seizure of cocaine or the arrest of local, street-level traffickers. Germany is one of the most active partners in this project.

Operation “SISKA”

In November 2009, Interpol General Secretariat held at its headquarters in Lyon the first Working Meeting in the framework of the a/m Project “White Flow “. In this connection, a closed info-sharing session between Germany, Belgium and Sierra Leone was held.

Thanks to such an exchange of effective information, an operation code-named “SISKA” was mounted and carried out in cooperation among Interpol and all the interested law enforcement agencies. The main targets were the subject of surveillance in Sierra Leone, and the details about their journey to Europe, where they arrived first in Brussels, moving afterwards to Germany, were transmitted to the relevant investigative agencies.

As a result of the operation, which lasted several months, the main trafficker was arrested in Sierra Leone, while five other members of the criminal group were captured in Germany and Belgium. One criminal was arrested in France and extradited to Germany.

Searches are still ongoing for one of the drugs providers based in Sierra Leone, who is on the run. As the subject of an Interpol Red Notice, we are confident he can be brought to justice.

The case is closed in Germany but remains open in Sierra Leone

Maritime Piracy

The Maritime Piracy Task Force, set up at INTERPOL in 2010 to counter maritime piracy, working closely with the international community, focuses on three main areas:

Improving evidence collection, Facilitating data exchange, Building regional capabilities.

In line with the above mentioned , the following successful operation, carried out in cooperation by Interpol, Belgium and Seychelles LEAs, shows exactly

how useful the crosschecking of data against Interpol databases can be and how Interpol can be decisive in assisting LEA's efforts in collecting evidence.

On Thursday 4th March 2010 at 9 am, in the sea off the Somali coast, a group of pirates attacked the fishing vessel INTERTUNA DOS. The assault was launched from three high powered skiffs. The security guards put up an aggressive defence against the pirates, with an exchange of fire which lasted around 30 minutes, after which the pirates retreated and withdrew. INTERTUNA DOS holed up in Puerto Victoria, Seychelles, where repairs were made, and interviews arranged.

On March 16th NCB Victoria (Seychelles) informed IPSPG about the detention of eleven Somali nationals suspected of having committed the attempted attack against the fishing vessel INTERTUNA DOS, arrested on March 5th by the EU-NAVFOR French warship NIVOSE.

The 11 fingerprints sent by the Seychelles were compared against INTERPOL databases resulting in one positive match with the identification of a subject identified as ABDI Ali, residing in Barawe, Somalia, 35 years old, occupation fisherman. This identity was previously provided by NCB Brussels in connection with the hijacking of the Belgian vessel *Pompeii* on April 18th 2009, 150 nm off the Seychelles coasts. *Pompeii* was released on 28 June 2009.

On 3rd November 2010 Interpol Victoria informed us that the 11 Somali nationals were convicted on indictment of piracy. The penal proceeding ended up with a sentence of six years imprisonment for the criminals.

Criminal pathways and involvement in organized crime

M. Vere van Koppen¹⁰ and Edward R. Kleemans^{1,11}
VU University Amsterdam

Overview

This chapter gives a brief overview of research on criminal pathways of organized crime offenders. It starts with an introduction of the characteristics of Dutch organized crime, followed by an overview of case studies on the lives of organized crime offenders. Research on criminal pathways of common offenders based on samples is discussed and related to what has been found recently on the criminal pathways of organized crime offenders. Next, involvement mechanisms for organized crime are linked to findings on their criminal pathways. The chapter ends with some concluding remarks.

Dutch organized crime

Dutch organized crime is mainly concerned with transit crime – international smuggling activities such as drug trafficking, smuggling illegal immigrants, human trafficking for sexual exploitation, arms trafficking, trafficking in stolen vehicles, and other transnational illegal activities, such as money laundering and evasion of taxes (Kleemans, 2007). These activities require different skills, knowledge, and contacts than many traditional high volume crimes. Almost everyone is able to steal or to use physical violence without much planning or consultation with others. Yet things are somewhat more complex in organized crime.

First, the execution of organized crime activities is not a lonely activity; social relations are of great importance, as they provide access to suppliers, co-offenders, and profitable criminal opportunities (see also Morselli, 2009). The second distinct feature of organized crime is the complexity of the activities. All types of organized crime require planning and logistics. Most ordinary crimes require little in the way of effort, planning, and preparation. Organized crime typically is a long-term process, which often requires months of preparation time and consists of multiple activities that are scattered temporally as well as geographically, making coordination necessary. Third, the transnational character of organized crime activities is unique. This feature makes finding suitable co-offenders and cooperation even more complex and logistic procedures even more difficult. Not all offenders have access to transnational contacts, and some only have them later on in life.

The distinct characteristics of organized crime make it clear that individuals involved in these activities take an approach which differs from that of thieves or hustlers. Organized crime offenders have to collaborate with others in plan-

¹⁰ VU University Amsterdam, the Netherlands.

¹¹ Research and Documentation Centre (WODC), The Hague, the Netherlands.

ning, execution and financial aspects of their illegal activities. Therefore, we should also take a fresh approach in studying their behaviour. How do individuals engage in such complex criminal activities?

Criminal pathways reflected in biographies and case studies

Case studies of Mafia groups and (auto)biographies provide us with valuable information on individuals operating these illegal activities (e.g. Paoli, 2003; Steffensmeier and Ulmer, 2005). These studies, based on memoirs and testimonies, illustrate the complexity of a criminal life-course, including contacts, situational context, and processes such as persistence and desistance. Firestone (1993) extensively studied Mafia memoirs and expounds several theories explaining involvement. He concludes that cultural deviance theory offers the best explanation of why individuals become involved in organized crime activities; most of the (auto)biographical literature from mobsters indicates that a lack of other opportunities is not the reason why they engaged in crime. Instead they were just raised in an environment in which involvement in crime was seen as a normal path to follow. Morselli (2005) describes in detail the careers of Howard Marks and Sammy “The Bull” Gravano. Based upon Burt’s work on brokerage (Burt, 2005), he has put forward the idea that ‘brokers do better’ and that advancements in criminal careers can be explained by deliberate choices people make in investing in certain relationships. Based upon Marks’s autobiography, Morselli focuses on the personal network that explains why Marks was able to be successful in the cannabis trade for twenty years and emphasizes that a brokerage position in a network has advantages over a more authoritarian role in a hierarchical organization.

These biographical studies are rich in detail and sketch an interesting picture of individual engagement in a criminal group. Narratives illustrate the complexity of a life-course in crime, including contacts, situational context, and processes like persistence and desistance. Two problems, however, arise in studying criminal pathways of organized crime offenders based on narrative sources. First, one may wonder whether these case studies reflect the average or exceptional offender in organized crime and whether these case studies are able to capture the full range of different pathways in organized crime. Case studies may be biased towards more interesting, more talkative or defective, atypical offenders. Moreover, biographies often focus on people with long criminal careers instead of ‘late onset’ offenders. Second, if we want to relate findings to what has been concluded in traditional criminal career research, we need to employ similar methodology as used in life-course criminology and thus need relatively large groups of offenders.

Criminal pathways and life-course criminology

For many years, Moffitt’s dual taxonomy (2006) was leading in criminal career research. She made a distinction between two groups of offenders; a large group of individuals who engage in crime during adolescence (adolescence-li-

mitted offenders) and a small group of individuals who engage in crime early in life and remain criminally active throughout their lives (life-course persistent offenders). In the last decennium, a bulk of methodologically more advanced studies have gone beyond Moffit's dual taxonomy (see for an overview, e.g. Van Koppen et al., 2010). These studies cluster offenders based on their criminal pathways and distinguish between multiple groups. Most studies identify one or more chronic groups with different degrees of criminal activity, one or more groups who stop their criminal behaviour after adolescence or later in life. A handful of studies identify criminal paths which show more fluctuating patterns – zig-zag patterns such as offenders who are criminally active during adolescence, then remain relatively 'offence-free' for a while, and then again intensify their criminal behaviour later in life (see e.g. Leeper Piquero and Benson, 2004).

Life-course criminology has its main focus on juveniles, adolescents, and high-volume crime and researchers tend to overlook more specific kinds of offenders, such as adult onset offenders, and specific types of crime, such as white-collar crime or organized crime. Many theories assume that crime onset takes place early in life, and that adult offending requires early antisocial behaviour. Therefore, most attention is focused on this early behaviour as a risk factor for criminal involvement (see e.g. Moffit and Caspi, 2001). Furthermore, the focus in most empirical longitudinal studies is on a relatively early and short age-period and therefore other phenomena than early onset of criminal behaviour are not identified (see for an overview: Piquero, 2008). Even when a part of a studied sample of offenders turns out to have an adult onset, they are frequently ignored or brushed aside theoretically. As a result, onset in the early years is well studied and much better understood than adult onset.

Recent studies have shown that a substantial part of organized crime offenders get engaged in crime only later on in life and that juveniles are almost absent among this group. Kleemans and De Poot (2008) conducted a study on 979 suspects of organized crime who were involved in 79 different crime groups that have been analyzed in the context of the Dutch Organized Crime Monitor (OCM). Their sample of organized crime offenders turns out to be mostly men between 30 and 50 years old. A follow-up study further explored the criminal pathways of 854 offenders included in the OCM (Van Koppen et al., 2010). A semiparametric group model was used to cluster offenders into groups with similar criminal pathways. The most important finding of this study relates to the substantial group of adult-onset offenders (40 per cent) and a group without any previous criminal records (19 per cent), next to a group of early starters (11 per cent) and a group of persisters (30 per cent). Up till then, no trajectory study had ever discovered such a vast share of adult-onset offenders. Furthermore, findings turn out to be quite robust across different kinds of criminal activities and different roles in criminal groups. Adult-onset offenders, for example, are found among drug-related offenders as well as among those involved in organized fraud groups. Hence, it is not true that the number of fraud cases in the sample would explain the substantial share of late onset offenders; late onset is equally important in other types of criminal activities such as drug

trafficking. Neither could roles in criminal groups explain 'late onset': late onset seems to be equally present in 'lower-level suspects' and in 'coordinators' and 'leaders'. These findings on adult onset challenge received wisdoms from criminal career research, such as the age-crime curve which graphs the relationship between age and crime frequency as rising in the early years, reaching its peak in late adolescence and heading down from that point on.

Involvement mechanisms behind criminal pathways

Since it was shown that the criminal pathways of organized crime offenders differ from those of the general offender population, multiple studies have described mechanisms that cause these different characteristics of their crime patterns, particularly by explaining processes related to a late crime onset. Two central factors concerning involvement mechanisms for organized crime emerge in these studies: social ties and occupational settings (see for an overview: e.g. Kleemans and De Poot, 2008; Van Koppen, 2013).

As was stated earlier, social ties are an important aspect of organized crime activities. Criminal cooperation, however, is delicate and trust between co-offenders is important, as financial stakes are high and rules that make transactions and arrangements in the legal world so much easier are absent (e.g. Reuter, 1983). For this reason, offenders prefer working together with family or long-time friends. However, reliance on co-offenders from within one's own social circle is not always sufficient, as they may not provide access to profitable illegal opportunities. Sometimes crime groups need knowledge, skills, or equipment from outside their own inner circle and are more or less forced to work together with others. For example, they may need to transport drugs from the Netherlands to another European country, and truck drivers are not present in their own network. In such cases, a crime group needs to search for trustworthy people willing to do this job for them. Kleemans and De Poot (2008) explain their findings of a large share of adult onset among organized crime offenders by *social opportunity structure* – social ties providing access to profitable criminal opportunities. Social opportunity structure is unequally distributed across the population and across age. Some individuals have social relationships that provide them with direct access to illegal activities. Others, who lack these social relationships, will less easily become involved in such activities. Furthermore, social opportunity structure is unequally distributed across age. Offenders may lack necessary social ties at a younger age, which explains why some offenders become involved in organized crime only at a later age.

Occupational settings are found to be a solid ground for a career in organized crime and help in explaining involvement in organized crime (Kleemans and Van de Bunt, 2008; Van Koppen and De Poot, 2013). Several occupational characteristics may help in providing opportunities for organized crime. First, individuals who often interact with others may meet with potential co-offenders, such as a car dealer who sells his future co-offenders a car. Individuals who travel a lot may create an international network for their future organized crime activities. Second, occupations and lines of business with a lot of individual

freedom of action are likely to open doors to circumstances favourable to organized crime opportunities. Directors of small businesses, for example, have such autonomy, which makes them relatively independent and unwatched by others. Third, some sectors, such as logistics and the banking system, are relatively vulnerable as they provide access to resources needed by almost every criminal group.

Conclusions

Organized crime differs from most traditional high volume crimes and, as a consequence, activities in organized crime require different characteristics from the offenders. A large share of organized crime offenders get involved in crime only later on in life. Adult-onset offending is not limited to specific manifestations of organized crime or to individuals fulfilling specific roles in criminal groups. Instead, adult-onset offenders are found in all types of organized crime (drugs, fraud, et cetera) and among all types of offenders (leaders, coordinators, and lower-level offenders). These findings contradict the general idea that crimes at a later age should be preceded by crimes in adolescence and that individual characteristics and long-term risk factors are the major explanation for a life in crime, let alone a life in serious and organized crime. Most research up until now, however, has concentrated on the early stages of life and on high volume crime.

Criminal pathways of organized crime offenders, and particularly the relatively large share of adult-onset, can be explained by the distinct features of organized crime and the ways in which offenders get involved in these activities. Adult-onset offending among organized crime offenders can be explained by the role of social ties that provide access to criminal opportunities, by the transnational character, and by the logistical complexity of these activities. Not everybody has access to these criminal activities, and some only have access later on in life.

For practical policy, this means that too strong a focus on persisting criminals may be ill-conceived. For one thing, some young criminals will never get involved in serious organized crime, as they lack the necessary resources and contacts. For another, other people get involved only later on in life, e.g. through conventional settings which provide opportunities for organized crime. These people are not necessarily known to the police and can only come to their attention if one realizes that people may follow different pathways towards organized crime and that social relations and occupational settings are important explanatory factors.

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Governing vs. trading: The functional diversification of Mafia activities across territories

Paolo Campana
Oxford University

How do Mafias operate across territories? The paper is based on an in-depth study of the operations of a Neapolitan Camorra group. It relies on a unique dataset of contacts manually extracted from the transcripts of phone conversations wiretapped by the police. The data show that the group is indeed involved in the production and supply of extra-legal protection, but only in its territory of origin. The expansion abroad followed the lines of a functional diversification and branches were created to carry out specific activities. The strategies underpinning the group's operations differ greatly across territories, and can be grouped under two different analytical categories: governing and trading. Overall, the clan is still highly dependent on the territory of origin. Finally, the paper offers an analytical framework to better understand the movement of organized crime groups across territories: it argues against the concept of 'transnational organized crime' and proposes a new taxonomy that better accounts for the ways in which Mafia groups choose to operate outside their territories of origin ('transplantation' vs. 'diversification').

Key words: organized crime, Mafias, globalization, activities, structure

Author Biography

Paolo Campana is Research Fellow at the Extra-Legal Governance Institute, University of Oxford, and Fellow of Nuffield College, Oxford. His research interests include organized crime and extra-legal forms of governance; corporate crime; trust, reputation and mechanisms of cooperation; quantitative research methods and network analysis. Email: paolo.campana@sociology.ox.ac.uk

0. Introduction

"The world is yours, select your country, Tony" says a character in the Hollywood film, *Scarface* (1983), which tells the story of Tony, a fictional Cuban refugee, and his criminal career in the 1980 s' cocaine trade in Miami. Apart from novelists and Hollywood producers, the idea that organized crime groups are increasingly taking advantage of the opportunities arising from the globalization process has sparked substantial interest among international and domestic law enforcement agencies as well as scholars, particularly from the end of the Cold War onwards (Woodiwiss 2003; Woodiwiss and Hobbs 2009). This paper focuses on a distinctive subset of organized crime groups, namely the 'Mafias', defined as illegal economic enterprises involved in the production, promotion and sale of private protection (Gambetta 1993: 1; see also Varese 2010). Several studies have established that a small number of criminal organizations active around the world share this specific feature of providing forms of illegal governance: these include the Sicilian Mafia, the American Cosa No-

stra, the Japanese Yakuza, the Hong Kong Triads, the Russian Mafia and the Calabrian 'Ndrangheta (Reuter 1987; Gambetta 1993; Reuter and Gambetta 1995; Chu 2000; Varese 2001 and 2011; Hill 2003). Based on the empirical evidence that I shall discuss later, I argue that the Neapolitan Camorra should be included in this number.

The movement of Mafia groups: two competing views

Traditionally, there are two views on the movement of Mafia-like organizations and the extent to which they take advantage of globalization.¹²

The first perspective claims that organized crime groups, among them the Mafias, can easily relocate and expand their business, and have thus become increasingly globalized. According to Raine and Cilluffo (1994: ix), criminal groups worldwide have established alliances in every criminal field, posing a threat to Western democracies. Sterling (1994: 2) talks of “international organized crime”, suggesting the existence of a “planet-wide criminal consortium” composed of the world’s biggest crime syndicates that are “pooling services and personnel”. This is a view shared by Castells (2000), who maintains that a new phenomenon has emerged, namely “global crime”, described as “the networking of powerful criminal organizations, and their associates, in shared activities throughout the planet” (p. 166). Among the criminal organizations in close contact and creating a “global, diversified network” (p. 167), Castells includes the Sicilian and American Cosa Nostra, the Camorra, the Yakuza, the Triads and the Russian Mafia.

Other authors go further and maintain that organized crime groups can not only forge worldwide alliances, but also easily migrate. Williams (2001: 71) suggests interpreting criminal organizations, including the Mafias, in terms of networks that can easily relocate in new areas, for instance following increased attention from law enforcement agencies. Shelley (2006: 42) claims that criminal groups have dispersed and globalized their activities across continents seeking attractive labour, raw material markets, or for “production, marketing, and distribution needs”. In short, the general idea is that organized crime groups, and among them the Mafias, have become a sort of fluid and flexible organization that can easily migrate, relocate their business and seize opportunities across the world.

The competing view argues that Mafia and organized crime groups tend to be highly localized and entrenched in their territory of origin. In his work on the American “illegal enterprises”, terms that also encompass Mafia-type organizations, Reuter (1985: 21) maintains that those enterprises tend to be “local in scope”, a view shared by Gambetta (1993), who argues that the business of Mafia groups is particularly difficult to relocate into new territories (“not unlike mining, it is heavily dependent on the local environment [...] since basic re-

¹² The theoretical framework presented in this paper follows on from Varese (2011, Ch. 2). I am thankful to Federico Varese for an insightful discussion on this.

sources are expensive to produce in a void”, p. 251). Speaking of the Hong Kong Triads, Chu (2000: 130) notes that they are localized and different from international illegal entrepreneurs that easily migrate to Western countries. Both Reuter (1985) and Gambetta (1993) have identified reasons that may account for the Mafia’s difficulty in relocating or expanding its business, namely the high monitoring cost (the more remote the agent, the higher the cost of monitoring) and the difficulties in building an effective reputation and in collecting reliable information in the new locale.

Yet there is no shortage of newspaper articles claiming that the tentacles of Mafia organisations – be they Italian Mafias, Russian criminal groups or Hong Kong Triads – have reached this or that region in the world. For instance, the presence of ‘Ndrangheta Mafia associates in Germany attracted headlines when six Italian nationals linked with the Mafia were shot dead in a pizzeria in Duisburg in 2007¹³, and – more recently – a major crackdown on the Russian Mafia in Western Europe resulted in 69 arrests, mainly in Spain.¹⁴

Purpose of the paper

The aim of this paper is to assess analytically how Mafia-like organizations operate in a globalized environment. Relying on a unique dataset of phone conversations wiretapped by the Italian police, the paper will empirically reconstruct the activities of a Neapolitan Camorra group that has been described as truly transnational (Saviano 2007: 262–268). Furthermore, the paper will also address the question whether the clan diversifies its activities across territories or rather expands them all into the new areas; and whether its modus operandi changes across territories. More generally, the paper offers an empirically based critique of the concept of transnational organized crime, and provides a set of new analytical distinctions which can better capture the way Mafia groups choose to operate outside their territories of origin.

The present paper continues as follows. Section 1 discusses the data and the methods used, and Section 2 provides some brief background information about the La Torre clan. Section 3 empirically reconstructs the activities of the group, and Section 4 discusses the functional diversification of such activities across territories. Whether the mechanisms underpinning the clan’s operations change across territories, and how, will be the focus of Section 5. Section 6 contains some conclusions.

1. Data and methods

The paper relies on a unique dataset of 1,824 contacts between 202 actors during a seven-month period (from October 1998 to April 1999). I manually extracted each contact from two files that were prepared by the Italian Carabinieri for the Prosecution Office to be used as evidence in the trial against the group.

¹³ *Six Italians shot dead in Germany*. BBC News, 15/VIII/2007.

¹⁴ G. Tremlett, *Russian mafia suspects held across Europe*. In *The Guardian*, 15/III/2010.

The files contain the transcripts of phone conversations wiretapped by the police. Eight actors were under round-the-clock surveillance, including the head of the group. In order to extract each contact, I applied a two-level systematic content analysis. The first coding level concerns the phone conversations directly wiretapped by the police (N=1,029). For each conversation, I coded the actors involved, the date and the place, together with the topic discussed and whether violence or threats were mentioned. Since each phone conversation contains a great deal of additional information about other types of contacts mentioned by the actors but not directly recorded by the police (e.g. face-to-face conversations; letters from/to jail; non-wiretapped phone conversations), I decided to include this information as a second level coding (N=795).¹⁵ The variables remained the same as for the first level.

The primary unit of the content analysis was the topic, or theme (Holsti 1969: 138; on content analysis more generally see also Berelson 1952 and Krippendorff 2004). The overall number of topics extracted amounted to 38. When more than one topic was discussed, I assigned to each contact a main topic, based on the number of words the actors spent discussing it. The topics were then merged in five broader tasks¹⁶, according to the coding scheme proposed by Varese (2011): protection activities; illegal business other than protection; legal business; resource acquisition and group management.¹⁷ I supplemented and double-checked the information extracted from the conversations with other court files (arrest warrants and other investigative materials). I also carried out interviews with prosecutors, entrepreneurs, policemen and journalists. A second data matrix containing information about the members of the clan was also built: the variables included were gender, nationality, age, place of birth, place of residence, criminal record, and degree of kinship with the boss (if any).

Natarajan (2000, 2004) pioneered the use of wiretapped phone conversations as a quantitative source of information for the study of criminal groups; despite its many advantages, this approach has not received much attention so far (with a few exceptions, e.g. Morselli 2009). The database of contacts and topics that I was able to construct merges relational data with information about the content of the relations. It is the first dataset of its kind to encompass the entire spectrum of activities carried out by a Mafia-like organization across all the territo-

15 The number of phone conversations mentioned by the actors and not wiretapped by the police may be interpreted as an indicator of the value of the wiretapping activity. In the La Torre case, the number of non-wiretapped phone conversations amounts to 6.3 % of the overall contacts.

16 Moving from detailed categories to more general ones also improves the reliability of a coding procedure, as pointed out by Berelson (1952: 173).

17 In the Varese's coding scheme (2011: 75__76), *resource acquisition* refers to \the acquisition of specific input resources to run the group, such as information, equipment or labour\); *protection activities* refers to \efforts to control markets and offer criminal protection\); *group management* refers to the day-to-day management of the group, including the remuneration of the workforce and \the activities of monitoring, intimidation, and punishment\ of the group's members. In the original version developed by Varese, no distinction is made between business carried out in the legal and illegal economy, both gathered under the label \investment in the economy\).

ries of operation; furthermore, it comprises the key members of the group including the boss (a quite rare instance for Mafia organizations), and it covers a fairly long period of time (seven months).

Moreover, the wiretapped phone conversations constitute a rich source of data that do not expose the researcher to risk and yet unveil the day-to-day business of a criminal organization. Limitations and drawbacks do exist, as I have discussed elsewhere (Campana and Varese 2012). In this specific case, the level of self-censorship is strikingly low: the actors talked openly on the phone or used a fairly easy-to-decrypt code that the police were eventually able to crack; and the speakers also mentioned crimes that, if discovered, could result in long sentences (e.g. murders). Finally, the overall number of contacts extracted (1,824) provides an adequate level of robustness given the type of statistical analyses that I carried out.

2. The La Torre clan

The La Torre clan is a Camorra group based in Mondragone, a town of around 27,000 inhabitants located about 50 kilometres from Naples (Southern Italy). The clan, named after the founder, has been active since the 1970 s (Interview 1, see Appendix A). Over the years, some of its members left Mondragone and moved abroad. According to the Italian police (RCC¹⁸ 1999, 2000), in the early 1980 s the son of the founder moved to Aberdeen (Scotland); he was then followed by his cousin, together with his cousin's wife. Another cousin moved first to Milan (Northern Italy) and then to Amsterdam (The Netherlands). Occasionally, fugitives from Mondragone were hosted in both Amsterdam and Aberdeen, sometimes for significant periods of time.¹⁹ Abroad, the La Torre group even managed to recruit a British citizen (without any Italian descent: RCC 2000: 175; see also Saviano 2007: 266–267). In 1996, the male sons of the founder, Augusto and Antonio La Torre, were arrested at Amsterdam's Schiphol Airport. Augusto, at that time the boss of the group, was handed a 22-year sentence, but Antonio was released shortly afterwards on condition that he reside outside the Naples region. He then decided to temporarily leave Scotland and resettle in Italy, specifically in a quiet town not far from Rome (Terni), and assume the reins of the group (according to the authorities: RCC 1999, 2000; TRNA²⁰ 2002). Because of the ban on travelling to Campania, he carried out most of his activities on the phone, mistakenly thinking that a simple encrypted code and a fast turnover of the mobile telephone cards used were sufficient precautions to ensure the secrecy of his conversations. For the police it was a fortunate circumstance which resulted in a rather unique set of wiretapped conversations.

18 Regione Carabinieri Campania

19 Before the European Arrest Warrant came into force (from 2004 onwards), membership of a Mafia-type organization was not considered to be a criminal offence under Scottish Criminal Law, and therefore defendants could not be extradited to Italy.

20 Tribunale di Napoli

The network of contacts

The network of contacts extracted from the set of wiretapped conversations included 202 people, mostly men (90 %) and Italian nationals (93 %).²¹ It encompassed both members and non-members: among the latter are individuals who willingly or unwillingly received some goods or services from the clan, and also individuals from whom the clan purchased goods or services. Occasionally, members may become customers of their own group: however, they are different in nature from the other actors, and they should be classified accordingly. When it comes to illegal organizations, operationalizing the membership is not an easy task.

Unlike the Sicilian Mafia and the Calabrian 'Ndrangheta (Gambetta 1993; Paoli 2003), initiation rituals are no longer performed among the Camorra clans (Interview 1); in addition, Camorra groups seem to adopt more relaxed rules about the recruitment and withdrawal of members than, for instance, the Sicilian Cosa Nostra (Interview 2). The La Torre clan is no exception in this sense, since no specific admission rules or rituals are in place (Interview 1). How, then, do we distinguish between members and non-members? One (pragmatic) method involves looking at the criminal record of each actor, and classifying as members only those individuals who have been charged with a Mafia-associated criminal offence²² in this or in previous trials related to the La Torre clan.²³

When classified in this way, the members of the clan number 51. The overwhelming majority are men (90 %) and Italian nationals (98 %). Moreover, the recruitment appears to be highly regionalized: 96 % of the associates were born in Campania.²⁴ At the time of the investigation, the median age of the members was 40. As regards their place of residence, six members were living and conducting business outside Italy (mainly in Britain and the Netherlands). The clan may therefore be labelled as 'transnational', but some questions still remain. How did this international expansion take place, and why? To answer these questions, we must first take a closer look at the activities of the clan.

3. The activities of the group

A systematic content analysis of the wiretapped conversations offers a way to reconstruct empirically the activities of informal organizations such as criminal groups. Given the quantitative nature of the data collection strategy, it is also possible to assess the relevance of each activity (task), based on the assumption that the greater the number of contacts devoted to a specific task, the more relevant the task is for the group. There is no unique way of assessing such

21 Among the non-Italian nationals there are seven British, two Dutch and an unspecified African national.

22 Article 416-bis of the Italian Penal Code.

23 Membership may also be operationalized according to whether an actor receives a salary from the clan / acts as a franchisee: unfortunately, I do not have complete and reliable evidence on this.

24 I included in the count the case of an individual born in Germany to Italian migrants who moved back to Campania during his childhood.

relevance: for instance, it can be argued that the more profit a task generates, the more relevant it is to the organization. Making profits is certainly the main goal of the clan, but there are a number of activities that do not directly generate any profit but which are nevertheless crucial for the survival of the group. Examples of this kind are dispute settlement among the associates; the monitoring of members' behaviour (in order to avoid cheating); and the acquisition of instrumental goods (e.g., fake passports or 'clean' bank accounts). A coding based on the content of wiretapped conversations can capture all these aspects, thus offering a far more detailed and comprehensive picture about how a Mafia organization works. Table 1 shows the tasks undertaken by the La Torre clan and their relative frequency.

Table 01. Activities of a Camorra clan (contacts by task)

Task	N	%
M – Management	683	37,6
PA – Protection activities	559	30,7
E – Other activities in the legal and illegal economy	325	17,9
RA – Resource acquisition	251	13,8
<i>Total Valid</i>	1,818	100
Unknown	16	
<i>Total</i>	1,834	

The economic activities *stricto sensu*, that is to say, the ones that directly generate profits (Task PA, protection racket, and Task E, legal and illegal businesses other than protection) account for almost half of the contacts. It is perhaps more surprising that almost 52 % of the contacts do not fall in this category: the relevance of tasks such as group management (almost 38 % of the contacts) and to a lesser extent the acquisition of resources (around 14 %) is hardly recognized in the literature. The efforts and the time that the clan spends in specific activities subsumed in the management task, such as settling conflicts and disputes among the members, monitoring their behaviour, and dealing with the effects of law enforcement pressure (arrests, members on the run, potential evidence provided by witnesses and turncoats), are often underestimated, ultimately leaving a reader with the impression that Mafia groups are a sort of monolithic organization. The evidence shows quite the contrary.²⁵

Among the 'strictly economic' activities, the protection racket remains the most prominent one, accounting for more than six out of ten contacts. The clan provides several kinds of illegal protection, including protection against competitors, and against thieves, protection of the labour market (e.g. hiring and firing

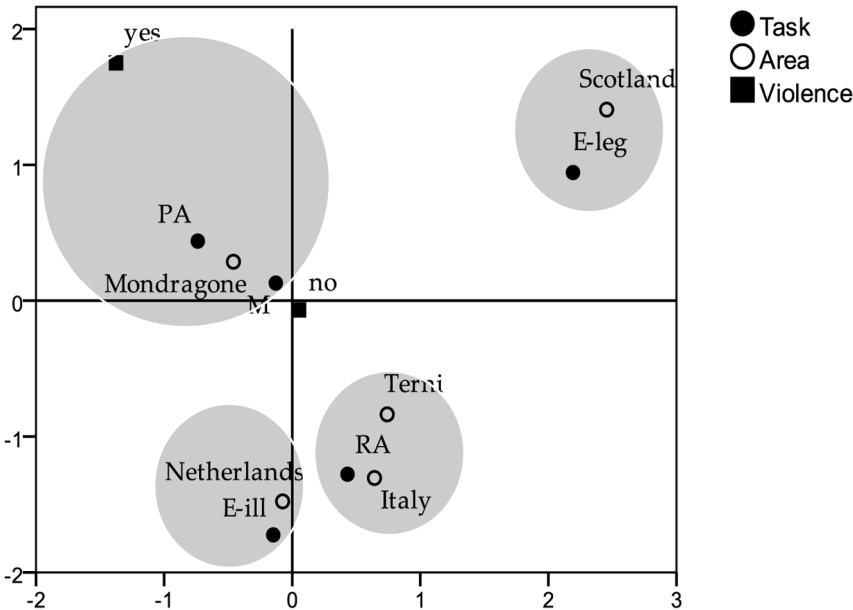
25 The same goes for the acquisition of resources. The clan shows a constant need for resources like bank accounts, credit cards and cheques registered using the credentials of some straw men. Other valuable resources for the clan are forged passport and identity cards, fake medical certificates, mobile phone cards and firearms.

employees on behalf of legitimate firms), protection of economic exchanges (violent brokerage), dispute settlement, and debt recovery (RCC 2000). Ultimately, producing and selling extra-legal protection is the chief characteristic of Mafia organizations, and the La Torre clan can therefore be included in this distinctive subset of organized crime groups.

4. Functional diversification across territories

The La Torre clan can certainly be classified as ‘transnational’: it has outposts in Scotland and the Netherlands, and some of its members have been living and operating abroad for a fairly long period of time. How did the expansion towards new territories take place and why?

Map 01. Functional specialization across territories



Map 01 shows the results of a multiple correspondence analysis of tasks and areas.²⁶ Correspondence analysis is a family of techniques that allows two or more categorical variables to be represented in the same geometrical space, and detects patterns of association between them (Greenacre 1984). The procedure adopted for this analysis is Homals (Homogeneity analysis: Gifi 1990), which allows comparisons both within categories of the same variable and between categories of different variables.²⁷

26 Eigenvalues: 0.491 and 0.425. Contacts that occurred in Terni simply as a consequence of the \6special9 status of Antonio La Torre are not included in the analysis.

27 Given the procedure adopted, the distance between two points in Figure 1 is expressed through a scalar product.

Four distinctive clusters emerge from map 01. Mondragone, namely the territory of origin of the clan, is the place where the protection racket – the core business of the group – is run. Here the group acts as a provider of governance alternative to the State (illegal private ordering). There is no evidence of protection activities carried out in any of the other areas.²⁸ Aberdeen and Amsterdam, on the other hand, may be seen as branches, opened by the clan for the purpose of carrying out business other than protection. Terni and other Italian cities outside Campania are the places to which the clan turns when looking for resources such as ‘clean’ bank accounts, cheques and credit cards.²⁹ (The use of violence is discussed in the next section.)

In Scotland, the clan has set up legal companies in the food and catering sector, in the construction industry and in real estate. Members of the group own two restaurants in the most prestigious area of the city and various other companies. According to the *Sunday Herald*, Antonio and his cousin have been at the head of seven different legal companies for ten years, many of them short-term ventures.³⁰ Not all their attempts to invest in Scotland were successful. For instance, the clan took part in a public auction for a building that they intended to convert into new flats (RCC 2000: 785); however, they never managed to raise the 128,000 pounds needed for the purchase, and were unsuccessful at the auction (a local bank had previously turned down a request for a loan).

Aberdeen, with a vibrant economy driven by the oil and gas industry operating offshore, was the place where the clan laundered part of its money and made some profit. In addition, the city was also a safe place for a Mafia member to live: the lack of anti-Mafia legislation, and therefore the powerlessness of the Italian authorities to extradite any suspect charged with a Mafia-association criminal offence, made Scotland a perfect place to conduct such legal business.³¹

Amsterdam emerges as the hub of the illegal economy. A cousin of Antonio and Augusto was living in Amsterdam at the time of the investigation, and was in charge of the negotiations with drug dealers in various countries, including the Netherlands, Belgium, Spain, and Venezuela (RCC 2000: 838; 871; 872). The drugs bought by the clan were then sold to other drug dealers both in Italy and abroad (RCC 2000: 855; 842–846). Another cousin, a prominent clan member, was also hiding himself in Amsterdam, on the run from Mondragone.

The clan’s members tend not to be personally involved in street-level dealing, an activity that is considered to be both dangerous and damaging to the group’s image. The revenues from the activities related to narcotics were carefully regi-

28 With one exception: an offer made by Antonio La Torre to one of his associates to help him recover a debt from an entrepreneur located in the Terni region. The offer was declined by the associate and apparently no further action was undertaken.

29 At the time of the investigation, Terni was not a hub for the group, at least not to the extent that Aberdeen and Amsterdam were. Yet, as a ‘potential’ hub, it might have developed into something more crucial for the clan had the authorities not intervened.

30 L. McDougall and P. Willian, Italian anti-mafia hunt stretches to Aberdeen. In *The Sunday Herald*, 16/IV/2006.

31 See note 7.

stered in internal documents without using words like ‘drugs’, ‘cocaine’ and the like at the request of the boss (Interview 1). In Amsterdam, the clan was also planning to sell counterfeit money: the forged banknotes should have been bought from counterfeiters active in Campania and then smuggled into the Netherlands for sale to other local criminal groups (RCC 2000: 879).

Although the protection racket is run exclusively in Mondragone, and there is no evidence of any protection activity in the other locales, the same does not apply to the other legal and illegal businesses. The fact that Aberdeen is devoted to investments in the legal sector does not imply that all legal investments are carried out there. For instance, when Antonio La Torre was forced to resettle in Terni, he tried to take advantage of the expertise acquired in Aberdeen by setting up a mozzarella trade from Mondragone (RCC 2000: 588). He also opened a pub, but the venture lasted for less than a year, making a loss on the initial investment (RCC 2000: 500). Yet the analysis shows that each branch, and by extension each locale, has a clear function, and it is devoted to a set of specific activities. Instead of expanding all its activities everywhere, the clan operates along the lines of *functional diversification*. The La Torres did not expand or move their core business outside their territory of origin, but rather looked abroad for new investment opportunities, both in the legal and in the illegal markets. Moreover, despite its ‘transnational’ character, the clan is still highly dependent on Mondragone: not only is it the place where the core business is carried out, but it is also the place where 82 % of the members live and operate, compared with 8 % for Britain, and 4 % each for the Netherlands and Terni (Central Italy).³²

5. Mode of operation, territories and internal structure

Mondragone and the branches differ not only with regard to the type of task performed but also the mechanisms underpinning the group’s operations. In this section I address three specific aspects: the use of violence, the relationship with other competitors, and the remuneration of the workforce.

5.1. Violence

In 1862, Monnier characterized the Camorra as a ‘violent industry’ (*industria violenta*: Monnier 1998 [1862]: 53), a definition very close to the one that Leopoldo Franchetti would offer 15 years later for the Sicilian Mafia (*industria della violenza*: Franchetti 1974 [1877]: 90). Violence is a constitutive element of Mafia organizations, and the ability to resort to it ensures their survival. An effective reputation for being violent may decrease the need for the actual use of violence (Reuter 1983: 137–138; Gambetta 1993: 43–46), but does not eliminate it altogether. This is the case for the La Torres: the group resorts to actual violence and threats, although in a rather small number of instances (only 4.1 % of all the contacts). The recourse to violence changes according to

³² Another member lives in a spa town located around 100 km north of Mondragone.

the task and area. Figure 2 shows that force tends to be used in relation to two specific tasks: management of the group and the protection racket (violence lies in the upper left-hand quadrant of the figure, meaning that it is associated only with Task PA, protection, and Task M, management). Violence appears to be a costly resource and, according to the wiretapped conversations, it seems to be possible for the clan to modulate punishments. It is no accident that violence and threats occur in Mondragone, namely the area where the clan's legal counterpart (the state) is weaker and the group stronger: it can be argued that the expected costs of a violent action in Mondragone are lower than in Aberdeen or Amsterdam, and the returns higher, since Mondragone is the area where the clan cannot tolerate any competition (see below). It is significant that, when the clan lost the auction for the building in Aberdeen, they did not manipulate the auction in any way or make any threats to the bank (RCC 2000: 785). Had the auction taken place in Mondragone, the story would probably have been rather different.

5.2. Territorial monopoly

According to Thomas Schelling (1971: 73), organized crime groups share a distinctive feature: they constantly seek to monopolize the markets in which they operate. As a subset of organized crime groups, Mafias aspire to be the sole supplier of protection in a given area (Varese 2010: 17). This is the case for the La Torre clan. They held strict control over their territory of origin, where they acted as the sole supplier of extra-legal protection (the only other competitor being the state): in Mondragone, they brook no competition from the neighbouring Camorra groups (Interviews 1, 2, 3 & 4). A strict division of the territories is in place within the Naples region. As regards the La Torre clan, 18 % of the members operate outside Mondragone, but not in other areas of the region (occasional activities may be carried out with the permission of the Camorra group that controls the area). According to a former member now turned state witness, in one case the clan acted as a broker in the sale of a garbage dump in Castelvoturno, a town that borders Mondragone. Despite the fact that one of the entrepreneurs involved was from Mondragone and protected by the group, the La Torres had to give the whole protection fee to the local clan ('reluctantly, we had to accept that situation', TRNA 2009: 104).

It is only in Mondragone that the clan controls and governs markets; the same does not apply to Aberdeen or Amsterdam. When it operates through its branches abroad, the group acts just like every other actor, whether legal or illegal. Organized crime groups, and among them the Mafias, do aspire to monopolize their core business market, but they may nevertheless expand outside their territory of origin without reproducing the same model in the locales.

5.3. Remuneration of the “workforce”

Members of the clan receive a monthly salary. At the time of the investigation it ranged from 10 million Italian liras for the boss (around 5,100 euros) to 500,000 liras for the bottom level (about 250 euros: TRNA 2002: 42–67; I-1). Monthly salaries are paid for services rendered in the protection racket only. The member entrusted with managing the collection of the protection payments is also the person in charge of paying the salaries (RCC 2000). A completely different set of rules applies to economic activities other than protection. The participation in these other ventures appears to be on a voluntary basis. If this is true, we should expect that not all members will be involved in the legal or illegal ventures carried out by the clan. The data confirm this prediction: only fifteen members (29 %) are involved in legal business, and twelve of them participate in illegal ventures other than protection (24 %). The same actors unwittingly confirmed on the telephone that different mechanisms underlie the protection racket as opposed to all the other business. In one call, Antonio La Torre is trying to sell a consignment of whisky that the police suspect is illegal. When asked by his interlocutor about the ownership of the consignment, La Torre categorically says ‘that’s mine!’, adding that none of the other associates was involved in that specific trade (RCC 2000: 837).

The events related to the purchase of a major drug shipment provide an even clearer picture of the mechanism underpinning the economic activities other than protection. When a Venezuelan drug dealer active both in the Netherlands and northern Italy suggested a new business opportunity to the clan, some of its members initiated a whirlwind of phone calls to raise the amount needed (250 million Italian liras). Among the individuals who were asked to invest their money in the shipment were the aunt of the boss’s sister-in-law and other family members of the associates, with little or no success. They then turned to other Camorra clans, offering them the opportunity to set up a joint venture for the purchase: the clans eventually declined the offer, noting cash flow problems (RCC 2000: 862). Besides the anecdotal evidence, a longitudinal analysis of the topics confirms that the topic ‘payment of salaries’ is statistically correlated only with the ‘collection of protection fees’ ($r=0.957$, $p=0.003$).³³ Conversely, there is no statistical relationship between the segments of conversations about salaries and those related to the activities carried out in the illegal or legal markets.

Unlike the protection racket, which is remunerated centrally and whose proceeds go into the common funds, the other economic activities follow different rules, and they may thus be interpreted as ‘investments’. When carried out in the illegal market, they tend to be short-term investments, unlike investment in legal markets that may have a longer time horizon. Since members can decide on a voluntary basis to participate in a given venture or not, the profits of such ventures are not deposited in the common fund, but held by the investors.

33 N=6. The month of April has been excluded from the analysis given the small number of contacts recorded.

5.4. The market – structure link

When involved in investment activities, members have more freedom of action than in the protection racket. In the latter case, activities are centrally monitored and coordinated: these organizational arrangements have an impact on the internal structure of the group. The index of network centralization (Borgatti et al. 2002) drastically decreases when moving from the protection racket to investments in both the legal and the illegal economy. When calculated based on the degree centrality (Scott 2000: 85), it drops from 6.18 % (protection activities) to 3.77 % (investment in the legal economy) and 3.38 % (investment in the illegal economy). The trend becomes even more marked when measured by the betweenness centrality (a measure of brokerage; see Scott 2000: 86–87): the index falls from 19.59 % (protection) to 5.43 % (legal economy) and 3.27 % (illegal economy).³⁴

The type of market and the way in which the group operates in such a market seem to have an impact on the internal structure of the group. The protection racket, carried out in a monopolistic way, requires a high level of centralization; the same group may relax its structure when it comes to trading other commodities. Trading in a given market as opposed to governing a market requires a much less hierarchical structure.

6. Conclusions

The paper has empirically reconstructed the activities of a medium-sized Camorra group based on the content analysis of phone conversations wiretapped by the police. It has shown that Camorra groups are involved in the production and sale of illegal protection and market governance, and may well be included in that specific subset of organized crime groups named *Mafias*. They act as monopolist in the territory of origin, where they brook no competition in the protection racket (except for the state, the legitimate provider), a finding consistent with the definition of organized crime groups given by Schelling (1971).

The paper has shown that the protection racket is still a difficult business to move or expand a finding consistent with the prediction of Reuter (1983; 1985) and Gambetta (1993). The La Torre clan not only did not expand its core business, but it is still highly dependent on its territory of origin, where around 82 % of the members live. Yet the group did expand abroad, mainly to seek new investment opportunities. The idea that criminal groups may globalize because of attractive labour or raw material markets (Shelley 2006) is not confirmed: conversely, the recruitment of the members is still highly regionalized (96 % of the associates were born in the Naples region). Contrary to what Sterling (1994) and Castells (2000) maintain, there was no evidence of international alliances with other criminal groups, but rather a few one-off agreements on specific ventures. Instead of forging long-term alliances, the clan opened up

34 Measures calculated on equidimensional matrices.

branches abroad devoted to a specific set of activities. We may call this expansion strategy *functional diversification*.

Governing vs. Trading

Mafia groups may change their *modus operandi* across territories. The La Torre clan brooks no competition in its territory of origin, whereas it acts just like every other actor in Aberdeen or Amsterdam. They seek to control and govern markets exclusively in the territory of origin, where they enter in direct competition with the state as supplier of protection. This is therefore the area where Mafia groups pose the greatest threat to the state, since it is here that they aim to govern markets (as opposed to simply trade on them). It is also the place where violence and threats are most likely to be employed.

Activities related to the protection market are centrally managed, monitored and remunerated, as opposed to participation in other economic ventures that takes place on a personal and voluntary basis. The different organizational arrangements have an impact on the internal structure of the group, which appears to be much more centralized and hierarchical when the clan deals with the protection racket than with other business. In more general terms, trading in a given market as opposed to governing a market requires a much less hierarchical structure.

Recognizing the functional diversification of Mafia activities across territories, and the associated analytical distinction between “governing” and “trading”, has relevant policy implications. For instance, re-investments of criminal revenues may take place in areas far away from where the crimes had happened, and – most importantly – criminal groups may act as any other legitimate actor when operating these seemingly ‘fully legal’ outposts. The Scottish authorities took more than a decade to realize that the Aberdeen hub was actually part of a bigger criminal conspiracy, and to eventually agree to extradite some clan’s members back to Italy. Furthermore, since Mafia groups may diversify their activities across territories, law enforcement agencies and policy makers should also elaborate a diversified response to employ alongside with the ‘traditional’ police intervention. Implementing a tight discipline against money laundering, e.g. closely tracking the flow of money, may have an impact in tackling the investments in the legal economy of a given group. Yet this measure will have little impact on the same group where it aims to govern markets, e.g. where it effectively reduces competition among legal economic actors. In the latter case, a swift intervention by anti-trust authorities will be much more effective. More generally, cracking down on the outposts devoted to investments in both the legal and the illegal economy can cause losses, but it is unlikely that it will threaten the survival of a Mafia group. Conversely, it is the core business that guarantees an (almost) uninterrupted stream of criminal revenues, which in turn supports the skeleton of the organization: illegal protection and the associated extra-legal governance still remain the essential traits of Mafia-like organizations.

Against the concept of transnational organized crime

These findings also speak to a broader theoretical question, namely the analytical power of the concept of transnational organized crime in explaining the way in which Mafia groups operate in a globalized world. The La Torre clan deals with truly transnational criminal activities (including international money laundering, drug trafficking and trafficking of counterfeit money), but these activities are not the core business of the group. In addition, the clan has never expanded its protection activities outside its territory of origin. This is not always the case: as Varese (2011) has shown, Mafia groups may indeed manage to move their core business abroad under specific circumstances. The failure to determine whether the clan managed to move the protection racket abroad or not is a major drawback that may lead to misleading interpretations. At the same time, it is crucial to identify where the common fund is held, if the group has one. For instance, having decided – and in some case managed – to move the boss and the common funds into the new territory signals a higher degree of independence from the territory of origin (for more on this see Campana 2011b: 209–210).

Instead of the broad category of transnational organized crime, the following taxonomy better grasps the real nature of organized crime operations across territories: (i) ‘transplantation’, when a Mafia group manages to move or expand the core business into a new territory (Varese 2011); (ii) ‘diversification’, when a Mafia group expands its activities outside its territory of origin, but does not move its core business (and most likely also the common fund). Whether and under which specific conditions a territory may shift from diversification to a fully-fledged transplantation is an issue that deserves further research.

Appendix A

Interviews quoted in the text

I-1. Prosecutor in charge of the case, Anti-Mafia Prosecutor Office, Naples.

I-2. Police officer, Naples.

I-3. Police officer, Naples.

I-4. Journalist, Naples.

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Rcc 1999. Regione Carabinieri Campania *Comunicazione di notizia di reato circa la denuncia di La Torre Antonio* + 29 [Offence notice against La Torre Antonio + 29]

Rcc 2000. Regione Carabinieri Campania *Denuncia a carico di Antonio La Torre (1956) + Altri*. [Statement of Charges against Antonio La Torre + Others]

TrNa 2002. Procura della Repubblica presso il Tribunale di Napoli *Richiesta di emissione di ordinanza della custodia cautelare nei confronti di Alfiero Massimo* + 42 [Request for Arrest Warrants against Alfiero Massimo + 41]

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Investigating and prosecuting human trafficking in the Netherlands by the National Prosecution Service

Warner ten Kate
Dutch National Public Prosecutor, Zwolle

Introduction

The Organization of the public prosecution service (PPS) in the Netherlands consists of:

- 19 district public prosecution services in 11 regions (\pm 2013: 10 district courts)
- 5 appeal court regions (\pm 2013: 4 appeal court regions)
- 1 national PPS for international organized crime
- 1 national PPS for financial/economic and environmental crime
- board of procurator-generals

The *National* Public Prosecution service (national PPS) deals with international organized crime in certain areas and is located in Rotterdam, Amsterdam/Schiphol, Den Bosch and Zwolle. Cocaine, heroine, money laundering, international, war crime and HTC cases are dealt with in Rotterdam, the Dutch criminal groups' cases are handled in Amsterdam, the Synthetic drugs and XTC cases are handled in Den Bosch and the Trafficking in Human Beings and People smuggling cases are handled in Zwolle.

The national PPS is not linked to a particular district court or an appeal court so international organised crime, including THB can be tackled at any level. That may change, because some cases come to court too seldom and are too complicated to gain appropriate experience in this area, so specialized courts are going to deal with those specific kinds of cases.

The national public prosecutor in charge of THB discusses with public prosecutors nation wide who are in charge on the subject of THB. In every region there is a special public prosecutor on THB, so as we speak there are ten public prosecutors on THB operating in the regions in addition to the national public prosecutor. While the offices of public prosecutors are subordinate to the national prosecutor, they are free to act independently and are not subject to instructions from the national prosecutor.

The national PPS also has the authority over the police in criminal cases, i.e. can give the police instructions.

One of the tasks of the national PPS is to investigate – together with the national crime squad and the Royal Marechaussee- and prosecute human trafficking and people smuggling. The national PPS gives guidance to investigations of the national crime squad/royal marechaussee.

Other tasks of the national PPS are to develop policy on THB and advise the Procurator-General.

The human trafficking cases involving international organised crime are mainly handled by the national PPS, smaller cases are dealt with by the regional PPS.

Criminal situation on organised THB crime

The Netherlands is listed by the United Nations Office on Drugs and Crime (UNODC) as a top destination for victims of human trafficking.³⁵ It is primarily a source and destination country for men, women and children subjected to trafficking in persons, specifically forced prostitution and forced labour, though, to a lesser extent, it is a transit country for such trafficking.

CoMensha is the coordination centre for trafficking in human beings and serves as a national contact point for the central application, placement and registration of victims of trafficking in human beings. The total number of (possible) victims in 2010 was approximately 1000.³⁶

Women from the Netherlands, Nigeria, Romania, Hungary, Bulgaria, and Guinea are the top six countries of origin for victims of sex trafficking in the country.³⁷ Approximately 880 victims identified in 2010 were female; this rate is more than the year before (2009), when approximately 770 women were the victim of THB. The most vulnerable group is the group of women between 18 to 23 years.³⁸

Approximately 113 victims identified in 2010 were male. This rate is lower than the year before, when approximately 138 men were the victim of THB. These male victims came primarily from Romania, China, Ghana, Indonesia, and Nigeria.³⁹

Table 02. Age and Gender

Age group 2010 2009 2008

	Male	Female	Male	Female	Male	Female
10 up to 14	-	21	1	17	0	4
15 up to 17	7	124	6	94	3	96
18 up to 23	29	357	29	323	16	353

→

35 Trafficking in Persons Report, U.S. Department of State Publication 11407, Office of the under Secretary for Democracy and Global Affairs and Bureau of Public Affairs, June 2009 (also via: www.state.gov/g/tip).

36 Annual Report CoMensha, via: <http://www.mensenhandel.nl/cms/docs/comensha-jaarverslag2010.pdf>.

37 Annual Report Comensha, via: <http://www.mensenhandel.nl/cms/docs/comensha-jaarverslag2010.pdf>.

38 Annual Report Comensha, via: <http://www.mensenhandel.nl/cms/docs/comensha-jaarverslag2010.pdf>.

39 Annual Report Comensha, via: <http://www.mensenhandel.nl/cms/docs/comensha-jaarverslag2010.pdf>.

	Male	Female	Male	Female	Male	Female
24 up to 30	36	214	49	199	10	196
31 up to 40	26	112	30	95	10	104
40 – and older	15	52	23	42	7	26
Unknown*	-	-	1	-	1	
Total	113	880	138	770	46	778

* Unknown is used when gender is not known

The victims are subjected to forced prostitution and various forms of forced labour, including agriculture, horticulture, construction, food processing, catering, cleaning, and the drug trade. The most common industry is still the sex industry. See the table below.

Table 03. Most common industries worked

Industry	2010	2009	2008
Prostitution	797	427	480
Not worked yet	73	91	58
Agriculture	45	56	-
Unknown but outside prostitution	37	48	29
Massage	3	2	14
Catering	8	6	7
Domestic work	12	16	6
Construction	3	14	-
Food	2	13	-
Drug Trafficking	9	8	5
Cleaning	2	1	3
Au pair	6		
Incitement to crime	6		
Slaughterhouses	5		

Groups vulnerable to trafficking include single underage asylum seekers, women with dependent residence status obtained through fraudulent or forced marriages, women recruited in Africa, and East Asian women in massage parlours. Criminal networks which are involved in forced prostitution and forced labour often consists of foreigners. Perpetrators of forced prostitution of Dutch residents often work independently; they recruit through the internet, and exploit one to two victims at a time.

According to the trafficking in persons report prepared by the U.S. Department of State in 2011, the government of the Netherlands fully complies with the minimum standards for the elimination of trafficking. In this report it was noted that the government of the Netherlands sustained strong anti-sex trafficking law enforcement efforts, sustained protection for victims of human trafficking and improved prevention activities, including programs targeted at raising trafficking awareness among clients of the sex trade.⁴⁰ The Dutch national anti-trafficking Rapporteur and police continue to take a self-critical approach to addressing human trafficking, further enhancing Dutch anti-trafficking efforts. Officials demonstrated particular progress in the difficult task of identifying victims. The government also forged partnerships with other countries to enhance global anti-trafficking efforts. For Example, the government cooperates with Nigeria via the UNTOC convention. This is important because the Netherlands plays a central role in trafficking in human beings from Nigeria to Europe. Another example is the Memorandum of Understanding with China. With this memorandum China and the Netherlands can exchange information, experiences and knowledge on human trafficking.⁴¹

Political situation on THB

EU member states have two years from now (2011) for the implementation of the provisions in the new EU-directive on combating human trafficking.⁴² The directive applies to almost all European countries, except England and Denmark. These countries have an opt-in possibility to join the new rules in a later stadium. The directive also contains a provision that will require member states to provide information to the European Anti-Trafficking Coordinator. The Anti-Trafficking Coordinator will provide the information to the Commission and will inform the Commission about efforts to tackle human trafficking. The Commission will use this information to prepare a report for the European Parliament and the European Council about the progress in the fight against human trafficking.⁴³

Investigating and prosecuting human trafficking

The Netherlands prohibits all forms of trafficking through Criminal Code Article 273 f.

Exploitation shall include, at a minimum, the exploitation of the:

- (1) Prostitution of others or other forms of sexual exploitation,
- (2) Forced labour or services, slavery or practices similar to slavery, servitude or the

40 Trafficking in Persons Report, Office of the under Secretary for Democracy and Global Affairs and Bureau of Public Affairs, June 2011 (also via: www.state.gov/g/tip).

41 The exchange of information does not include information from police reports and other legal documents.

42 Directive 2011/36/EU.

43 Article 19 of Directive 2011/36/EU.

(3) Removal of organs

The maximum sentence for trafficking in human beings (without aggravating circumstances) is now 8 years imprisonment and a fine. The maximum sentence for trafficking in human beings under aggravating circumstances is 18 years imprisonment.

Because of the entry into force of the new EU-directive article 273 f, this is expected to be changed. The maximum sentence for trafficking in human beings will then be 10 years imprisonment or maybe even 12 years. The maximum sentence for trafficking in human beings under aggravating circumstances can result in life imprisonment.⁴⁴

Two new elements will be added to the definition of article 273 f. 'Begging' will be extended to the form of 'forced labour or services', and also 'exploitation of criminal activities' will be included.⁴⁵

As soon as it seems that there is a case of human trafficking, during control, investigation or otherwise, the relevant authority must inform the competent prosecutor about this. In addition, the Centre of Expertise on Human trafficking and Human smuggling (EMM) of the National Criminal Investigation Department must be informed about this. The Expertise Centre was set up at the National Crime Squad on 18 May 2005 and is a unique collaborative venture (in the world?) between the National Crime Squad, the National Crime Intelligence Service, the Royal Netherlands Marechaussee, the Social Investigation and Information Service and Immigration and Naturalisation Service. The EMM operates as a collection point for information on, among other things, (indications of) THB (both within and outside the sex industry). The information is supplied by institutions dealing with THB from the perspectives of investigation, supervision, checks or assistance. The police are actually obliged to supply information to the EMM. At the EMM, this information is processed, analysed and made available for tactical and strategic purposes. If the EMM has additional information about human trafficking from other agencies, it combines this information and sends it to the public prosecutor. The National Public Prosecutor conducts the supervision of the prosecution on THB and directs the EMM.⁴⁶

Investigation of THB

The police and the PPS give priority to the investigation of trafficking in human beings. The changing view on the nature of organized crime in the Netherlands since the early 1990 s is mirrored by a change in criminal investigation strategies. Flexible 'prompt intervention strategies' are more common, as an alternative to the large-scale and lengthy police investigations of the past. Arrests and seizures in criminal networks are no longer postponed or prevented at any cost, but are – on the contrary – sometimes used deliberately to gather

44 Draft bill implementing the EU-directive on human trafficking (not for public).

45 Draft bill implementing the EU-directive on human trafficking (not for public).

46 Fifth rapport of the National Rapporteur Human Trafficking, p. 125.

evidence against the prime suspects. Prompt interventions are now often combined with a more long-term investigation strategy. Both covert policing/ infiltration and uncontrolled deliveries (e.g. of drugs) are strictly regulated or forbidden. Police investigations increasingly rely on ‘unobtrusive’ methods of gathering evidence such as the extensive use of wiretapping and bugging. In the main, observing criminal activities has replaced getting heavily involved in the criminal environment. Evidence available suggests that quite ‘traditional’ policing methods may still be effective in cases of organized crime. The main reason wiretapping generates much evidence, particularly in cases of transit crime, is that communication by the main suspects is essential in these cases. Because people live in different countries they have to communicate by phone, fax or e-mail, and this (traceable) communication can only be partially replaced by meetings in person. Furthermore, communication by business partners and co-offenders may also generate evidence against prime suspects. The disadvantage of wiretapping is that it costs a lot of capacity and money. Also the so-called “Ban on tolerating cases of THB” is a disadvantage. According to this ban, victims of trafficking should immediately be removed from their situation. When such a situation becomes clear by wiretapping, there is a need for rapid intervention. The consequence can be the investigation leaves no time for preparation and implementation of the remainder of the investigation. Another disadvantage is that conversations with so-called “secrecy-observers”, like lawyers, cannot be gained for evidence. Alternative investigative methods are infiltration or observation. In the Netherlands this is seen as a lengthy method and for that reason this is not often used.

Integrated approach to human trafficking

Cooperation and the exchange of information are crucial for tackling crime. This is also the message of the ECHR in the recent *Rantsev/ Cyprus & Russia* case.⁴⁷ The ECHR formulates in this case a few positive obligations for states, which includes (international) cooperation. Furthermore, the ECHR is pointing to the emergence of a comprehensive approach. States must not only punish offenders, but preventive measures also have to be taken in the fight against THB and also victims need to be protected.⁴⁸

Various Dutch integrated (chain) approaches and projects involve the exchange of information and the joint determination of an approach. This section describes the importance of the programmatic approach, Task Force Human Trafficking and other integrated approaches and models.

47 EHRM 7 January 2010, nr. 25965/04, (*Rantsev/Cyprus & Russia*).

48 EHRM 7 January 2010, nr. 25965/04, (*Rantsev/Cyprus & Russia*).

The programmatic approach

The Programme to Strengthen the Approach to Combating Organised Crime has formulated a ‘programmatic approach’ specifically for the areas ‘human trafficking’, ‘organised cannabis cultivation’ and ‘abuse of property’.⁴⁹ This approach, or operational working method, is new and is being put into practice in ‘laboratories’ for each of those areas. The approach contains a number of elements that, in combination, are supposed to effectively combat organised crime. The approach entails the joint use of both administrative partners and partners in the criminal law system at local and national level, for both prevention and repression. This broad cooperation on different levels is aimed not only at prosecuting perpetrators and conscious facilitators, but also at gaining an impression of and tackling underlying structures that provide opportunities and structural factors that facilitate organised crime (whether deliberately or not). The method used is set up by the so called “barrier model” (which will be discussed below). It involves identifying obstacles that can be placed in the way of perpetrators of criminal activities. Financial investigation is also part of the approach. Internationally, efforts have been made to cooperate with neighbouring countries, countries where criminal networks operate that are also active in the Netherlands and – with regard to human trafficking – victims’ countries of origin. In addition to bilateral cooperation, active efforts will also take place at EU level.

The Task Force that was appointed in 2008 focuses on strengthening supervision in the legal and illegal prostitution sectors, the perpetrator-based approach and the barrier model, among other things.⁵⁰

The programmatic approach was first carried out as a pilot project in 2006 in the Sneep investigation into human trafficking. The Sneep investigation was a major investigation into Turkish offenders that had brought hundreds of prostitutes into prostitution against their will. In this case the prostitutes were also abused and were subjected to different medical surgeries like breast enlargements (to make them more attractive) and forced abortion. The goal of the Sneep criminal investigation was to cooperate with other investigative and administrative partners to gain an optimal view of the group of perpetrators and the way in which people, businesses and authorities – deliberately or inadvertently – facilitate human trafficking. During the investigation

the National Criminal Intelligence Service would prepare administrative reports that could provide the basis for administrative measures. In order to involve the cooperating partners in the Sneep approach, the public prosecution service and the police used presentations and the media to provide insight into the magnitude and extremely violent nature of this human trafficking gang, which had freely gone about its business for years. This approach worked: after receiving

49 Programme to Strengthen the Approach to Combating Organised Crime (appendix to *Parliamentary Documents II* 2007/08, 29 911, no. 10), pp. 1, 5__9, 15__18; Kiemel & ten Kate (2007); Van Gestel & Verhoeven (2009).

50 Seventh rapport of the National Rapporteur Human Trafficking, p. 310.

information about Sneep, virtually all the partners agreed that this was a major social problem and they were prepared to cooperate in combating it. Apart from a few necessary improvements, this initial pilot project made it clear that there was a definite need for the programmatic approach.⁵¹

Barrier Model

A very important element of the programmatic approach is the so-called barrier model. This model was developed by the SIOD and applied in the (discussed above) Sneep investigation into human trafficking and coerced prostitution in Amsterdam, Alkmaar and Utrecht. The model is more or less comparative with the German Rasterfahndung method. The Rasterfahndung (computerised profile-based searches) method was developed during the RAF-terrorism period in Germany in the 1970's and 80's. With this German method a certain profile or information is gathered on the basis of a combination of different files. This method means a lot to a more integrated approach to the fight against terrorism. The method uses various information available from government agencies. For example social services, housing associations and tax services, make relevant data available for this fight against terrorism.

The Dutch Barrier Model attempts to influence all the factors which give rise to human trafficking and seem to support its continued existence. The Barrier Model aims at involving numerous stakeholders that are in a position to collaborate in constructing structural barriers so that it becomes more difficult for human beings to be trafficked into the Netherlands. The graph below shows the barriers identified for human trafficking (and migrant smuggling) as well as the organisations that can provide relevant information about offenders, facilitators and victims. One of the measures proposed by the Human Trafficking Task Force is the further elaboration and implementation of the barrier model.⁵²

The Barrier Model identifies five stages at which stakeholders can construct barriers to hinder Human Trafficking:

1. Entrance (smuggling, border crossing)
2. Housing (prostitution circuit, illegal housing)
3. Identity (false documents, false social security numbers)
4. Work (pimps, exploiters, violence, exploitation)
5. Financial (money laundering)

The Barrier Model further identifies illegal service providers and illegal activities at each of the five stages. More importantly, strategic partners have been identified which may come into contact with victims or traffickers at each stage and which are in a position to erect barriers to hinder or prevent THB.

Barriers can be erected at any of the five stages, but an integrated approach requires barriers to be erected at all five stages.

51 Seventh report of the National Rapporteur Human Trafficking, p. 311.

52 Human Trafficking Task Force measure 3, via www.om.nl.

Table 04. The Barrier Model

Barrier				
admission	housing	identity	labour	financial flows
Criminal activities				
identity, document fraud, transportation, payments, resident permits	Prostitution scene, dangerous living conditions, buying real estate	Marriage of convenience, social number, employes certificate, passport, identity card	Extortion, exploitation, coercion, violence, low wages, long working hours, hand in of documents	Illegal money flows, money laundering, tax-evading, asset-tracing/seizure
Core of criminal organization				
	←coremembers→ pimps		←core members→ pimps	Core members
first shell of deliberate criminal accessory facilitators				
People smugglers, drivers	Rack-renters	forgers	Illegal labour subcontractors	Underground bankers, money couriers
second shell of deliberate criminal accessory facilitators with limited criminal offences				
Taxidrivers	Landlords/land-ladies	printers/printshops	tatoists	money-changers
third shell of unaware of (non-criminal) accessory facilitators				
Customs	Building societies; banks (mortgages); solicitors	Administrations of city-councils, visa-departments of embassies	Chamber of commerce, tax authorities, Medical insurance companies, banks	banks
Partners in approach				
Border police, City council, INS, local police, aliens police	City council, local police chamber of commerce, Tax inspectors of the inland revenue,	City council, INS, local police, aliens police	Social investigation service, labour inspection Tax inspectors of the inland revenue,	Social investigation service, labour inspection Tax inspectors of the inland revenue

Human Trafficking Task Force

Setting up the Task Force on THB in 2008 could be regarded as, ultimately, the outcome of the Programmatic Approach and the Barrier Model. The aim of the Human Trafficking Task Force is to identify and remedy shortcomings in efforts to tackle human trafficking by removing practical obstacles on a high level. To this end, in July 2009 the Task Force presented an Action Plan to carry out its mandate in which it formulated ten specific measures to address problems it had identified. Practical targets will be formulated for these measures, which will be implemented by the representatives of the organisations participating in the task force. For example, pilot projects will be organised to explore possibilities of developing a programmatic approach. In this way, the task force is making an essential contribution to tackling human trafficking.

International cooperation

Another important element of the Programmatic Approach in fighting THB is international cooperation. The Dutch judicial authorities are primarily oriented towards offenders who are native born or who have lived in the Netherlands for a long time. However, transit crime involves offenders from several countries. These offenders sometimes visit the Netherlands or reside here for a while. They can be crucial links in the international trading activities of Dutch offen-

ders. Hence, judicial authorities abroad often have more information about relevant offenders than the Dutch judicial authorities. This calls for further intensifying international (police) cooperation in order to enhance intelligence, which is vital for successful (police) investigations, and to build confidence in bilateral relations. As already mentioned before, the ECHR also promotes international cooperation in the *Rantsev/Cyprus & Russia* case.⁵³

Next to strengthening the infrastructure of international police cooperation, sufficient room should be given to cooperation on all prosecutorial and judicial levels and even on administrative levels! A conviction in Germany for THB should be a barrier to apply for a permit to start an escort club in the Netherlands.

Starting international cooperation is often not very easy. Questions arise like, why should we seek cooperation, what are the costs, the difficulties, the differences in legal systems and culture. All these questions are very valid but in the Netherlands we are fully aware that without international cooperation organised crime can't be stopped.

Within and outside the EU we can make use of many legal instruments. More and more we find our way to Eurojust and Europol to see what the countries have in common regarding organized crime. Most of the countries present in this room here today have dealt with Nigerian criminals. So why not tackle this problem together?

Examples of international cooperation that have already been successful are the cooperative projects with Bulgaria, Romania and Nigeria, the home countries of many of the victims. The Dutch Islands in the Caribbean have also been encouraged and supported to step up their efforts to combat human trafficking.

In 2011 the Netherlands set up a JIT with Bulgaria on Bulgarian traffickers bringing Bulgarian women into prostitution in The Netherlands.

A very successful case in the Netherlands is the so called *Koolvis* (Pollack) case.

In this case, which started in 2006, some 140 women from Nigeria, mostly minors, were smuggled into the Netherlands. In the Netherlands they asked for asylum. After a while they disappeared from the asylum seekers centres and it turned out that they had ended up in the Italian, Spanish and French street prostitution scenes.

The Netherlands sought cooperation with many countries in Europe but also with the USA and even Nigeria. On the action day in 2007, 57 arrests were made all over Europe, the USA and Nigeria. In 2009 the case came to court and in 2010 and 2011 the traffickers were sentenced to up to seven years of imprisonment.

53 EHRM 7 January 2010, nr. 25965/04, (*Rantsev/Cyprus & Russia*).

Prostitution

There has always been a clear relationship between human trafficking and prostitution in the Netherlands. Human trafficking has been associated with prostitution ever since it was included in Dutch criminal law. The ban on brothels was removed from the Dutch Criminal Code on 1 October 2000, the same year as the office of the National Rapporteur on Trafficking in Human Beings was established. The purpose of that amendment was to decriminalise the exploitation of prostitution and so legalise a situation that was already tolerated. Prostitution thus became legal and regulated.

In the last few years a significant number of brothels and "windows" have been closed because of suspected criminal activity. De Wallen, the largest and best-known red-light district in Amsterdam, is a destination for international sex tourism.

Recently, officials have noticed an increase in violence centred on this (irregular industry?), and have blamed this increase on the illegal immigration of individuals into Amsterdam to participate in the sex industry. Prostitution has remained connected to criminal activities, which has led the authorities to take several measures, including detailed plans to help the prostitutes quit the sex trade and find other professions.

A law proposal was introduced in 2009 and amended in 2010 which would ban prostitution by people younger than 21. Prostitutes are required to register; they receive a registration ID card with a photograph and a registration number, but no name or other personal data. Clients are required to check this ID card. In addition to municipal rules, a national rule has been introduced requiring sex companies to have a license, these include prostitution companies such as brothels and escort agencies, but also, for example, adult movie theatres. Under the proposed amendments an advertisement of an individual prostitute should contain his or her registration number, an advertisement of a sex company should contain its license number. The public entrance to the premises of a sex company (if any) should have on the outside a sign showing that the company is licensed, while inside a copy of the license has to be displayed.

The law was supposed to be voted for on June 22, 2010, but that has been deferred to allow both sides to examine it more closely.

Successful cases on combating THB

In several Dutch cases the programmatic approach has already been successful. Examples in 2010 and 2011 are the Hotel Escort case and the Doubletstreet case. In these cases we tried the use of non-conventional innovative methods. Not waiting for a victim to make a complaint but actively seeking cases of THB with innovative methods because the crime is often so hard to detect.

In the Hotel Escort case the police, together with the National PPS, texted possible clients on their mobile phones who had registered themselves with an online escort agency. The content of the sms was that the agency they were using

was probably offering victims of human trafficking. The potential clients were also asked to provide help to the police. A lot of clients reported to the police in response. As a result of this action, evidence could be gathered and the Hotel Escort case was a success.

In the Doubletstreet case there was a large-scale invasion by government agencies in the Doubletstreet, in The Hague. Some 160 prostitutes work in the street. It was believed that there were a lot of victims of human trafficking located in the street. At 20:00 hrs in the evening the whole street was closed to the public from one end to the other. Specialized sex-trafficking and human trafficking detectives conducted interviews with all the prostitutes present to search for signs of human trafficking. The police, officials from The Hague and the national PPS checked the prostitution premises for enforcement of the licensing requirements, fire safety and health. In the end several prostitutes were given shelter and a few premises, including bars, had to be closed. Due to the programmatic approach this case has been successful as well. 54 leads related to THB were obtained and 15 concrete investigations could be started thanks to the information we gathered.

Conclusion

Combating THB is very complicated because the phenomenon is hidden under the surface of society: victims do not really want to make statements, investigation services don't have a very clear idea of what is going on before their very eyes, the public in general (public prosecutors and judges often included) think most victims are fortune-hunters and international cooperation is not a barrier as it often is in practice. Organized crime groups take advantage of the disappearance of borders within the EU and gain enormous profits at the expense of their victims whom they treat without any moral or ethical consideration. This makes it so important to combat this crime: It is all about human beings and not "things", like cocaine or heroine. These human beings deserve our maximum efforts to protect them from this vile form of modern slavery!

XTC production and trafficking in women for the purpose of sexual exploitation: Crime problems and multi-agency approaches in the Netherlands

Toine Spapens⁵⁴
Tilburg University

1 Introduction

This paper addresses two types of organized crime in the Netherlands: ecstasy production and trafficking, and the trafficking of women for sexual exploitation in the Amsterdam Red Light District. These illegal activities are particularly interesting because the police, the public prosecution service, the Tax and Customs Administration and the administrative authorities have developed multi-agency approaches in response. The different agencies apply criminal law, fiscal law and administrative law to tackle both the perpetrators and the legitimate infrastructure they use to commit crimes.

Organized crime overlaps with legitimate activities and professions (Kleemans, 2011). In fact, interfaces between criminal groups and the legitimate environment are of vital importance to the existence organized crime (Van de Bunt & Van der Schoot, 2003). The manufacture of ecstasy, for example, depends in part on raw materials such as acetone and micro crystalline cellulose, which are used in all sorts of production processes and thus available on the open market. This is also true of the machinery needed to manufacture pills, which is suitable for making either candy or medicines. A pimp who wants to exploit women must also make use of legitimate facilities, for example advertising in newspapers or on the Internet to attract customers. In the Amsterdam Red Light District, pimps rent ‘windows’ from a licensed company.

Such requirements make it possible for the authorities to take specific preventive measures, depending on the characteristics of the ‘logistical chain.’ The government may require wholesale dealers in non-controlled chemicals to report unusual transactions, for example a large order for specific chemicals that serve no real purpose in the customer’s normal production process. The local authorities may screen applicants for licenses or revoke these whenever the license-holder violates the terms. Government agencies and private parties can help prevent organized crime in these ways.

Using administrative and fiscal interventions to combat or prevent organized crime is of course nothing new. Al Capone’s prison sentence for tax evasion is a well-known example from the 1930 s. Another example, this time from the mid-1950 s, is the introduction of a more effective system of licensing and vetting in the state of Nevada to prevent the mafia from opening new casinos. A lack of effective screening in the 1940 s had already allowed the mafia to operate a number of gaming houses (Skolnick, 1978), and ridding these of mafia

54 Toine Spapens, Professor of Criminology, a.c.spapens@tilburguniversity.edu.

influence proved to be difficult. It was 1973 before the first tax evasion case was successfully prosecuted. Here, private enterprise and market trends turned out to be more effective. In 1966, Howard Hughes – then one of the richest men in America – started buying mafia-run casino hotels, and in just a couple of years he controlled 25 % of the Strip's total turnover. In later years, the casinos' running costs soared and larger and larger investments were required to keep drawing in the crowds. This was beyond the pocket of private financial backers. Instead, large companies such as the Hilton Hotel chain became the main investors and eventually sidelined organized crime (Spapens, 2008).

The Netherlands picked up lessons from the United States in the early 1990 s, and started to apply preventive measures against Dutch-style organized crime. Examples discussed in this paper are the Unit Synthetic Drugs (USD), established in 1997, and the Emergo project, which commenced in 2008. The first tackled ecstasy production and trafficking, whereas the second focused on organized crime activity in the Amsterdam Red Light District.

This paper first addresses the problem of ecstasy in the Netherlands (Section 2) and then moves on to an analysis of how the USD developed an integrated approach to curbing the problem (Section 3). Section 4 addresses the history of serious and organized crime problems in the Red Light District. Section 5 describes the integrated approach chosen within the context of the Emergo project. Section 6 concludes this paper.

2 Ecstasy production and trafficking

Ecstasy became a popular narcotic drug in the second half of the 1980 s and consumer demand increased rapidly in the 1990 s. The heyday of ecstasy ended after the turn of the millennium, although it is still one of the most popular illicit drugs after hashish and marijuana. This section offers a brief historical overview and will then focus on the role of the Netherlands as a production and trafficking hub.

German scientists first synthesized MDMA, the active ingredient in ecstasy, in 1913. It proved to be difficult to find a market for the product, and the substance was forgotten. American psychiatrists rediscovered MDMA in the 1950 s and experimented with it because it helped patients 'open up' and had a positive influence on their willingness to communicate. From the 1960 s onwards, some hippies and members of the New Age movement used the drug for meditation purposes, but only on a very small scale. This began to change in the early 1980 s. First, MDMA became popular with the Rajneesh movement, where it was used during 'worshipping sessions' (Cortebeeck, 1994). From there, the substance found its way to Goa, Ibiza, and other meeting places of an international community of former hippies, followers of the Bhagwan, and assorted bohemians. In the mid-1980 s, it became fashionable to use MDMA at dance parties. British DJs who worked on Ibiza in the summer then introduced the drug, now renamed ecstasy, in the United Kingdom. In the second half of the decade, a completely new party culture developed, fueled mainly by ecst-

asy, with the city of Manchester as an early focal point. Dance parties developed into massive raves, which sometimes attracted up to 10,000 people. The new vogue quickly spread from the United Kingdom to the European continent, starting with Belgium and the Netherlands (Spapens, 2006).

The emergence of ecstasy on the drugs market had prompted the United Nations (UN) to add MDMA to its list of illegal psychotropic substances as early as 1985. In the Netherlands, however, the authorities took no immediate action, believing that the new drug was only modestly popular. MDMA was not added to the Opium Act until 1988. Other countries were quicker to respond to the UN. Consequently, because ecstasy was still legal there, the Netherlands soon developed into an important source country. After the ban became effective, illegal production took off immediately and the police discovered the first clandestine laboratory in 1989 (Weijenburg, 1996). The Netherlands quickly became the most important source of ecstasy for Europe and, later, for the United States and Australia. There are three important explanations for this.

The first is that, early on, skilled chemists were involved in the manufacturing process, who later shared their expertise with others (KLPD, 1993; Cortebeeck, 1994; Husken & Vuijst, 2002; Spapens, 2006). Dutch ecstasy was consequently of excellent quality and became a sought-after product. Second, Dutch criminal groups were already major producers of amphetamine, another synthetic drug, and could switch to ecstasy relatively easily. Third and most important, Dutch criminal groups possessed an established and diverse network of contacts for wholesale trade in different types of narcotic drugs in the United Kingdom, France, Germany and the Scandinavian countries in particular (Spapens, 2011). Because of this network, manufacturers could produce large numbers of pills without having to worry about how to sell them.

In Europe, consumer demand for ecstasy skyrocketed in the early 1990 s. Drug researchers at the time explained that ecstasy functioned as a ‘hug drug’ with a stimulating effect as well. Moreover, ecstasy had a major influence on popular dance music and youth culture, and vice versa. Finally, in the early days MDMA was not considered particularly addictive or hazardous to health.

In the second half of the 1990 s, ecstasy production further increased in the Netherlands because the United States developed into a major market. New trade connections emerged, in particular through the ‘Kosher connection,’ consisting of members of the Jewish Diaspora living in the Netherlands, the US and other countries. By the late 1990 s, the US Drug Enforcement Agency (DEA) considered the Netherlands the main source of ecstasy in the world (DEA, 1999).

The situation gradually changed after the turn of the millennium, and production dropped off considerably if we take the number of laboratories detected by the police as an indicator. The first explanation for this decline is that the Dutch authorities massively increased their investigative efforts, resulting in the conviction of a substantial number of producers and traffickers. They had also su-

ceeded in greatly reducing the influx of PMK, an essential controlled precursor chemical (see Section 5).

The second explanation is that, over time, Chinese criminal groups took over the lucrative US market. Chinese nationals living in the Netherlands had already been involved in the trafficking of PMK, and in the second half of the 1990 s they also began to set up ecstasy laboratories in cooperation with the Dutch. These groups first exported pills to the US market. After a few years, Chinese groups started shipping MDMA powder, for instance in batches of 500 kilos, to Canada and manufacturing the pills locally. Around 2005, they finally took up production of MDMA as well and then smuggled it from Canada to the US.

A final reason for the decline in production is that ecstasy became far less popular among drugs users than it was in the halcyon days of the 1990 s. Dutch youth, for instance, now seem to reserve the use of ecstasy mostly for big dance festivals. The drug also remains popular in favored youth holiday destinations in Southern Europe, such as the Spanish and Turkish coasts. Ecstasy use continues to be relatively common in the United Kingdom, Ireland and the Czech Republic. Dutch criminal groups now seem to produce mainly for the European market, although couriers personally smuggle smaller shipments to virtually any place in the world. Australia remained as a major overseas destination for some time, and the police intercepted several very large shipments of ecstasy pills, one example being the seizure of a batch of 15 million pills in June 2007. In recent years, however, the authorities have not intercepted any other large shipments.

3 Tackling ecstasy production and trafficking: the unit synthetic drugs

In the second half of the 1990 s, the Dutch authorities came under increasing pressure from abroad to tackle the problem of drug smuggling in general, and of ecstasy in particular. In March 1996, a confidential report leaked to the press in which Germany demanded that the Netherlands comply with the arrangements laid down in the Schengen Agreement and adapt its drug policy accordingly.⁵⁵ In 1995, the German police concluded that the Netherlands was the source of almost all of the ecstasy pills it had intercepted. The French authorities made similar observations and Senator Paul Masson even qualified the Netherlands as a *narco état*. The criticism worried Dutch Prime Minister Wim Kok, particularly because the Netherlands was scheduled to assume the presidency of the European Union in January 1997. Kok argued that failing to tackle ecstasy production would seriously damage the country's international reputation (Spapens, 2006).

In July 1996, the Dutch police produced an analysis report that made clear that the Netherlands had indeed developed into a major production country. Fur-

⁵⁵ *Eindhovens Dagblad*, '6Bonn eist aanpassing drugsbeleid Nederland,'9 March 4, 1996.

thermore, it concluded that all sorts of government agencies bore some of the responsibility for the manufacture and trafficking of ecstasy, but had failed to share information and to cooperate effectively (IRT Zuid-Nederland, 1996). One of the main recommendations of the report was to establish a special unit in which different agencies worked together to address the ecstasy problem. In response to the prime minister's concerns, the Minister of Justice quickly adopted the idea and informed Parliament in September 1996 that a Unit Synthetic Drugs (USD) would be set up as soon as possible.

The USD brought together personnel from the police, the public prosecution service, the Fiscal Information and Investigation Service (FIOD), the Central Agency for Import and Export (CDIU), the Economic Investigation Service (ECD), Customs, and the Royal Netherlands Marechaussee. This enabled the integration of criminal and fiscal investigation, the monitoring of flows of non-controlled precursor chemicals required for the manufacture of synthetic drugs, and border controls.⁵⁶ The unit would comprise 46 personnel, operate for four years, and then be evaluated.

Its first task was to bring together information from different agencies for analysis and operational purposes, collect additional data in the Netherlands and abroad, and promote information exchange. The fact that a third of the USD's staff were dedicated to this task underlines its importance.

Second, the USD would function as a national contact point for foreign authorities seeking information from the Netherlands, and it would also coordinate responses to requests for mutual legal assistance on synthetic drugs. Members of the USD also performed public relations tasks and travelled the world giving presentations on the Dutch approach to tackling ecstasy production and trafficking.

Third, the unit itself was to investigate criminal groups, usually in cooperation with regular serious and organized crime squads.⁵⁷ The USD established two investigation teams. The first focused on facilitators who traded in precursor chemicals and provided specific hardware, such as reaction vessels, to ecstasy producers. The second team performed 'quick interventions,' usually short-term criminal investigations (six weeks), partly in response to requests for mutual legal assistance from abroad.

The Dutch authorities stepped up their efforts after the turn of the millennium. The main reason was fierce criticism by the United States regarding the rising number of pills from the Netherlands flowing into the country since the second half of the 1990 s. President Bill Clinton personally lectured Prime Minister Kok during a visit to the White House in September 2000. Immediately upon

56 The CDIU and ECD have since been merged with the FIOD. The Royal Netherlands Marechaussee is a military police organization, but it also performs a number of civilian tasks, such as policing the international airports.

57 At that time, the Dutch police force was divided into 25 independent regions, each of which had a department for the investigation of organized crime. There were also six supra-regional organized crime investigation squads. The latter merged into the National Criminal Investigation Department in 2004.

his return, Kok – who had a notorious reputation for bad temper – angrily summoned the chiefs of police and the heads of the public prosecution service and demanded that they take stronger action against ecstasy production and trafficking. The consequences soon made themselves felt. In 2001, for instance, 88 % of all drugs investigations concerned synthetic drugs (Meijer et al., 2003). Furthermore, following its evaluation, the USD was allowed to continue for another four-year term.

The USD contributed to these efforts by providing information on the ‘XTC network.’ By combining information sources, the authorities had been able to identify the major producers and traffickers of ecstasy. The police chose the ‘top ten’ key players as the targets of large-scale criminal investigations, which could take a year or more to complete. These operations employed the usual range of special investigative methods, such as wiretapping, surveillance, pseudo purchase, and infiltration. Over a period of five years, different serious and organized crime squads were able to apprehend most of the key players. Prison sentences for the kingpins also rose from between six and eight years on average to twelve to fourteen years in several cases. There was also the risk of extradition to the United States in cases of trafficking ecstasy to that country, something that Dutch criminals particularly feared (Husken & Vuijst, 2001).

In search of integrated and innovative approaches, the USD itself focused on ‘facilitators’ providing key services to criminal groups manufacturing ecstasy. The USD succeeded in apprehending a person who adapted vessels originally designed as equipment for milking cows into reaction vessels for synthesizing MDMA. The police had discovered the fruits of his labor in over twenty ecstasy laboratories. Criminal groups importing PMK from China were another important target of investigation. PMK is a controlled chemical and, although other raw materials may also be used, the synthesizing process for PMK is much simpler. The arrest of several major importers in 2004–2006 resulted in a noticeable drop in production. In addition, another initiative proved to be essential for reducing the flow of PMK. The Dutch undertook successful diplomatic action to persuade the Chinese authorities to prevent chemical companies from covertly manufacturing PMK. This in particular resulted in PMK becoming a scarce product.

The above illustrates that a combination of traditional investigation methods and integrated approaches toward facilitators may be powerful tools in the fight against organized crime. Other developments may have been equally important, however. Two have already been mentioned: the fact that Chinese groups succeeded in taking over the still lucrative US market, and the declining demand for ecstasy in Europe. Another major factor was that ecstasy producers could easily turn to another equally profitable but far less risky illegal activity: cannabis cultivation (Spapens, 2011).

4 Human trafficking in the Amsterdam red light district

The second type of crime addressed in this paper is trafficking in women for sexual exploitation purposes, primarily in the Amsterdam Red Light District. This district is located in the old town and attracts large numbers of tourists for its heritage value and architecture. However, it also offers a combination of coffee shops, bars, fast-food restaurants, gambling arcades and souvenir shops, and, of course, the famous red-tinted windows. Although these windows did not appear until 1930, the district had always been a rough place where sailors and city folk alike came for prostitutes, gambling and drinking. All this made the Red Light District an international meeting point. Opium use, for example, was already a problem in the Chinese community before the Second World War and, inevitably, friendly relations with members of the district's urban underworld (*penoze*) allowed for its supply to Dutch customers as well, albeit on a small scale (Wubben, 1986).

At the end of the 1960 s, Amsterdam, and the Red Light District in particular, started to attract backpacking youth from all over the Western world. Besides the cultural and architectural heritage of the city, one of the pull factors was the liberal attitude of the Dutch toward the use of hashish and marijuana and the possession of small quantities for personal use. In 1976, the government made a distinction between soft drugs (i.e. hashish and marijuana) and hard drugs (all other narcotic drugs). The Board of Procurators General subsequently issued a directive – based on the principle of opportunity that applies in the Netherlands – stating that the public prosecution service would no longer prosecute soft drugs possession as long as the amount did not exceed 30 grams. Blanket legalization was impossible because that would violate the UN Single Convention on Narcotic Drugs, to which the Netherlands is party. Coffee shops that sold soft drugs had already started to spring up in the early 1970 s, and in 1979 another directive ordered prosecutors to refrain from active investigation of dealers and coffee shops unless they put public safety or health at risk, or openly tried to promote and expand their business (Spapens & Van de Bunt, forthcoming). Because the young tourists visiting Amsterdam offered a much larger customer base than available in other Dutch towns, the number of shops quickly rose, and some, such as the Bulldog, developed into large-scale operations with several outlets across the city.

At first, the drugs were smuggled in small quantities by young people, often users themselves, who had travelled to the East. As demand increased, the traditional urban underworld also started to discover the market, and some of the 'hippies' managed to expand their businesses as well. In 1974, for example, the coast guard intercepted a fishing trawler, the 'Lammie,' that carried two tons of hashish. Investigations revealed that some well-known members of the Red Light District underworld had organized the shipment (Middelburg, 2001).

In the mid-1980 s, concern grew within the Dutch police force about such groups developing into organized crime syndicates of mafia-type proportions (Sietsma, 1985). Moreover, when cocaine became fashionable in the 1980 s, the importers began to serve that market too. Attention came to focus in parti-

cular on a group led by Klaas Bruinsma, which had the Red Light District as its base of operations. His group smuggled increasing quantities of drugs into the country and tried to take over other businesses as well, such as companies installing gambling machines in bars and restaurants. Although Bruinsma was murdered in 1991, his 'heirs' continued operations, and invested crime money in property and businesses in the Red Light District, such as an erotic bar and several gambling arcades.

The nature of the prostitution business in the district also changed in the 1970 s. Despite the 'romantic' image sometimes put forward in books, films and the memoirs of former prostitutes and members of the *penoze*, the prostitution business in the district was always interwoven with poverty, exploitation, violence, and fraud (Project Emergo, 2011).⁵⁸ Up until the 1970 s, however, it was a small-scale business run in a single house on a street or in a single hotel or bar. Prostitution was thus woven into the wider social fabric of the neighborhood. In the 1970 s, however, entire alleys (e.g. Molensteeg) were overrun by the red light windows and they took over other streets and squares as well. Owners split premises previously used by only one prostitute into a number of different rooms where several girls could receive customers (Project Emergo, 2011, p. 75). As the scale of the prostitution business grew, pimps from elsewhere started to show up. The number of customers rose as tourism increased and as a more liberal attitude toward sex developed from the 1960 s onward.

In the 1990 s, the Red Light District had grown into a hotspot for all sorts of criminal activity. Zeedijk, for example, had become an open-air scene for hard drugs dealing, and had turned into a virtual no-go area for the public. The situation started becoming intolerable for the City of Amsterdam. It responded by subjecting applicants for licenses, for example coffee shop operators, to a more thorough screening and appointed a 'manager' for the Red Light District. One of his tasks was to buy property used for criminal activities, for instance on Zeedijk, which was then rented to legitimate businesses (Huisman et al., 2003).

Although such interventions had some effect, a parliamentary inquiry revealed in 1996 that all sorts of illegal activities were still concentrated in the district (Fijnaut et al., 1996). The city responded by setting up the Van Traa team, a special unit aimed at combating criminal infrastructures through administrative measures. The policy of acquiring property used by criminals was also continued. In 2003, Parliament passed new legislation (BIBOB) that enabled local authorities to vet applicants for licenses. The BIBOB Act covers operators of several types of risky business, such as gambling arcades, coffee shops, bars and restaurants (including fast food), and the sex business. The Act also allows for the revocation of licenses whenever the license-holder is found to be involved in criminal activity. Although this led to notable successes, cooperation between the different government agencies and information exchange between

58 One example is the recent documentary film and book entitled *Ouwehoeren* (literally 'old whores',⁹ but also an expression for making small talk), in which two sisters who worked as prostitutes in the district for 50 years tell their story.

the civil authorities, the public prosecution service, the police, and the tax authorities remained problematic (Huisman et al., 2003). This led to the Emergo project, which I will address in Section 6.

One enduring problem is that the Red Light District is a ready-made infrastructure for human trafficking. Marketing is not necessary, and a pimp who wants to exploit women only needs to rent a 'window.' Of course, the police may investigate human traffickers, but because the infrastructure of red-tinted windows remains in place, another person who forces women into prostitution can easily step in.

After the turn of the millennium, two further changes occurred. The first was the legalization of prostitution in 2000. As in the case of the coffee shops, the red light windows had been illegal but the authorities formally allowed them by not prosecuting the owners of the premises or the prostitutes working there. After decriminalization, prostitutes were considered either independent entrepreneurs or personnel employed by a legal entity operating a brothel or an escort service. Although the rental companies do not employ the prostitutes working behind their windows, they do need a license from the local authorities subject to BIBOB screening.⁵⁹ The women themselves are supposed to register as a *zelfstandige zonder personeel* (self-employed professional) with the Chamber of Commerce and with the tax authorities, but they do not need a license. The rationale behind these measures is to achieve a more transparent and controllable prostitution sector.

The second change followed a major reform of the Dutch taxation system that went into effect in January 2001. In the new system, the tax rate on return on investment was set at only 4 percent. Until 2001, the people who rented out the red light rooms also owned the premises. The tax authority considered this income from work or participation in a legal entity, and therefore applied a higher tax rate. The property owners soon discovered that if they transferred the room rentals to a separate and independent legal entity that paid them a monthly fee for the use of the premises, the 4 percent tax rate applied. Of course, this did not imply that the owners transferred control completely. Jan Venekamp, for example, who owns a number of prostitution houses at Oudekerkspolein, had his daughter Nathalie take responsibility for the newly established rental company. Others turned to friends, but sometimes also to outsiders to function as owners and managers.

Regulation of prostitution did not end human trafficking in the Red Light District. The Sneep case in the early 2000s is a notorious example. The case involved a criminal group originating in Germany but consisting of Turkish nationals, who forced women to work in the district as prostitutes. The pimps used excessive violence against the women if they failed to comply with instructions, forced them to have corrective breast surgery, and made them work for extremely long hours. The criminal organization exploited an estimated 120 women from Eastern Europe, Germany, Italy, and the Netherlands. The group

⁵⁹ The same applies to operators of brothels and escort services.

used a number of Dutch facilitators who took care of the paperwork with the Chamber of Commerce and the tax authorities and organized housing for the prostitutes. Although the Sneep investigation resulted in substantial prison sentences, it hardly affected the infrastructure of prostitution houses and facilitators. This required an integrated approach that combined criminal investigation with administrative and fiscal interventions: the Emergo project.

5 Tackling serious crime problems in the red light district: the Emergo project

In 2007, Amsterdam launched the Emergo project as a multi-agency approach to serious and organized crime (e.g. exploitation, narcotic drugs, money laundering) in the Red Light District (Project Emergo, 2011). In Emergo, the police, the public prosecution service, local government, and the tax authorities worked together, with academics also joining the team. Comparable to the USD, the project involved both information analysis and an operational part. Unlike the USD, however, the Emergo project did not have investigative personnel attached directly to it, and the members of the team did not work together in a single office.

The Emergo project broke down into two main parts. The first was operational and consisted of two groups: the Enforcement Group, which was concerned with surveillance and control, and the Serious Crime Group, which was tasked with criminal investigation (Project Emergo, 2011, p. 284). The joint objective for both groups was to intervene where possible in crime-related problems. Staff in the groups overlapped to some extent. The Enforcement Group consisted of civil servants from the Central District of the City of Amsterdam tasked with licensing, Tax and Customs Administration staff tasked with controlling the businesses in the district, and uniformed police officers working on the streets. The Serious Crime Group comprised personnel from the Central Borough but also from the Van Traa team. Police representatives were from the serious and organized crime department of the Amsterdam-Amstelland police region and from the Tax and Customs Administration's Serious Cases Team. The latter handles fiscal cases involving key members of organized criminal groups.

Information gathering and analysis constituted the second part of the Emergo project. Here, the primary goal was to identify hidden crime problems in the district by bringing together information from the databases of the Emergo partners and from open sources such as the Chamber of Commerce register. The exchange and use of information required the development of a specific legal framework agreement, which the Emergo partners signed in 2008.

The information and analysis part of Emergo also consisted of two subprojects. The first involved human analysts from the police, local government and the tax authorities, who collected and compared information in five separate projects. These concerned a thorough analysis of two particular (small) streets in the Red Light District, a selection of one-star and two-star hotels, a selection of

coffee shops situated in the district, a selection of key players and facilitators known to the Emergo partners, and a study of the problem of human trafficking in the district. In all these projects, the analysts collected and evaluated every piece of information available on persons, businesses and premises. They then passed on indications of crime, fiscal irregularities or non-compliance with administrative regulations to the operational groups and documented these in analysis reports.

The analysis of a street, for example, revealed that about 30 percent of the addresses had no registered inhabitants. The Enforcement Group thus set up an operation to check these premises. It became clear that all sorts of persons lived there who would rather not make their presence known to the authorities, such as Eastern European prostitutes and pimps. Several houses also turned out to be in use as an illegal hotel. These findings were followed up by administrative and fiscal measures, for instance because the operators of such hotels had usually 'forgotten' to report their income to the Tax and Customs Administration. The hotel project led to the identification of a hotel owner known to the police for possible involvement in drugs trafficking, whereas the tax authorities had serious questions about the financing and operation of the hotel. Based on these findings, the Serious Crime Group initiated an investigation, which was successfully completed. These are just a few examples.

Generally speaking, creating an open atmosphere in information exchange contributed greatly to building trust among the partners. Before, secrecy fed the idea that the other party was sitting on a mountain of data that it was unwilling to share. It soon became clear that the opposite was true. One interesting but not unexpected discovery was that the available information on particular persons or problems usually pointed in the same direction. Whenever the police had its doubts about a person or a business, the tax authorities and local government also had information on irregularities, and vice versa.

Although manual analysis of various databases produced a great deal of useful information to which the different partners could respond, it also proved to be time-consuming. Even though the Red Light District comprises no more than a few square kilometers, it was impossible to have analysts screen it manually. A second subproject was therefore launched aimed at developing data mining techniques to identify persons, legal entities, and premises with non-standard profiles. Human analysts could then further analyze the 'red flags.' This subproject ran into many difficulties, however. To begin with, it took considerable effort to obtain databases from the different partners and to format them for analysis purposes. Merging of databases proved to be problematic because the police, the city, and the tax authorities had registered the same person under a slightly different name, for instance if the name concerned was Arabic, Chinese or Spanish. It took a team of ICT specialists and academics almost three years to come up with the first results. One was the identification of a group of persons whose profiles were similar to those of known serious criminals. Of course, establishing whether these individuals were indeed engaged in organized crime would require further manual analysis. Unfortunately, this proved to be

impossible because a municipal data protection committee, tasked with supervising the use of the population register database, decided that the results could not be shared with the operational pillar of the Emergo project. This revealed a flaw in the legal framework underlying the project: although the Ministries of Justice, the Interior, and Finance, as well as the Emergo partners had all signed the framework agreement, that agreement did not override the decisions of privacy committees operating at lower levels.

Beyond this, however, Emergo profoundly changed operational cooperation in actual criminal investigations. In earlier cases of human trafficking, such as the Sneep case, the police performed their investigation independently and focused only on the pimps who actually exploited women. Afterwards, the police advised local and fiscal authorities on specific measures in an ‘administrative report.’ The reports only addressed general issues, however, and offered the other government agencies little news. Of course, the public prosecution service also transferred information from police files to the local authorities but, because the police were not experts on administrative law, the files often lacked the precise information local authorities needed to take action.

In the Emergo project, the targets were not only the pimps who were actually exploiting women but also the companies renting out the windows, the owners of the premises, and the facilitators. In other words: the purpose of the investigation was not just to prove human trafficking but also to gather the precise details required for administrative and fiscal proceedings. During the first investigation, the team of detectives, Central Borough staff, the Van Traa team, and tax administrators met every month to discuss results and tactics (Verhoeven et al., 2011). On the one hand, the meetings allowed the partners to make clear which information they needed; on the other, the local authorities and the Tax and Customs Administration could act immediately on specific information. For instance, when the police found out where the prostitutes and pimps stayed, it shared this information with local government. The local authorities then traced who had rented these houses or apartments in order to assess compliance with local regulations.⁶⁰

The criminal investigation and the administrative proceedings were also intertwined in other ways. For example, during the investigation the operator of the company that rented the pimps the windows transferred ownership to his brother. However, the local authorities issue licenses to a person and not to a company. The new owner should therefore have applied for a license, which he ‘forgot to do.’ Consequently, the company was ordered to stop renting windows to prostitutes. The investigation team and local government staff carefully orchestrated delivery of this notice, allowing the police to use wiretapping and surveillance to observe which persons the ‘owner’ – who was suspected of being a mere front – would contact in response (Verhoeven et al., 2011). This is

⁶⁰ The housing shortage is a significant problem in Amsterdam, but rents are kept low for tenants of premises owned by the city or a housing association. Some of those tenants then sublet their house or apartment – including to criminals – at market rates, which is of course not allowed.

but one example of how the Emergo partners aligned interventions and tactics to tackle the whole of the infrastructure used in the exploitation of women.

The Emergo project made clear that professionals from different government agencies usually have little trouble cooperating closely. However, three important problems remain. The first is information sharing. Dutch legislation on data protection is very complex, and although legal advisors from the Ministry of Justice had reviewed the Emergo framework agreement in detail, there were always other ‘specialists,’ particularly within the police, who had their own opinions and sometimes succeeded in convincing managers that certain types of information could not be shared.

The second problem is a shortage of available personnel for conducting investigations, especially in the police force and, to a lesser extent, the Tax and Customs Administration. The Dutch police force is notoriously understaffed when it comes to planned investigations, and the teams that decide which cases should be pursued regularly refused to commit resources to Emergo investigations.

The third problem is the fact that, in a cooperative effort such as Emergo, no single partner is leading. When specific problems arose, for instance regarding data protection and resources, no one had the power to make a final decision. This regularly called for ‘massaging’ and persuasion, particularly in the middle management levels of the different government agencies.

6 Concluding remarks

Multi-agency approaches to organized crime can be effective, as shown in the examples of ecstasy and human trafficking. This is particularly true when different government agencies coordinate interventions based on their specific authority. The local authorities, for example, cannot revoke a license if the police do not investigate and prove that the license-holder is involved in criminal activities. Conversely, criminal investigation will contribute little to curbing a specific crime problem if the underlying infrastructure remains unaffected.

Although the added value of multi-agency approaches to organized crime seems obvious, painstaking efforts are still required to ensure structured cooperation between different government agencies. There are two main reasons for this. The first is that legal scholars in particular view such coordinated efforts as a threat to the checks and balances of a democratic society. Privacy is a leading principle in any democracy, and there are extensive data protection laws to guarantee it. When multi-agency cooperation is not limited to interventions directed towards known suspects but instead aims to identify illegal activities and possible perpetrators, fundamental questions may arise about whether such efforts constitute a ‘police state.’

Second, organizational dynamics within government agencies often complicate structured cooperation. Usually, it is the middle managers who raise barriers. This is understandable because they are, on average, more focused on internal

organizational goals than the top management and the professionals on the ground. Their main weapons are privacy laws and the ability to assign personnel and means to specific cooperative efforts or to choose other priorities instead.

Successful implementation of multi-agency approaches therefore requires considerable external pressure. In the case of ecstasy, pressure from abroad was vital. President Clinton, for example, threatened to blacklist the Netherlands if it did not curb the trafficking problem, which would have seriously affected Dutch economic interests in the United States. In the case of Emergo, the backing of Amsterdam's mayor and the importance of the city to the image of the Netherlands proved to be crucial. The other side of the coin is that it is not easy to maintain the commitment to multi-agency cooperation over longer periods, especially when politicians' attention is diverted elsewhere.

The impact of drug seizures on local communities

Joseph McGallagly and Neil McKeganey
Glasgow University

Introduction

This report presents selected extracts of the results of the Impact of Drug Seizures on Local Communities Project, awarded by the European Commission under the Prevention of and Fight against Crime Programme of the European Union (Contract JLS/2008/ISEC/FPA/C3/069). The programme "Prevention of and Fight against Crime" consists of four main themes: crime prevention and criminology, law enforcement, protection and support for witnesses, and the protection of victims. The award in this instance allowed for an exploration of the immediate impact of drug seizures on local communities. The report begins with an outline of the scale of the drug problem that faces countries across the European Union before providing a brief review of the research literature surrounding law enforcement interdiction and drug supply. Thereafter, the methodology underpinning this particular research project is described, this is followed by a summary of main findings and the conclusions reached.

The main on-site data gathering work took place from September 2010 till January 2011 and the final report was submitted in July 2011.

The Scale of the Drug Problem

The extent of the abuse of illicit drugs in the United Kingdom, particularly the abuse of cocaine and heroin, is made clear in a number of government and supra governmental reports. In terms of cocaine consumption, the United Nations World Drug Report (2010) identifies Europe as the world's second largest cocaine market. Within Europe, the United Kingdom is identified as the largest national cocaine consumer and although cocaine use across most of Europe appears to have reached a plateau, it continues to rise in the United Kingdom with population prevalence rates actually higher than those experienced in North America (Ibid). The rise in UK cocaine consumption is made clear in the British Crime Survey which found that the percentage of individuals using cocaine 'within the last year' in the UK had risen from 0.6 % in 1996 to 2.3 % in 2007/08 (Home Office, 2008). Concerned by this increase, The House of Commons Home Affairs Committee launched an inquiry into the cocaine trade, The Committee subsequently reported that:

"Cocaine powder use in the UK has risen steeply. The number of adults reporting cocaine use within the past year quintupled from 1996 to 2008/09, as did the number of young people: this trend bucks the overall trend in illicit drug use in the UK, which fell during the same period. The number of individuals in treatment for primary cocaine powder addiction has also risen, from 10,770 in 2006/07 to 12,592 in 2007/08. Purity of cocaine at both wholesale and street level has fallen, most notably at street level, with some

seizures now containing as little as 5 % cocaine. The wholesale and street level prices of cocaine have adopted opposing trajectories to one another: a 'line' of cocaine has halved since 1999, whereas wholesale price at the border has doubled." (House of Commons Home Affairs Committee, 2010).

While the only major European country exhibiting an increase in the prevalence rate for cocaine use is the UK, the highest prevalence rates for cocaine use across Europe are found in Scotland with a prevalence rate equivalent to 3.7 % of the population aged 16–59 (UNODC 2010, op., cit, p.177). In terms of drug purity, for most countries during 2008 the mean purity of cocaine ranged between 25 % and 55 %, however, a considerably lower value of 13 % was reported for Scotland (European Monitoring Centre for Drugs and Drug Addiction, 2010 p.62).

It is not just cocaine consumption that is problematic for Western Europe; the region is also identified as the world's largest heroin market with about half of the market contained in just three countries: the United Kingdom, Italy and France. About 250 kg of Afghan heroin (70 % purity) is consumed on a daily basis in Europe representing an annual consumption of 85–90 metric tonnes valued at US\$20 billion. It is estimated that approximately 80 metric tonnes is consumed in Western and Central Europe with the United Kingdom accounting for 21 % of total European consumption (UNODC 2010, op., cit, p.59).

Within Europe, the prevalence rate of problem drug users varies between 2.7 in Greece and 9.0 in the UK – per 1,000 population aged 15–64, (Ibid, p.127). However, Scotland and Estonia are the two countries with the highest prevalence rates of opiate use in West and Central Europe, (Ibid, p.155). Hay and colleagues (2001) estimate that for the year 2001 there were 55,800 problematic drug users aged 16–59 using drugs in Scotland⁶¹. For 2003, this figure reduced to 51,582 (Hay et al., 2005), however, for 2006 the number returned to the 2001 level (55,328) (Hay et al., 2009). By combining information obtained by Hay et al (2005) with information obtained in the course of The Drug Outcome Research Study (DORIS)⁶², McKeganey and colleagues estimate that of the 51,582 problematic drug users identified by Hay et al, for 2003, 90 % (n=46,687) were specifically using heroin (McKeganey et al., 2009). However, for 2006 this estimation had risen to 50,077 (Casey et al., 2009).

In 1998, the size of the UK illicit drug market was estimated to be £6.6bn, with heroin and crack cocaine costing £2.3bn and £1.8bn respectively (Bramley-Harker, 2001). For 2003/04, the estimated size of the illicit drug market had reduced to £5.3bn (Pudney et al., 2006). Possible explanations for the considerable reduction in the size of the market relate to falling drug prices and methodological differences associated with the studies carried out (Gordon et al., 2006). However, for 2000, the total social and economic costs of class 'A' drug

61 Albeit this study related to the use of opiates and benzodiazepines rather than referring specifically to heroin alone.

62 The DORIS research was the largest survey of problem drug users ever undertaken within Scotland and involved 1000 drug users starting a new episode of drug treatment from 33 drug treatment agencies in urban and rural locations across Scotland in 2001.

use was estimated to be a staggering £12bn (Godfrey et al., 2002) rising to £15bn for 2003/2004 (Gordon et al 2006 op., cit).

In Scotland, Casey and colleagues (2009, op., cit) estimate the total cost of Scotland's heroin market to be somewhere in the region of £550,939,291 or £11,002 per heroin user, (Ibid, p. 31). The overall economic and social cost of illicit drug use for 2006 was estimated at just under £3.5 billion. Of that amount, the costs attributable to problem drug use was 96 % of the overall cost and amounted to just under £61,000 per problem drug user (Casey et al 2009 op. cit).

While attempts to estimate the extent and cost attributed to illicit drug markets can be problematic, partly due to the clandestine and illegal nature of the activity itself and the necessity to use approximations based upon assumptions and at times incomplete or unreliable data, such estimations have significant policy implications. This is chiefly relevant in the allocation of resources to law enforcement with drug interdiction a core feature of drug policies across the globe. However, although drug enforcement is a common feature of global drug policy, in the UK the allocation of funding is heavily weighted in favour of treatment as opposed to drug interdiction. As Gyngell points out in her exploration of UK drug policy:

“Direct expenditure for tackling drugs in 2004/5 was budgeted at £1.344 million. Of this reducing the supply of drugs was set at £380 million – 28 % of the total budget for tackling drugs. . . In 2008/9, the total budget stands at over £1.5 billion. And budgets for treatment and reducing drug related crime elements will continue to rise . . . The budget for reducing supply, on the other hand, remains at £380 million – a figure that has not changed since 2004 and remains the same through to 2010/11” (Gyngell, 2009, p.50)

The Impact of Law Enforcement

Goldstein (1990) sums a number of factors that reinforce the necessity to extend research in the field of drug law enforcement to gain a better understand the impact drug interdiction can have upon the availability and use of illicit drugs:

“The police, especially in our large urban areas, are currently struggling with the overwhelming problems associated with sale and use of drugs. They are under enormous pressure to deal with the indiscriminate shootings of innocent citizens, an escalation of violence amongst drug sellers, frequent involvement of children in both drug use and sale, and the concern of whole neighborhoods terrorized by drug related activities. A high percentage of all police business is now affected, in one way or another, by drug traffic and use.” (Ibid., p. xi).

However, research undertaken in the area of police effectiveness in tackling availability is far from straightforward involving a host of differing methods,

and theoretical starting points. Ritter (2006) highlights that one of the difficulties associated with understanding drug markets is linked to the diversity of the literature that spans multiple disciplines engaged in research and differences in the drug markets themselves, each market being defined by its own unique set of circumstances. While the availability of research evidence leading to a greater understanding of the effectiveness of law enforcement drug interdiction tends to be North American dominated Mazerolle and colleagues highlight that “. . . the general quality of research in drug law enforcement is poor, the range of interventions that have been evaluated is limited and more high quality research is needed across a greater variety of drug interventions.” (Mazerolle et al., 2005 p.1). Indeed, not only is the research somewhat limited it also appears to be drug policy / country specific:

“Our systematic review of drug law enforcement reveals that the literature is heavily biased toward interventions evaluated in the United States. Supply-reduction strategies have been most heavily evaluated in the United States and Canada, whereas arrest referrals dominate the evaluation literature from the United Kingdom, and diversion evaluations have characterized empirically based evaluations conducted in Australia. These country biases are likely reflective of the dominant drug policies over many years that have characterized the different domestic political agendas.” (Ibid, p.136).

While the majority of drug interdiction research is primarily U.S. based, a number of research studies have taken place elsewhere, particularly in the UK and in Australia. Indeed, the well documented Australian heroin drought of 2000/2001 generated a number of studies that explored the impact of a rapid reduction in the availability of heroin.

U.S. Studies

During the early 1990 s, in a major shift in U.S. drug interdiction policy, resources were redirected to reduce drug importation away from transit zone countries towards interdiction in source countries accompanied by host nation support. In an exploration of the relationship between the cocaine market price and upstream interdiction activity, Crane and colleagues (1997) report that significant increases in cocaine street prices manifest in the U.S. were likely to have been caused by upstream U.S. interdiction and that cocaine price increases also led to measurable decreases in cocaine consumption.

In 1996, the U.S. Coast Guard, in partnership with the Customs Service, undertook a 90 day joint operation (Operation Frontier Shield) to intercept ‘go fast’ boats trafficking cocaine into Puerto Rico and the eastern Caribbean, (Crane, 1999). Interviews undertaken with drug traffickers revealed the vulnerability they felt as a consequence of the operation.

“. . . the greatest threats to traffickers in order of decreasing impact were: lethal force; arrest and imprisonment of self; arrest and imprisonment of associates; loss of boat or aircraft; loss of drugs; interdiction only.” (Dorn, 2005, p.32)

In the mid 1980's, the emergence of crack cocaine markets across the U.S. influenced a renewed interest by the police in street level drug law enforcement. Up to this point there had been a move away from retail level enforcement towards upper level dealers. This concentration of enforcement activity on the wholesale drug market was to some extent influenced by the Knapp Commission Report (Knapp, 1972), which identified widespread corruption amongst drug enforcement officers. The impact of the Knapp Report on drug use was particularly significant as street level enforcement more or less stopped across the U.S., replaced by reactive units responding to reported incidents and as a result, open air markets flourished, (Weisburd and Mazerolle, 2000). However, with a return to street level enforcement, the New York City Police Department deployed Tactical Narcotics Teams (TNT) into city neighbourhoods during the early 1990 s. The TNTs consisted of mobile plain-clothes units and undercover drug squad officers deployed to complement normal police activity in identified target areas of the city operating for periods of around 90 days. The TNTs engaged in concentrated buy and bust operations to disrupt and diminish illicit drug activity at targeted locations. It was anticipated that the communities targeted would, thereafter, have the capacity to ensure the preservation of order. As a consequence the quality of life would be reinstated and the gains made would continue after the TNT moved on to the next area. However, in a study of the TNT approach, Smith and colleagues (1992) found that there was only a short term impact on drug dealing activity, an impact which failed to endure after the TNT left the area. There was also little evidence of community involvement or interagency working despite both of these approaches forming a fundamental component of the overall strategy.

In a further US study aimed at the local level, the US National Institute for Justice, initiated a Drug Market Analysis (DMA) programme with the aim of developing strategies to tackle street level drug dealing and promote technological innovation in geographically analysing crime. Weisburd and Green (1995) explored the outcome of a DMA Jersey City drug enforcement strategy that focused on drug activity in 28 experimental hot spot areas. The law enforcement strategy comprised three stages: *Planning* – where intelligence was gathered on drug activity, *Implementation* – involving crackdowns to close down drug activity and *Maintenance* – where officers maintained gains made during implementation by surveillance, foot patrols, and other forms of police presence as they were alerted to new drug activity, (National Institute of Justice, 1990). The policing strategy significantly impacted on calls for suspicious persons, calls relating to public morals (prostitution, alcohol offences, gambling), and general assistance calls. Disorder-related calls for service increased by a greater margin in the post experimental period for control locations compared to the hot spot areas. The study suggested that there was a diffusion of benefits in the experimental locations, as compared with the control locations, with Weisburd and Green concluding that: (1) the police are more effective when a more specific approach to crime is adopted; (2) tailor made responses to problems are required to combat crime and disorder related problems and (3) location specific enforcement does not cause displacement of crime to surrounding

areas. However, in terms of drug related activity, major improvement was found in only a few of the most active hot spots and the strategy did not present with a consistent impact across all 28 experimental hot spot areas.

In an examination of an undercover policing operation in the Brightwood neighborhood of Indianapolis, Nunn and colleagues (2006) describe the impact of a covert police operation on an inner-city drug market. Following 12 months of covert police work the enforcement day of action resulted in the arrest of 21 key players: “. . . the raid also found stolen property connected to previous burglaries and robberies, approximately 78 guns, and \$150,000 in cash.” (Ibid, p. 82). Analysis of crime data for both the interdiction area and a comparable control site revealed that for the first year following the overt enforcement day of action, the enforcement area experienced greater reductions in serious crime compared to the control site, namely: burglary, firearms, violence, robbery and theft. In addition, the decline in crime figures continued for a further year. However, calls to the police for service relating to drugs failed to follow this trend. Indeed, for the intervention site, there was an increase in drug related calls for assistance whereas the control site experienced a decline. As with the Jersey City DMA analysis programme, the authors postulate possible experimental effects as an explanation for this finding.

Australian Studies

The area of Sydney, New South Wales, has historically been identified as the Australian hub for importation and distribution of heroin across the whole of the country (Australian Bureau of Criminal Intelligence, 2002). By the 1990 s, well established open air drug markets were operating within three of Sydney’s suburbs namely: Cabramatta (the main distribution point for heroin), Redfern and Kings Cross (Gibson et al., 2003). In a study which explored heroin seizures over a 2 year period, Weatherburn and Lind (1997) failed to find any relationship between quantity of heroin seized by police and the price, purity or availability of street level heroin. In addition, the authors found no evidence of a relationship between the rate of admission to local methadone clinics and either its perceived availability or the price of heroin at street level. Finally, there was no relationship found between the rate of arrest for heroin use/possession and the price of heroin.

During the early part of 2001, Australia experienced a rapid reduction in heroin supply (Weatherburn, 2003). This manifest itself in terms of extremity and onset to differing degrees in heroin markets across the country (Degenhardt et al., 2005). Australia’s strategic early warning system, The Illicit Drug Reporting System (IDRS), recorded a countrywide decrease in the availability of heroin alongside reduced purity levels:

“The change in availability was associated with increases in the price, marked decreases in the prevalence and frequency of use, and moderate declines in purity. Changes in the patterns of use of other drugs were associated

with the shortage, particularly of the stimulants, methamphetamine and cocaine.” (Illicit Drug Reporting System, 2001, p.11).

While a number of factors, including crop failure, may have contributed to the reduction in supply, both international and border law enforcement interdiction were likely to have contributed as the quantities being seized by law enforcement had increased considerably (Weatherburn, 2001). Following the heroin drought, Smithson et al (2005) investigated whether heroin purity levels in the Australian Capital Territory (ACT) could be predicted by national Australian Federal Police (AFP) seizure data. The authors explored two questions, whether there had been an increase in seizure weights before the heroin drought began and whether changes in the numbers of seizures and seizure weights could be predictors for heroin purity levels. Smithson and colleagues (2005) concluded that in the long-term, significant law enforcement seizures act as a deterrent to traffickers and this will ultimately result in a reduction in the availability of heroin at a local level:

“This evidence underpins the supply reduction approach to drug abuse and reinforces the concept that law enforcement is a key feature, although not an exclusive feature, of that approach.” (Ibid, p. 1111).

Day et al (2006) undertook research to determine the onset, peak and decline of the 2001 heroin shortage in New South Wales. They found that accompanying the decrease in the availability of heroin, the price increased for the first time since 1996. Additionally, there was a decrease in purity at a street level. In a further study which explored whether changes in the supply of heroin were related to changes in drug related health issues such as: ambulance responses to heroin overdoses, the number of addicts involved in methadone maintenance programmes and changes in the number of property crimes, Smithson and colleagues (2004) found that a reduction in heroin purity was a predictor for a large decline in heroin related ambulance attendance calls, an increase in enrolment in methadone maintenance programmes and declines in robbery and burglary.

UK Studies

Towards the end of 2000, the Metropolitan Police initiated a drug enforcement initiative ‘Operation Crackdown’ that targeted drug dealers across ten London Boroughs. Within the first fortnight of the operation, over 240 suspects had been arrested and drugs with an estimated street value of £1.5 m had been recovered including: crack cocaine, heroin and cannabis. Best and colleagues (2001) interviewed drug users two weeks after the start of the operation. The interviews revealed that more than two thirds of drug users living in the operational target areas had not noticed any significant change in the price or the availability of heroin, crack cocaine or cannabis over the initial 2 week period of the operation. Additionally, there were no significant differences in the awareness of the police activity between areas directly impacted by the police operation and those sites not included in ‘Operation Crackdown’. Changes in

price purity and availability were noticed by a small proportion of subjects involved, however, this tended to be a positive change, for example, more availability and a lower price. Awareness of increased police activity noted by one third of respondents did not impact upon personal use of drugs or perceptions surrounding market change.

In another London based study, Hough and Edmunds (1999) report on the outcome of interviews undertaken with drug users across six drug markets in the city. They found that drug users were susceptible to actual or perceived policing enforcement activity. Open street markets were more vulnerable to policing strategies compared to closed premises-based markets, and for almost 50 % of those interviewed, the risk associated with drug enforcement was a critical factor in deciding both the drug market to use and indeed when to actually use it. That said, those interviewed did not indicate that enforcement activity would reduce their drug using activity.

The results of interviews with dealers and traffickers undertaken by the Matrix Knowledge Group (2007) revealed that enforcement can have a direct impact upon the price of illicit drugs:

“The majority of those dealers who discussed the impact of law enforcement on prices also suggested that law enforcement could influence prices. One dealer operating in the national level distribution of multiple drugs, described that the main reason price would vary is because of availability. If there had been a large drug bust the price would go up by a “couple of grand a kilo”. Similarly, a dealer operating in the retail market for cocaine in the 1980 s described watching the news to see what the prices would be like. “If security was up or there had been a big raid, prices would go up.” (Ibid, p. 22).

Evidence that Law enforcement drug interdiction can have a disruptive effect on drug markets was also presented by Dorn and colleagues in their review of the literature on upper level drug trafficking:

“LEA operations leading to judicial action against non-core assets of trafficking groups can have a disruptive effect (eg, prosecution of junior employees of trafficking enterprises or confiscation or forfeiture of cash can cause the enterprise to slow its activities). Equally, disruption tactics may in some circumstances cause sufficient loss, confusion, distress and uncertainty (“what is going on?”) as to stimulate the making of mistakes, which in turn may make further disruption and/or successful prosecution possible.” (Dorn et al., 2005, p. 37).

Drug Enforcement and Problem Oriented Policing

In a review of police effectiveness in reducing crime, disorder and fear, Weisburd and Eck (2004) describe policing in 2 dichotomous dimensions in the form of a typology of police practices which stress either “the diversity of approaches” or “the level of focus”

Weisburd and Eck report little evidence to support what they term, the ‘standard policing model’ or the one size fits all reactive approach to as being an effective method to reduce crime. In examining the effectiveness of differing approaches, the authors conclude that highly focused police activities, such as hot spot policing, are effective in reducing crime and disorder whereas community policing appears more successful in reducing the fear of crime. The evidence indicated that problem oriented policing⁶³ was the most effective of all methods employed in reducing crime, disorder and the fear of crime. Importantly, Weisburd and Eck’s review suggests that contrary to concern surrounding displacement of crime, no significant displacement occurs after location focused interventions have taken place. Utilising Weisburd and Eck’s conceptual classification, Mazerolle and colleagues (2006) sought to determine whether Weisburd and Eck’s findings would also apply when used to measure the effectiveness of different types of law enforcement approaches aimed at tackling illicit drugs and related crime. The authors conclude that geographically focused drug law enforcement involving problem oriented and/or partnership policing were more effective than community wide policing approaches in tackling drug misuse. However, they also report that problem oriented or partnership policing was likely to be more effective in tackling drug misuse than law enforcement only drug hot spot policing. Importantly, the authors found that community-wide policing efforts, that utilise partnerships and build better police community relationships, were likely to be a more effective approach to tackling drug problems in a community than simply an enforcement-only approach to policing drug hotspots.

In an exploration of street-level drug markets, Dray and colleagues (2008) utilised an agent based simulation model to examine how markets can adapt to a macro-level disruption to the supply of heroin. A number of findings emerged. (1) Problem oriented policing resulted in the highest number of drug dealers being apprehended by police, the lowest percentage of crimes being committed and significantly impacted upon prevalence of heroin use, the percentage of users undertaking treatment and the spatial extension of conducive clusters. (2) Supply-chain disruptions resulted only in displacements from one illicit drug to another displaying little chance of critically modifying street-level responses to local interventions. The findings suggest that a macro-level interdiction that results in market displacement is limited in the disruption of street-level markets if the overall offer or the supply chain is not robustly impacted upon. By comparison, POP orientated interventions are more likely to disrupt street-level markets effectively.

63 \ (Problem-oriented policing is an approach to policing in which discrete pieces of police business (each consisting of a cluster of similar incidents, whether crime or acts of disorder, that the police are expected to handle) are subject to microscopic examination (drawing on the especially honed skills of crime analysts and the accumulated experience of operating field personnel) in hopes that what is freshly learned about each problem will lead to discovering a new and more effective strategy for dealing with it.) Goldstein 2001 __ <http://www.popcentre.org/about/?p=whatispop>

Law enforcement crackdowns, described as “Sudden and dramatic increases in police officer presence, sanctions, and threats of apprehension either for specific offenses or for all offenses in specific places” (Sherman, 1990, p.1) are not considered by many theorists to have a long-term impact, with crime regressing back to original levels with the passage of time (Ibid). However, with a crackdown, increased police numbers in an area enforcing all or specific legislation may lead offenders to believe that they are particularly exposed to arrest should they engage in illegal activity within the area of the crackdown. This may in turn produce short or long-term results within a community as well as direct and indirect consequences. As Sherman illustrates, implementing location or crime specific crackdowns can produce both immediate and longer term results if the crackdown is undertaken on a rotational basis and is of a limited duration.

Drug Market Locations

In the United Kingdom, during what could be termed the theoretical ‘policing revolution’ of the late 1980 s and early 1990 s, scholars explored crime reduction opportunities related to ‘Situational Crime Prevention’, an approach associated with the nature of criminal events and the settings where they occur. It “seeks not to eliminate criminal or delinquent tendencies through improvement of society or its institutions, but merely to make criminal actions less attractive to offenders.” (Clarke, 1997, p.2). Situational crime prevention is based upon eliminating opportunities in specific contexts where crime reduction and prevention can occur. Boba and Crank (2008) outline the burgeoning body of research that identifies the clustering of similar incidents, the links between locations and opportunities, and the “causal dynamics of, and relevant responses to, discrete crime and disorder problems.” (Ibid, p.380). Directly associated with situational crime prevention is the rationale that underpins supply reduction namely; that as a consequence of disruption to the market, dealers in specific locations will be unable to match demand for their product. As a consequence, drug use and associated problems will be reduced, as Brownstein and Taylor (2007) highlight:

“The goal of disrupting the markets recognizes that while the markets for illicit drugs operate outside of the law, they do not operate outside of the framework of routine social and economic forces. That is, drug markets are commercial enterprises that, like any business, are concerned with costs and profits.” (Ibid, s.52).

Linked to situational crime prevention, ‘Routine Activity Theory’ stipulates that for a crime to take place, three requirements need to be present “a convergence in space and time of likely offenders, suitable targets and the absence of capable guardians against crime.” (Cohen and Felson, 1979, p.588).

Cohen and colleagues (2003) investigated the effectiveness of police drug raids in reducing drug dealing in, and in the areas surrounding nuisance bars and postulate that in line with routine activity theory, licensed bars are particularly

suitable locations for drug dealing. These are locations where dealers and customers meet without high levels of guardianship and where illegal activity can be camouflaged by licit activity (Ibid, p. 258). Exploring the effects of police raids on street level drug markets operating in and around nuisance bars, Cohen et al suggest that enforcement can effectively reduce drug-dealing activities, at least during the periods of active enforcement. While little reduction is evident in the first month of enforcement, continued enforcement over a period of months is associated with substantial reductions in drug trafficking activities. However, reductions are short lived after enforcement is withdrawn and those drug markets operating in and around nuisance bars show substantial resilience in returning to pre-enforcement levels of activity almost immediately after the targeted enforcement is withdrawn (Ibid).

Having explored the extent of the drug problem facing Europe and more specifically facing the UK, and having outlined previous drug interdiction research, this report now describes the specific research undertaken for this particular project and the results observed.

Project Methodology

To meet the aims of the project, this study employed a mixed methods qualitative/quantitative design. In an attempt to establish the immediate impact of law enforcement drug interdiction on the availability of illicit drugs, 149 subjects at 3 interdiction sites were asked a series of questions surrounding their retrospective drug use and drug purchasing behaviour. The instrument used was administered in the period immediately following separate overt law enforcement anti-drug operations executed at each one of the 3 sites. In addition, subjects completed a follow-up questionnaire that was administered some weeks after the police operation. Subjects were also asked to complete a drug use diary that sought to establish drug use behaviour, finally subjects were invited to participate in a semi-structured interview designed to gain a more detailed insight into their perceptions of drug use. In addition, semi-structured interviews were undertaken with service providers and law enforcement officers to gain an insight into their perceptions of drug enforcement and drug misuse.

The project set out to explore the impact of significant drug seizures at a community level. However, a considerable difficulty emerged with regard to the actual seizures. Due to the magnitude of the individual drug consignments seized by Serious Organised Crime Agency (SOCA), and the upstream location of the majority of the work undertaken, it was not possible during the lifetime of this project to pinpoint to a street level the likely distribution point of a specific SOCA drug seizure. In essence, this meant that SOCA was unable to track downwards from a level 3 operation, to a Level 1 distribution location. As a consequence, the design was adjusted to accommodate an exploration of two Test Purchase Operations (TPO) and one significant drug seizure.

One of the difficulties in providing a detailed description of the law enforcement operations and study site areas relates not only to issues surrounding con-

fidentiality and the anonymity of research subjects, but also to issues related to ongoing criminal proceedings. For that reason, a considerable degree of caution has been applied to the site descriptions and policing operations. Sites are described in the most general terms thus the operations and locations are described as follows:

- Site A – City location with Test Purchase Policing Operation.
- Site B – Town Location with Test Purchase Policing Operation.
- Site C – City Location with Significant Drug Seizure.

Prior to the research team attending at site B, the police force facilitating the site B research seized a particularly significant amount of illegal drugs at an inner-city location. Detective officers involved in the operation were able to provide information, based upon intelligence, as to the probable distribution destination points for the drugs seized. This then provided a third site for this research – Site C – and allowed for an opportunity to measure the immediate impact of a significant drug seizure.

Key findings

The questionnaire used in this study incorporated the following retrospective time periods designed to capture drug use: the 30 day time period immediately prior to law enforcement interdiction, the 7 day period immediately after drug enforcement interdiction and a follow up re-interview time period some 30 days after drug interdiction.

Availability of Illicit Drugs

In the first instance, what the questionnaire results show is the ready availability of illicit drugs within the locations described. This was evident in the responses elicited by the instrument to questions surrounding the ease or difficulty associated with purchasing illicit drugs. Across all three sites, there was a perception amongst respondents that illicit drugs were ‘normally’ very easy to obtain and this relative ease of supply was only marginally reduced when subjects were asked to consider a more ‘recent’ timeframe. As the law enforcement operation at each site had taken place within the 7 day period preceding the administration of the initial questionnaire, the response to the questions surrounding the consideration of a more recent time frame would indicate that the operations undertaken had little immediate impact on drug availability. However, on being probed further on the recent availability of illicit drugs, one third of respondents indicated that over the previous 30 days it had indeed become more difficult to source drugs. The difficulty was particularly evident in site B where over 50 % of respondents not only found it more difficult to source drugs, a number of respondents indicated that the difficulty was attributable to law enforcement drug interdiction.

Knowledge of Police Operations

Respondent's knowledge of drug enforcement activity was also measured and in that regard over 50 % of respondents indicated that they were aware that a recent law enforcement anti-drug operation had impacted upon the local availability of illicit drugs. However, the level of awareness differed between sites and was particularly elevated in site B where over 90 % of respondents indicated that they were aware that an anti-drug policing operation had occurred. Additionally, from responses elicited it was clear that compared to sites A and C, site B respondents were more likely to directly attribute a perceived reduction in the availability of illicit drugs to recent police activity.

Illicit Drug Use

The frequency of illicit drug use for all drugs examined was particularly elevated for heroin and cannabis where one third of all respondents indicated that over the previous 7 days they had used heroin every day, with one quarter admitting to daily cannabis use. The diversion of diazepam from legitimate use into illegal markets was also highlighted by one fifth of respondents who admitted to the daily use of diazepam. What is interesting is the considerable amount of reported daily drug use immediately following an anti-drug operation, thus questioning the immediate impact of such operations on the availability and use of illicit drugs. It appeared that despite the close proximity of the police operation, both geographically and in terms of time of occurrence, the availability and consumption of illicit drugs remained undaunted. The ready availability of illicit drugs was also made clear when the time taken to source drugs, the distance travelled to obtain drugs, and number of dealers involved in the sale of illicit drugs was considered. Travelling from the place of interview, over 50 % of all respondents reported that they could buy heroin within 5 minutes. This reduced to 40 % for cocaine powder and slightly below 40 % for crack. Nearly all of those respondents who provided a drug purchase time indicated that, in any event, they could purchase heroin, cocaine or crack within a 30-minute time frame.

In terms of the number of people involved in the sale of drugs within 1-mile radius from the place of interview; one third of all respondents indicated that up to five heroin or crack dealers could be contacted, while 38 % of respondents indicated that they could contact up to five cocaine dealers. However, between six and ten heroin and crack dealers could also be reached by one third of all respondents and between six and ten cocaine dealers could be contacted by 17 % of respondents. As for the distance travelled, over 50 % of respondents indicated that they could buy heroin within 100 yards from their current location, this reduced to 40 % for both cocaine powder and crack. In addition, nearly all of those respondents who provided a travel distance indicated they could purchase heroin, cocaine powder or crack within a distance of 1 mile from the location of interview.

In the follow up interviews, subjects were further questioned on their drug use for the 7 days prior to interview. Compared to the initial intake interview, although the daily consumption of heroin was found to have reduced only marginally at the re-interview stage, the percentage of those using cannabis every day reduced from 26 % to 20 %, daily diazepam consumption decreased from 20 % to 11 % and the daily use of illicit methadone had also reduced from 12 % to 3 %. With the exception of crack, the percentage of respondents claiming **not** to have used any illicit drugs in the previous 7 days increased for all illicit drugs. In addition, compared to the initial intake interview, the number of subjects at the re-interview stage able to source drugs in the shortest period of time (up to 5 minutes) **decreased** for heroin, cocaine and crack. At the other end of the spectrum, the number of respondents having to travel up to 1 hour and over to source drugs **increased** for heroin, cocaine and crack. For those subjects that completed the initial and follow up interview there was a significant difference between at the initial and re-interview stages for the time taken to source both heroin ($p < .005$) and crack ($p < .05$).

With regard to the number of dealers selling drugs, the lesser number of up to five heroin dealers that could be contacted within a 1 mile radius by 31 % of respondents at the initial interview stage increased to 39 % for the follow up interviews. Likewise for cocaine this increased (for the lesser number of dealers) from 37 % to 43 % and for crack it increased from 36 % to 45 %. However, for the larger number of dealers, the frequency reduced at the re-interview stage when compared to the initial interview. For cocaine it reduced marginally from 5 % to 2 % and for crack it also reduced from 5 % to 2 %. For those subjects that completed the initial and follow up interview, there was a significant difference between the number of heroin dealers and the number of crack dealers accessible at the initial and re-interview stages ($p < .05$). However, there was no significant difference for the number of cocaine dealers that could be accessed by respondents between the initial and re-interview stages.

Perceptions of Drug Purity

In describing the quality of heroin available in their local area over the 7 days prior to initial interview, 53 % of respondents described it as being either 'very poor' or 'poor'. However, the perception of heroin quality was found to differ between sites with 80 % of respondents for site 'B', 47 % of respondents for site C, and 38 % for site A, all describing heroin circulating in their area heroin as being 'very poor' or 'poor'. Of note, there was a significant relationship between the perceived quality of heroin available and interview site location $p < .05$.

Following on from the initial interview, in describing the quality of heroin available in their local area over the 7 days from the date of re-interview, there was overall general agreement that the quality of heroin available at the street level was indeed 'very poor'. However, geographical differences did emerge. Compared to sites B and C, proportionally more respondents at site A now indicated that the heroin available was indeed 'very poor'. Across all three sites a num-

ber of respondents provided a host of differing accounts concerning what they believed were the causal factors surrounding any change in the quality of heroin. These ranged from upstream law enforcement interdiction in Afghanistan to local police activity. Compared to responses elicited at the initial interview stage, for the follow up interviews there was a greater emphasis placed on a denigration of heroin related directly to law enforcement activity. However, although respondents believed that law enforcement drug interdictions had impacted upon heroin quality, this appeared to have little or no impact upon drug sourcing behaviour in terms of where drug negotiations were routinely transacted.

With regard to cocaine, the overwhelming majority of subjects in this study failed to describe the quality of cocaine available in their local area over the 7 days prior to the initial interview and the re-interview stage. With regard to crack, a substantial proportion (75 %) of respondents also failed to answer this question.

Dealing methods

In exploring the methods generally used to contact a drug dealer, respondents indicated that they contacted a dealer mainly by one of 4 methods: mobile phone, landline phone, approach made to a dealer in a public place or through a 3rd party contact. Use of a mobile phone was, however, the most frequently mentioned method of contact.

The majority of respondents indicated that the method that they used to contact a dealer had not changed over the 30 days prior to the initial interview. Similarly, for the re-interview stage, the method used to contact a dealer did not change and, as with the initial interview, the use of a mobile phone remained the most frequently used method of contact. In addition, drug purchases were normally transacted with dealers previously known to respondents which remained the case for both the initial and re-interview stages.

Perceived Ease or Difficulty in Sourcing Drugs

At the initial interview stage, respondents were also asked to rate the ease or difficulty associated with sourcing a range of illicit drugs over the previous 7 days. Despite drug interdiction activity having taken place in that 7 day time frame, a range of drugs were identified by respondents as being 'very easy' to source. These were: heroin (74 %); cannabis (44 %); crack (34 %); methadone (28 %) and cocaine (28 %). However, between site comparisons revealed geographical differences in the ease with which certain drugs could be sourced following interdiction; heroin was considered easy to source in all 3 sites, Cocaine was marginally easier to source in site A, Crack was considerably easier to source in site A, Cannabis was considerably easier to source in site B and marginally easier to source for site C. In addition, while a number of respondents at each site indicated that they didn't know how easy or difficult it was to sour-

ce illicit methadone, proportionally more respondents in site A indicated that methadone was either easy or very easy to source.

On being asked to rate the ease or difficulty associated with sourcing illicit drugs in the 7 days prior to re-interview, respondents again identified a range of drugs which, to varying degrees, they considered 'very easy' to source: heroin (48 %); cannabis (44 %); crack (34 %); methadone (29 %) and cocaine (28 %). Analysis of data revealed that there was a significant difference between perceptions of ease/difficulty associated with sourcing both heroin and crack between the initial and re-interview stages $p < .005$.

The proportion of respondents who considered cannabis 'very easy' to source remained broadly similar for both the initial and re-interview stages (44 %). However, those that found cannabis 'easy' to source increased from 12 % at the initial interview to 30 % at the re-interview stage and those respondents who didn't know the answer to this particular question reduced from 32 % to 15 %. Analysis revealed that there was no significant difference between perceptions of ease/difficulty associated with sourcing cannabis between the initial and re-interview stages.

For illicit methadone, the main difference between the initial and re-interview stage was confined to the 'easy' to source category, where proportionally more subjects at the re-interview stage (37 %) found it 'easy' to source compared to the initial interview phase (20 %). Analysis revealed that there was no statistically significant difference between perceptions of ease/difficulty associated with sourcing illicit methadone between the initial and re-interview stages.

For Diazepam there was a marked reduction in the proportion of those respondents who indicated that the drug was 'very easy' to source at the initial interview stage (40 %) compared to re-interview, where 20 % considered that diazepam was 'very easy' to source. Analysis showed that there was a significant difference between perceptions of ease/difficulty associated with sourcing diazepam between the initial and re-interview stages $p < .05$.

Police Presence

Over the 7 days prior to the date of the initial interview 73 % of respondents indicated that the police presence had increased, and for 54 % of respondents, this translated into an increased risk of arrest when sourcing illicit drugs. Across all 3 sites there was overwhelming agreement that the police presence had increased. At the re-interview stage there was again overwhelming agreement that the police presence had indeed increased.

Drug Dealing Activity

Despite a perception of an increased police presence, and the associated risk of arrest, only a quarter of all respondents indicated that there was less drug dealing. There was marked differences between sites in terms of perceived drug dealing activity with marginally over half of those respondents in Site B agree-

ing that drug dealing activity had reduced over the past 7 days. This compares to only one respondent in site A and 23 % in site C agreeing that dealing had reduced. At the re-interview stage, across all 3 sites there was general disagreement that drug dealing activity had reduced: site A (59 %); site B (61 %); site C (65 %).

Treatment Services

Over the 30 days prior to initial interview, respondents indicated that they were in contact with a number of different treatment services relative to their drug use. General Practitioners (GPs) were the most frequently mentioned point of contact, with 69 % of respondents indicating that they had contacted their GP within the past 30 days. However, 30 % attended at a methadone clinic and 15 % indicated that they had attended at a needle exchange.

Compared to the initial interview stage, the number of respondents at re-interview who indicated that they had attended at a methadone clinic increased from 30 % to 84 %, significant at the $p < .05$ level. Respondents' attendance at GPs decreased from 69 % to 47 % and this was also significant at the $p < .05$ level. The number of respondents accessing other services also decreased from 64 % to 42 % at re-interview, again this was also found to be statistically significant, $p < .05$.

Drug User Interviews

Semi-structured interviews undertaken with drug users set out their views on the impact of major drug seizures. The interest here was not so much in objectively charting the impact of each of the drug seizure operations taking place in the three sites, but to ascertain what drug users themselves saw as the effect of those operations and of the broader attempts on the part of the police to limit drug supply. A significant number of interviewees had been involved in a drug seizure operation. If there was any sense of drugs having become a commonplace, even mundane, aspect of the social world inhabited by the drug users interviewed, there was nothing which disrupted that view more than the experience of being directly involved in a drugs raid. That experience, even for hardened drug users, was shocking, painful, embarrassing, unexpected and traumatic. Only a very few of the individuals interviewed in this research had come to view such raids as a predictable occupational hazard of using illegal drugs. This is not to suggest that such raids had a long term impact, but simply to point to the magnitude of their immediate impact on the individuals involved.

In their assessment of whether significant drug seizures had an impact on price purity and availability, there was broad agreement across each of the study sites with the drug users largely suggesting that the price at which drugs were being sold on the streets was largely unchanging, even where the purity of those drugs was highly variable. Indeed, it would appear from interviewees' accounts that it was largely through the mechanism of altering the purity of heroin that

drug sellers were able to accommodate shortages in drug supply arising from such seizure operations. Aside from the issues of price and purity, however, it was evident that seizure operations could also have a notable impact on other aspects of drug user's behaviour resulting, for example, in their having to travel further to buy drugs and contacting sellers who were relatively unknown to them. According to interviewees, this could result in an increased likelihood that the drug users would be sold fake drugs or be robbed of the money they were carrying for the intended drug purchase.

Drug User Diaries

The findings that emerged from drug user diaries present a substantial challenge to drug enforcement agencies since they clearly show the degree to which the purchasing of illegal drugs has become embedded within the communities. This is despite the fact that during the period over which the drug purchase diaries were completed, recent police activity focused on the drugs trade had taken place within those areas. Nevertheless, the diaries reveal a world in which drug purchasing remains rapid, in which there is little indication of drug users having to approach new people from whom to buy drugs, because their more commonly used sellers have been arrested, and in which these purchases can be made without having to approach a large number of individuals. In essence what these figures show is an intact and embedded drug economy.

Service Provider Interviews

Even on the basis of the small number of qualitative interviews undertaken with police and drug treatment agency staff, it was striking just how far apart the two groups were at least with respect to the impact of drug seizure operations. Whilst these were seen as a particularly important part of the work of the police (by the police) and something that had a wide range of positive impacts, amongst some of the service providers there was a view that such seizures had little or no impact or, where they did have an impact, much of that was negative. It was also striking that in some of the interviewees comments there was clearly a substantial distance between the drug enforcement and treatment and support agencies in terms of what might be described as, the degree of mutual respect, and shared orientation in responding to the challenge of illegal drugs.

Conclusion

In any city or rural area where there are a significant number of drug users, and a well developed system of drug supply, it is questionable whether law enforcement efforts on their own will ever have a sustained impact on reducing the local availability of illegal drugs. To acknowledge the scale of the challenge faced in the UK, and elsewhere, in reducing the availability of illegal drugs on the streets is not, however, to suggest that law enforcement efforts are ineffective. The research undertaken in this study demonstrates both the complexity of the picture with regard to the impact of police efforts to tackle local drug avail-

lability and the capacity of those efforts to impact on the behavior of drug users. Even in the midst of a major police operation, whether concerned with securing a major drug seizure, or mounting a test purchase operation, drug dealing persists. It would appear that the drivers of that activity (of selling and using illegal drugs) are unlikely to be influenced in the very short term by the presence of the police. However, the longer-term impact of the enforcement operations in the three study areas provides a degree of evidence that enforcement had impacted on drug user behavior in a number of key respects. On the basis of the data obtained from drug users themselves, in their view, the quality of the drugs available locally following an enforcement operation had reduced, there was a greater willingness to access treatment services, there were reductions in the ease with which some drugs could be accessed, and a need in some instances for those looking to buy drugs to have to travel further to secure their purchase.

If this research has shown that the efforts of enforcement agencies to reduce local drug availability can have an impact on drug user behavior in a number of areas, the major question that flows from this study has to be one of identifying how that impact can be built upon and sustained? The scientific literature in this area shows convincingly that community-wide policing efforts utilising a partnership approach are more effective than law enforcement only drug 'hot spot' policing in tackling drug problems in a community. One way of maximising the impact of drug enforcement efforts is to ensure that a diverse range of agencies working in this field (both those that have an enforcement focus and those oriented towards drug treatment and prevention) are integrated in such a way that in both the run up to, and the period following on from a major police operation, these other agencies are fully involved in extracting the utmost positive impact from the police activities taking place.

At the present time, however, many of those agencies involved in the field (enforcement prevention and treatment) are operating under tighter budgetary constraints than they have had to do in the recent past. These pressures may in themselves lead to agencies focusing on what are seen to be their core areas of expertise and marginalising those areas that are seen as being somewhat peripheral to those core concerns. As a consequence, such pressure could result in the opportunities for different agencies to work together to be reduced rather than enhanced. That would be enormously regrettable were it to occur. There is though likely to be a growing need for communities themselves to become actively engaged in approaches aimed at tackling local drug markets. Engaging communities in this way is unlikely to be straightforward since in many instances local drug markets may have become deeply embedded within the communities in question. As such, mobilising community resources to tackle those markets can present a massive challenge. One possible model to consider rests in the framework of Routine Activity Theory. This concept is particularly useful if viewed from a perspective where the drug dealer is perceived as an offender and the drug purchaser viewed as a victim. Both offender and victim must come together for the drug dealing event to take place. If, however, the environment within which the drug dealing event takes place can be effectively

controlled, then drug dealing activity may be prevented. As such, drug dealing in communities may be presented as elements of a Problem Analysis Triangle. In this model, entities are defined as (1) communities, (2) drug dealer (3) drug user. The most recently developed ‘complete’ formulation of the Problem Analysis Triangle adds an outer control cordon for each of the 3 elements. A complete Problem Analysis Triangle representing drug dealing in communities developed for this report is shown below. In this model, local dealers are controlled by ‘handlers’, drug users are protected by ‘guardians’ and communities are controlled by ‘managers’.

Map 02. The complete Drug Dealing Problem Analysis Triangle



For this to approach to work following on from a crackdown or test purchase operation, the local Police would become the ‘Guardians’ of that community; Community ‘Controllers’, i.e. citizens concerned with the quality of life in their community would become the Managers of that community, a prerequisite of which would involve the reporting of illicit drug activity to Police Guardians. The Handler would be someone who knows the dealer well and is in a position to exert some form of control over the dealer’s actions such as parent, teacher or spouse. However, other officials could support or act as a substitute for normal handlers. There would be a necessity for the police to commit to the ‘Community Guardian’ concept, encourage and support Managers and, in all probability, assist by prioritising, where possible, reported incidents of drug misuse in that community.

The feasibility of this approach in providing a model for tackling drug related criminality will also depend to a large extent on the degree to which the police can be clear as to the priority given to drug policing. Over the last decade or so, within the UK and in some other countries, the role of drug enforcement has expanded well beyond the typical and traditional areas of drug policing to encompass the goal of reducing drug related harm. As a result, the police have been drawn into a range of harm reduction initiatives that have had as their goal, not so much reducing the availability of drugs on the streets, so much as integrating with other services to reduce the overall negative impact of drugs

on society. Typically, for example, the police have been involved in collecting detailed information on drug related deaths, on reducing drug users risk behavior, on encouraging drug users to access treatment services, and in many respects focusing their enforcement activities more on those selling drugs than those using illegal drugs. As a result of this apparent shift in priorities it has become less clear now than in the past what priority the police should give to drug seizures in particular. In the qualitative interviews undertaken with police and service providers it was evident that there was a divergence of view as to the importance which the police give to drug seizure activities. Whilst these were valued highly by the police, there was some suggestion amongst those working in the drug treatment sector that rather less importance was given to drug seizures, and indeed in some cases, such seizure activity was seen to increase the overall level of drug harm. If enforcement agencies are going to work effectively with other local agencies and the wider community in developing the triangle of tackling problematic drug use, there will need to be a much greater degree of consensus within the police, and between the police and other agencies, as to the priority that should be given to the traditional goals of drug policing, particularly to the role of drug seizures within the wider arena of drug enforcement.

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Part III

OC research and practice in Northern Europe: 5th OC Research Conference in Wiesbaden, 2012

Conference overview, including summaries of individual presentations

On 26 and 27 September 2012, the Bundeskriminalamt Wiesbaden hosted its fifth international research conference on the subject of “Organised Crime Research in Northern European States”. The meeting focused on OC-related research and the OC situation in the Northern European countries. The speakers were research scientists and law enforcement personnel from Denmark, Estonia, Finland, Norway and Sweden. Topics covered fields of crime involving human trafficking, prostitution, labour exploitation, the cannabis trade, alcohol smuggling and corruption. The special characteristics of OC applicable to the Baltic States and Scandinavia were described, as were the efforts to fight OC in those countries. The history and current situation pertaining to OC in the Nordic countries represented the common thread for the presentation of research projects focussing on the following issues: human trafficking for the purpose of sexual or labour exploitation, the cannabis trade, criminal organisations, and international OC groups. The following overview contains brief summaries of the individual presentations.

“Organised crime the Nordic way. Past and present.” was the topic addressed by **Prof. Dr Paul Larsson**, professor of criminology at the Police Academy in Oslo and visiting professor of police science at the Linnaeus University in Sweden. He presented the development of OC in Scandinavia. Larsson explained that the time of prohibition in Scandinavia saw a dramatic increase in alcohol smuggling and illegal alcohol production activities. Until the middle of the 20th century, Scandinavian legislators passed prohibition laws that differed both in scope and in terms of the period during which they were in force: Norway and Sweden imposed less drastic forms of prohibition from 1917 until 1927, and from 1916 until 1955, respectively, whereas Finland imposed a total ban on alcohol from 1919 until 1931. In the 1980 s and 1990 s, OC groups engaging in the smuggling of drugs, alcohol and cigarettes established themselves in the Nordic countries. Starting in the year 2000, robber gangs began to draw attention to themselves with a number of spectacular cases/incidents. Prof. Larsson further explained that violent groups were forming inside Swedish prisons. Criminal groups mainly came from the east: these were mobile criminal groups from Lithuania as well as Finnish-Estonian and Russian criminal organisations.

Prof. Larsson described the current situation as follows: in Norway biker gangs, especially Hells Angels and Bandidos, as well as mobile criminal groups from Eastern Europe are making their presence felt. Their main field of

activity, in Norway in particular, is human trafficking for the purpose of sexual exploitation. A further problem exists in the form of ethnic groups, mainly organised gangs of beggars from Romania. The crime situation in Denmark is similar to that in Norway, but there is a greater incidence of offences committed by criminal (biker) gangs. Sweden is also experiencing crimes committed by biker gangs, yet in that country there is a greater incidence of criminal ethnic, multi-ethnic and violent groups than in the other Scandinavian countries. The main field of crime for all criminal groups in Sweden is drug trafficking, but incidents of human trafficking for sexual and labour exploitation, fraud and white-collar crime, especially obtaining government subsidies and social benefits by fraudulent means, as well as tax evasion are also of significance here. Compared with other European countries, groups of offenders in Scandinavia often form criminal networks and establish smaller groups that maintain contact for specific “projects”. The damage caused to society by serious crime and the level of corruption are comparatively low in Scandinavia. The level of violence is still relatively low on the whole, albeit with some exceptions that attracted media attention.

Anniina Jokinen, M.Soc.Sc. and **Minna Viuhko**, M.Soc.Sc., both researchers with the United Nations-affiliated European Institute for Crime Prevention and Control (HEUNI), introduced their HEUNI institute, which participates in various international projects dealing with crime statistics, victimisation surveys, violence against women, execution of sentences, corruption and human trafficking. In their presentation **“The extent of organised crime involvement in Finnish human trafficking cases”**, they showed that Finland is a destination country for victims of human trafficking, and they described the current Finnish case law in the field of human trafficking. While the numbers of cases investigated and of victims have increased in recent years, the number of convictions has remained unchanged and is still relatively low.

The two researchers went on to present their findings from two empirical studies on human trafficking. The first study investigated the crime fields of human trafficking for the purpose of sexual exploitation and “organised facilitation of prostitution” in Finland (2007–2009). Within the scope of the project, documentation was evaluated in order to analyse the roles of the various actors in organised criminal groups and the structures of these organisations. This analysis was then supplemented by interviews with experts in the field as well as court rulings handed down, and media reports. Offenders represented in human trafficking networks are primarily Estonian, Russian and Finnish nationals. Some prostitutes have dual functions in the process, i.e., they are both victims and perpetrators rolled into one. The size of the groups and the division of labour varies, but they tend not to be overly specialised. The criminal networks in the field of human trafficking in Finland are smaller than other international groups in Europe, and they do not have a hierarchical structure. However, the way they carry out their crimes is generally well planned and organised. In Finland, human trafficking offences are committed mostly by Russian and Estonian nationals, but Romanian, Bulgarian and Nigerian nationals are increasingly coming to the fore as perpetrators. Specific case examples,

beginning in the year 2004, were used to portray several Finland-based criminal networks, their structures and other parties involved in human trafficking.

The second study presented here focused on human trafficking for the purpose of labour exploitation, which was conducted by HEUNI in Finland, Estonia and Poland in 2011. Anniina Jokinen and Minna Viuhko presented the findings for Finland where the first two convictions for “human trafficking for the purpose of forced labour” were recorded in 2012. Based on case examples, the type of exploitation and the methods used by the criminal “employers” were analysed. Data were sourced from investigation files, interviews with experts and victims, court judgments and media reports. Many of the cases were uncovered in the catering industry, the construction sector, the cleaning industry and in the agricultural sector. Although victims are exploited in different ways, they rarely file a complaint. Jokinen and Viuhko listed Estonia, Russia, Poland (construction sector), China, Vietnam and Thailand (cleaning industry, catering, agriculture) as the most important countries of origin for victims of human trafficking. Victims from India, Latin America, the Middle East and Africa were also registered. Generally the offenders have the same nationality as their victims, making it easier for them to recruit the victims and to communicate with them. The two researchers described a number of examples of physical and psychological violence as well as cases where employment contracts were not extended, wages not paid, contact with the outside world prohibited and families back in the country of origin subjected to threats, or where complaints were filed with the authorities in Finland. Wages are far below the minimum wage levels paid generally. The victims are frequently forced to repay an unjustifiably high proportion of their wages for food, accommodation and travel expenses in cash to their employer. As a rule, the workers are given two separate employment contracts: one in their own language stating the actual wage, and a second contract stating a much higher wage, which is submitted to the authorities in Finland when checks are conducted. Anniina Jokinen and Minna Viuhko closed by explaining that the organisers of human trafficking for labour exploitation were usually criminal networks rather than OC groups. They said the methods employed were well organised, however, and that in some cases serious offences were committed. Human trafficking for sexual exploitation in Finland is more highly organised compared with the cases of human trafficking for labour exploitation.

Dr Risto Pullat, a senior police officer with the Police and Border Guard Board in Estonia, gave a presentation under the title of **“Constellations of organised crime in the Baltic Sea region”**, which provided an overview of OC in den Baltic States. His main focus was on Russian OC, and in particular the sub-culture referred to as “Thieves within the law”, which has had a strong influence on crime in the Baltic Region. He gave an overview of the history of the “Vory y zakone” (Thieves within the law), whose origins date back to the 15th and 16th century in Russia. They formed in the gulags during the Stalin era. When membership of the criminal organisation “Thieves within the law” was declared an indictable offence in Georgia in 2006, a number of the members left Georgia, settling in the Nordic countries amongst others, especially in Swe-

den, but also in Estonia and Latvia. These groups live as ethnic Russian minorities in the Baltic States as well as in Finland, Sweden and Norway. They live in relative isolation, yet are able to rely on a criminal infrastructure. Members are recruited in prisons and in rural communities, and following their release from prison, they frequently end up as members of gangs committing burglaries. The “Thieves within the law” have their own contact persons in prisons in Estonia. The membership is organised in hierarchical structures, and they control a substantial proportion of OC in Estonia. This is a unique characteristic in the Baltic States. Estonian criminals cooperate closely with the “Thieves within the law”. In some cases, Estonian-Russian groups have been established which are frequently involved in drug trafficking. Pullat is of the opinion that the “Thieves within the law” will become less influential in Estonia in the long term, however. He explained that the Baltic States represent countries of origin, countries of destination as well as transit countries for various OC phenomena.

In terms of cross-border activities, Estonian and Russian OC is in particular prominent in the fields of drugs and motor vehicle crime. The bulk of synthetic drugs smuggled into Finland comes from Estonia. Lithuanian OC networks operating in the drugs trade smuggle their contraband mainly to Sweden, but also via Finland to Western Europe. Successful efforts on the part of law enforcement authorities have ensured that narcotics prices remain continually at a high level in the Nordic countries. Russia is also an attractive market both for the national and the international drugs trade. St Petersburg is considered the gateway for drugs originating in the east and destined for Europe. The expansion of the Schengen area has boosted cross-border crime in the Baltic States. Pullat referred to north-eastern Europe as a crime hub used for the smuggling of illegal goods and services from east to west and vice versa.

Dr Lars Korsell, from the Swedish National Council for Crime Prevention (Brå), Stockholm, and Director of the Economic and Organized Crime Research Division, talked about the importance of the local roots of OC in his lecture titled **“The local dimension on organised crime”**. Even though OC groups often maintain international connections, offences committed by these groups are generally associated with the local market. Consequently there is a perceived need to fight OC at the local level as well. Korsell is of the opinion that on the whole, not enough attention is paid to the local dimension of OC. OC supplies the market with prohibited and tax-free goods and services. Major fields of activity in the Scandinavian countries are trading in alcohol, cigarettes and drugs, as well as human trafficking for purposes of sexual and labour exploitation. According to Korsell, a “new mafia” has formed in Sweden which consists of members of the biker gangs Hells Angels and Bandidos. This “new mafia” hit the public spotlight in Scandinavia from 1994 until 1997 during the so-called “Nordic Biker War”.

Foreign gangs of thieves operate at the local level, and this is also where contact is made with the buyers of the illegal goods. The only exception here are foreign networks whose membership consists of foreign nationals. Unlike the activities of the “new mafia”, offences relating to economic crime, the supply

of illegal goods and the activities of the “Russian mafia” tend to be hidden from view and as a result are frequently not considered as a threat, or as OC, by the general population.

Various measures have been implemented to fight OC at the local level. For example, in 2008 a “Knowledge Centre against Organized Crime” was established in Gothenburg. Several law enforcement bodies are members of this competence centre, but also other authorities such as the Swedish National Tax Board, the Swedish Insurance Agency and the Swedish Prison and Probation Service. Coordination of the centre’s activities is handled by the “National Council for Crime Prevention” (Brå), by order of the Swedish government. All the agencies involved collaborate on joint projects and pool OC-related information and findings. The goal is to make the fight against OC more efficient. According to Korsell, in future the focus will be on measures targeting the local basis of OC in the major cities. The incidence of economic crime and fraud in Scandinavia is expected to increase. The multidisciplinary approach towards fighting OC and – included therein – the simultaneous implementation of administrative measures look promising. This same approach is already bearing fruit in other European countries.

Dr Mika Junninen, Senior Planning Officer at the “European Crime Prevention Network” (EUCPN) in the Finnish Ministry of Justice and an assistant professor of criminology gave a lecture titled **“Criminal entrepreneurs or the influence from the East”** in which he presented a study of Finnish criminal organisations. Dr Junninen drew a comparison between the characteristics of OC offenders and professional criminals. He compared his research findings from 2001 with those of Dick Hobb from the year 1995, and those of Edwin H. Sutherlands, dating back to the year 1937. The study investigating criminal groups in Finland was based on interviews with experts and offenders in Finland and Estonia, with a subsequent evaluation of empirical data pertaining to offenders and their group activities. The focus was on Finnish offenders on both sides of the border between Finland and Estonia. The interviews with offenders dealt with fourteen Finnish groups that had been active in alcohol, tobacco and drug smuggling, in human trafficking, prostitution and in receiving stolen goods during the 1990 s. Also included was a group of offenders belonging to the Hells Angels. The groups analysed as part of the study also operated in the legal economy, most frequently in the construction sector, in restaurants and bars, in the security industries, and in the motorcycle and car business. In relation to the Finnish criminal groups, it was found that they were predominantly so-called “semi-organised crime groups”, whose level of organisation lies somewhere between that of criminal groups and of OC groups.

Dr Junninen then provided an overview of the phenomena of serious crime in Finland, of the groups of offenders, and of the smuggling routes. Finnish groups are engaged in smuggling alcohol, drugs, hormones, cigarettes, prostitutes and all kinds of stolen goods. Alcohol is mostly smuggled from Western Europe to Finland using two main routes, to the west and to the east of the Baltic Sea. The principal routes for the transportation of drugs are via Spain to

the Netherlands and then west of the Baltic Sea via Denmark, and from the Netherlands via the eastern Baltic Sea states to Finland. Finnish currency from illegal business transactions is laundered mainly in Germany, Estonia, Russia, Sweden and Spain. Finland is strongly affected by human trafficking, both as a country of destination and as a transit country. The members of the offender groups engaging in human trafficking are Chinese, Asian, African, South American, Turkish nationals as well as people from the CIS countries. Destination countries for human trafficking operations are other Nordic countries, Germany, France, Spain and the UK. The main route from the east leads to Finland via Russia. The human traffickers use various means of transportation, with Moscow, St Petersburg, Murmansk, etc., frequently serving as intermediate stopping-off points. Junninen explained that at present, no central office for OC prevention and eradication existed in Finland. He therefore called for the establishment of a higher authority in Finland where information could be pooled and analysed. He said it was high time that politicians recognised the need to fight serious and organised crime as well as the shadow economy and that they should focus their efforts on accomplishing this.

Dr Kim Møller is assistant professor at the Centre for Alcohol and Drug Research at the University of Aarhus in Denmark. In his presentation titled **“Illicit drug sales and organised crime in Denmark – Recent history & current conflicts”**, he gave an overview of the cannabis market in Denmark, of the criminal groups involved in the market, and the control measures implemented by law enforcement agencies. The study he presented evaluated material from a nine-month video surveillance operation, completed in 2012, of relevant places for the cannabis street market. Additional information was sourced from court records, police investigations into prices and proceeds in the cannabis market, and from statistical material. Møller explained that in the past the Danish police had focused more on control than on deterrent measures in the cannabis market. The stated objective had been to allocate more resources to the fight against hard drugs and the prosecution of cannabis wholesalers. This policy had allowed the cannabis street market in Copenhagen’s alternative residential precinct “Christiania” to increase in volume. For a long time, “Christiania” had been seen as a centre where the distribution of cannabis products could be carried on with relative impunity. A raid on the street market early in the year 2000 was followed by several homicides in the drugs scene. In April 2004, the police mounted a major operation involving raids and arrests. In the period from 2000 to 2007, the legislators reacted with a total of seven amendments to tighten Denmark’s narcotics laws. According to Møller, Denmark has the highest lifetime prevalence of cannabis consumption in Europe, with approx. 175,000 people using cannabis. Consumption goes virtually unpunished. In the case of the small-scale cannabis trade, the police is subject to the principle of opportunity, which is to say, the police are not obliged to mount a prosecution. Estimates put the volume of cannabis products traded in Denmark at 20 tons annually, with proceeds amounting to 1,250 million euros. The situation is aided by the country’s geographical location between Scandinavia and the rest of Europe. The cannabis market in Denmark is dominated by biker and

street gangs as well as criminal groups of immigrants. Prominent among the biker gangs are the Hells Angels, Hells Angels Support, AK 81 Hells Angels Youth Division, Bandidos and Bandidos Support.

As part of his research, Møller compared the sizes of seven criminal organisations from the biker and street gang scene in Denmark. The Bandidos group was the largest, with 208 registered members. The AK 81 Hells Angels Youth Division also has no fewer than 127 members. Biker groups in Denmark feature a hierarchical structure, with specialised areas of responsibility. Frequently there are connections to members of other biker groups. The bikers dominate the relatively stable cannabis market in “Christiania”, which has the highest turnover in Copenhagen. This was confirmed by comparing the costs and profits achieved at two separate cannabis markets in Copenhagen. The criminal networks of immigrants consist of smaller, autonomous groupings. The immigrant groups control the short-lived “hash clubs” and the smaller cannabis street markets in and around Copenhagen.

Gunnar Appelgren, a senior police officer with the Stockholm County Police and head of the national task force against serious and organised crime, and **Per Brodin**, a scientist working for the Crime Intelligence Unit of the Stockholm County Police, gave a lecture titled “**A joint-agency initiative against organised crime in the municipality of Södertälje**” which portrayed OC involving Assyrian nationals in the Stockholm suburb of Södertälje, and outlined the inter-departmental initiatives taken to combat crime emanating from this group. Problems with this criminal network based in the suburb of Södertälje have been ongoing for over twenty years now. Members of the Assyrian criminal organisations have come to the notice of the police as a result of homicides, serious bodily harm, illegal gambling, human trafficking and other types of offences. Appelgreen and Brodin first gave an overview of the origins and history of this ethnic group: a minority living in the Syrian-Christian tradition mainly in the Middle East, originating from Turkey, Syria, Lebanon and Iraq. Assyrians are stateless and spread out over the entire globe. They were repeatedly victims of genocidal attacks. Since 1967, they have been migrating from Lebanon to Sweden. Most of them settle in the Stockholm suburb of Södertälje, where they now muster 15,000 to 20,000, among a total population of 80,000.

Gunnar Appelgren and Per Brodin described how the Christian ethnic group represents a “community within the community” in Stockholm. Loyalty towards family and the belief that individual success and security depend on the strengths and weaknesses of the group as a whole are among the values upheld by this group. Thanks to their large numbers in Södertälje and in the whole of Sweden – the minority includes 50,000 to 70,000 persons – the Assyrians have their own social networks, their own churches, their own football teams, etc. Illegally acquired proceeds of crime are reinvested legally, e.g. in urban projects. Appelgren and Brodin concluded that the structure of the Assyrian community shared common traits with mafia-style organisations.

Following some homicides attracting high media attention, the authorities responsible resolved to launch project “TORE 2”, a “joint-agency initiative”, with operational backing from the police. The thesis underlying the project is that closely networked communities present a greater risk of individuals being recruited for criminal activities. The example of Södertälje demonstrates that ethnicity and a community which isolates itself from the outside world can represent fertile ground for a criminal network. The aim of the “TORE 2” project is to identify the key criminals responsible, to destroy their networks, and to initiate legal action. Measures include the development of a “joint problem scenario” or a media campaign. To date, this collaborative effort has proven to be a model for success. The findings produced by this inter-agency initiative are expected to be evaluated in the autumn of 2013.

Articles of the speakers

Homegrown and imported. Organized crime in the Nordic countries

Paul Larsson
Police University College of Oslo

Organized crime is in many cases best understood as a part of the illegal and informal economy. This was already pointed out in classic studies of organized crime nearly a century ago (Landesco 1929, Thrasher 1927). The business of organized crime is, most often, business. But it should be pointed out that there are many non-economic factors in the economy⁶⁴. The illegal economy does exist in continuation of the legal and often reflects basic traits of the formal, “white” economy. To understand the working and structure of different types of organized crime, a general knowledge of both the formal and informal economy in the homelands of these groups and networks can be vital. Organized criminal groups in the Nordic countries are often of a flexible network type, often project based. It is a network of friends of friends and old time brothers in crime. This reflects basic characteristics of both modern formal industry with projects and flexibility in staff, but also aspects of the informal economy, friends doing favours. But there are also other forms of organized crime groups more rooted in family or ethnicity. Some of these groups have stronger ties; membership has a value in itself, giving the member an identity and belonging. They often reflect the basic social formations, norms and economic structure of the “homeland” of the groups. Family based networks would seem strange for a Dane or a Swede, but not for a Turk. Today, as I argue in this text, mixtures often occur and these ideal types are not as common anymore. Organized crime is therefore both homegrown and imported.

On the definition of organized crime

The European Union 11- point definition is the official term for organized crime in the Nordic countries. In reality organized crime has become synonymous with *serious crimes*. Serious organized crime is now a phrase often used in the media and political language. There are quite a few problems connected to the use of this term. First of all, one of the defining points of the EU 11-point description is that the crimes committed should be serious (nr. 5), so the term seems to be circular. Another aspect is that *serious crime* is just as vague and murky as the term organized crime itself. There are few, if any, objective terms that can single out what serious crime might mean; instead what is serious for

⁶⁴ This should not be understood in the way that the criminal economy is functioning just like the formal economy. As Paoli (1993) clearly has pointed out, there are different rules governing the criminal and the formal economy. Much of the illegal economy is not based on simple ideas of making profit. It is often a mix of quite hedonistic impulses with no idea of tomorrow, the status of being the biggest smuggler and the thrill of the game and the money itself (Larsson 2008b).

some might be labelled less serious by others⁶⁵. Seriousness will differ quite a lot according to the cultural, political and historical standpoint. What is conceived as serious in Sweden will not necessarily be so in Spain or Russia. The political left will view tax fraud as a serious offence, while many on the right will have different opinions. To escape from this situation one “solution” is to use the penal law as a guiding line. In Norway the General Attorney’s scale of what was seen as serious crime is used, some types of acts are singled out and the crimes should have a minimum penalty of 6 years⁶⁶ (Larsson 2008).

The focus on seriousness has some worrying effects. Forms of organized crime are “forgotten” because they are not viewed as serious. To start an open debate on the dangers and harms of organized crime in society and rank it below, let’s say environmental harms or domestic violence will make you stand out as in lack of touch with the realities of the world. This paves the way for the use of harsh penalties, of investigative methods that have problematic aspects for civil society and a general belief in punishment as a “solution” to these problems⁶⁷. The focus on organized crime has reestablished the criminal as the other, the dangerous and the monster (Larsson 2008). There is no use in using preventive methods or going “soft” on such thugs. The role of the dangerous has often fallen on the most visible criminals, the bikers, the ethnic gangs and the outsiders, the threat from abroad.

The role of the *suitable enemy*, as Christie and Bruun (1985) called drugs, has to a large extent been taken over by the visible “Mafiatype” groups and networks⁶⁸. The frequent use of the term Mafia is interesting in itself. In both Nor-

65 Some might argue that economists can give an economic figure on harm and seriousness. Everything can be transformed into money value. There have been quite a few such calculations of the harms and costs of crime, but all of them have to transform non-economic costs into economic. What is the value of a life or the cost of lifelong depressions or angst for victims? The reactions on crimes are also very different. Some people don’t care about, let’s say, graffiti while others think it is devaluing their life world and creating social problems; who should we listen to? Another problem is that we do not have the slightest idea of the volume or cost of many forms of financial costs and so on.

66 Other countries operate with different minimum standards and definitions.

67 In many countries, like Norway, there are extra harsh penalties if it can be proven that the crime was committed by persons in an organized criminal group.

68 The term *the suitable or good enemy* is debated in Nordic criminology. Christie and Bruun (1985) uses the term the good enemy on drugs. This is because it has been the *central enemy*, everyone is against it and as such it has been more or less a common ground in the criminal policy that everyone is against. Christie and Bruun points out seven conditions that have to be fulfilled to call it a good enemy. They are: 1. Power is to get your will, regardless of others’ interest. The first use of power is to define the enemy. Crime problems can not be defined in such a way that it threatens the elite of society. 2. The enemy has to be defined as dangerous, possibly as diabolic or un-human. 3. The ones that wage the war have to feel safe in their task. There is no little room for critical voices. 4. Good enemies are the ones that never die. The enemy is so smart, clever and ever changing that it is impossible to beat. 5. The enemy has to be defined in such vague terms that it is impossible to say if it is getting stronger or weaker by the war. 6. But this vagueness has clear limits. The enemy has to symbolize the negative, the evil and the opposite of established values in society. 7. But the evil is not an absurd construction. The good enemy has to exist, there has to be a core of truth, it can not be a presentation built on sand.

Especially the conditions 2, 4, 5, 6 and 7 must be said to suit well the description of organized crime. The vagueness of the concept and the often exaggerated picture of threats of doom and

way and Sweden the bookmarked and media language is flooded by the use of the term (Kristiansen 2008). In Sweden books like “Swedish Mafia” (Wierup and Larsson 2007) and “Mafia war” are on the top of the lists of bestsellers, even if the authors of the last book clearly underline in their introductory chapter that what they describe is not Mafia or clearly defined gangs; instead it seems to be a mix of networks and groups of friends (Barkman and Palmkvist 2011). Most Nordic researchers and police experts agree that Mafialike organizations are rare or more or less non-existent (Larsson 2008, Korsell and Larsson 2011, Johansen 2008).

How did organized crime come to be established as a concept?

The term organized crime was hardly used by media, government, the police or researchers in Norway and Denmark before the early 1990’s. This is in accordance with many other European nations (Fijnaut and Paoli 2006). Sweden is atypical on this point; there was political focus on the topic during the 1970’s (Korsell and Larsson 2011). This was mainly on the economic aspects of organized crime like illegal gambling clubs, organized prostitution and tax frauds. This interest died out in the 80’s but was revitalized in the 1990’s.

Quite a few have asked what did happen from the end of the 1980’s to the early 90’s that made the term organized crime into a “household name”. To start with the obvious, organized crime in the Nordic countries has been around for at least for one hundred years⁶⁹. But the term was not used. There were well established drug smugglers in the 70’s and 80’s, but they were rarely labeled organized criminals by media, politicians or police. There was no crime wave at the end of the 80’s that could explain the introduction of the term. Then, what happened?

There were external factors. Dramatic changes like the fall of the German wall, the collapse of the Soviet Union and the war in former Yugoslavia were important. These developments, generally described, with the exception of the war in Yugoslavia, as liberation and a positive thing, came to be seen as a potential threat to the European Union. Shortly after these winds of change came a focus on the new threat from the east and the Russian Mafia. Both Norway and Finland share borders with Russia, and the Swedes have a long history of conflict with Russia⁷⁰. Media wrote extensively on these matters in the early 90’s. The Chinese triads, due to globalization, also made their entrance, at least in media reports. But what really made organized crime a public concept and also defined the criminal policy problem was the establishment of the Hells Angels and

evil connected to the phenomenon are well known. Points 4 and 5 also seem to be central, especially in often blurred threat assessments.

69 As far as I know there have been few, if any, historical studies of organized crime in the Nordic countries. The problem of definition will be even greater when doing historical studies; maybe the term is meaningless. But there were robber bands in Norway and I guess other Nordic countries as well in the 18th and 19th century. Piracy was not an unknown activity, and what about the raids of the Vikings?

70 Russia and Sweden both made claims on Finland and the Baltics and parts of Poland.

later Bandidos in the Nordic countries, starting in the late 80's in Denmark and following up in Norway, Sweden and Finland in the early 90's. Many of the clubs that were converted into Hells Angels and Bandidos had been around for a decade or two. They were typical biker clubs, many of them with a mix of members with some active criminal elements and others rather straight guys. The 1 % lifestyle and the love of Harleys kept them together. There was something of a panic reaction when these clubs put on their new colors. Few could imagine that the peaceful Nordic countries now would be the home of groups that clearly seemed to be anti-social criminal gangs. Media, politicians and police reacted strongly when rowdies in Trondheim became MC Norway in 1992, and the phrase organized crime was used frequently. Later on, there was open violence and hostility between the clubs, called the Nordic biker war.

There were other external factors. Sweden and Finland joined the EU, Denmark had for a longer period been a member, while Norway became a member of the EFTA. This meant that EU laws were implemented in the Nordic countries. The EU activity in the field of organized crime in the 1990's was high. There were also other international laws that were implemented, like the money laundering regulation.

This focus on organized crime in criminal policy had important consequences. The main aim started to slowly drift away from drugs as the most important problem towards organized crime. This might not seem to be a big novelty since drugs often are presented as the most important business of organized crime, but the perspective started to change from the users and small pushers towards import and wholesale of drugs. It made an impact on the organization of the police and the use of methods. The drug squads were integrated in the larger departments of organized crime and the methods shifted somewhat from street work towards following the money and the use of intelligence analysis and covert methods. Intelligence led policing and the importance of analysis became central to the running of the modern police organization (Rønn 2012).

The Politics of organized crime

It is impossible to understand organized crime if it is not understood as a highly political concept. Many of these political aspects are discussed above, as the external factors of the developments in Europe and internationally since the 1980's. Another aspect of organized crime is that it can be seen as an aspect of the increasing globalization of the world economy. Journalistic accounts like Glennys "McMafia" and Savianos "Gomorra" clearly document the dark side of global capitalism. With the rise of immense trade and transport between poor and rich countries of goods and services there is an illegal segment of this activity that is hard to regulate and control. In the terms of Robert Merton this activity can be labeled criminal entrepreneurs. Trafficking of human beings, waste, drugs, guns, cigarettes and so on often go as a "free rider" on the back of global capitalism. Legal or low taxed goods are transported and sold in markets where they are illegal or highly taxed. The routes, ports and sometimes transporters are most often the same as the legal industry and transport uses.

Another political aspect is the fact that organized crime for the last decades have been a way to show force in politics and in the media. The criminal policy, also in the Nordic countries (von Hofer 2011), has been dominated by a focus on getting tough on the criminals and the use of more punitive methods (Garland 2001). Organized crime and terror have come to symbolize everything wrong and harmful. In this climate dominated by an un-holy alliance between media, politics and police, especially the highly visible forms of crime have come to much attention. Media needs “good” news to sell papers; politicians want to be recognized as capable and strong while the police are in need of resources, methods and equipment. The problem with this is that resources go to forms of crime that are highly visible or where pressure groups have been active and not crimes that from an analytical or scientific point stand out as threats to society. It also makes it hard to put in the long time police work that is needed to tackle these problems; instead police resources will be allocated according to the media situation of the day. A last critical point is that this focus also will tend to favor more reactive and punitive police methods, not the use of preventive and proactive activity. When the sign of success is the number of prison years that cases result in, the reasons to go for “soft” criminal preventive efforts are few⁷¹.

Brothers in crime – from booze to bikes

The Nordic countries had strong prohibitionist movements at the end of the 19th and in the early 20th century. During WWI when Norway, Sweden and Denmark were neutral nations strong restrictions and prohibition on alcohol were introduced in Norway⁷², Sweden and Finland⁷³. Norway had what was termed partial prohibition from 1917 to 1927, while from November 1916 to 1955 Sweden had restrictions on how much alcohol a person could buy. Finland had total prohibition between 1919 and 1931. Denmark chose another way and imposed high taxes on alcohol (Korsell and Larsson 2011).

The reaction to the prohibition came fast; it opened up a new lucrative market for inventive criminal entrepreneurs. Some of these smugglers made themselves a name and a reputation for fast money. Algot Niska, “the king of smugglers”, shipped alcohol from Baltic harbors to both Finland and Sweden. In Norway the smuggler Arthur Omre tells his colorful story of big-time smuggling in the famous novel “Smugglers” (1935). As one of the world’s leading shipping nations, Norwegian companies were also heavily involved in smuggling alcohol to America’s Rum Row in the 1920 s (Johansen 1993, Johansen 2004). Another business that grew was the production of home made booze, the moonshine. In parts of the Nordic country moonshine has long traditions and is nearly viewed as a part of local traditions and craftsmanship. With the ending of prohibition the solution for regulation in Sweden, Norway and Finland was the introduction of a state monopoly on the sale and supply of, and high taxes

71 The number of years in prison in a case is used as an indicator of success by Norwegian police.

72 By a national referendum.

73 The situation in Finland was exceptional since it was part of Russia until the revolution in 1917.

on, alcohol. Johansen (2004) has shown that the smuggler networks did not die with prohibition; they only changed modus. The high prices on the liquor still made smuggling a profitable business. Many of the smugglers have been in this business for decades. The 1980's – 90's were dominated by big scale smuggling of thousands of liters of strong booze (60–96 %). Smuggling of alcohol is still big business, but it has changed in the last decade. In 2001–2002, 11 died from methanol poisoning in Norway; this seems to have been the end of big time smuggling of cans of strong booze and large shipments. Today the normal procedure is smaller scale, often in min-vans with beer and wine or quality liquor bought in Northern Germany. This has opened up the field of smuggling for small scale entrepreneurs.

Even if smuggling of alcohol still is a highly profitable business in the Nordic region, the police and customs resources used in the field are relatively small. Smuggling of alcohol is not seen as real organized crime by many in the police and punishment in such cases is lenient.

– **The Nordic drug war**

Since the end of the 1960's and the early 70's drugs have been the dominant theme in Nordic criminal policies, maybe with the Danes as an exception to this rule. The Nordic countries are generally known as non-punitive cultures with levels of punishment that are viewed as lenient. The use of prison per capita is still on the lower end of the scale internationally and the average sentences for many offences are short (von Hofer 2011). The exception to this is drug cases, where the harshness of punishment has been un-Nordic since the 1970's (Christie and Bruun 1985).

The police resources used on the fight of import, sale and use of drugs since the early 1970's have been immense. During the 1980's and to a large part the 90's drugs were viewed as THE threat to society and the use of police force and punishment as the central way of handling this. This might seem strange since Norway, Sweden and Finland for a long time have been on the bottom ranking when it comes to drug use in Europe⁷⁴. The number of drug sentences, primarily for the use and possession of small amounts of drugs, skyrocketed in the 1990's as police resources were pumped in order to follow up the users. The use of drugs has, with small fluctuations, seemed to be stable and rather unaffected by this, and prices for most drugs are today at a all time low indicating that there are plenty in supply. One of the effects of the drug war is that long sentences for smuggling of larger shipments of drugs have clogged up the prison systems with long term prisoners.

– **Brothers in crime, multiethnic networks of “friends and neighbors”**

During the last two decades it has become clear that the focus on ethnicity is a dead end. It seems clear that the gangs and criminal networks are more a result

⁷⁴ As documented in ESPAD reports.

of geography and friends growing up together, often in the more impoverished parts of cities, than of ethnicity or religion. Criminal networks today are often composed of members with mixed ethnic background. Common for the boys is that they have grown up in relative poverty and that they often have a background of multiple social problems. For many boys growing up as outsiders in Nordic society, crime and criminal networks is one of few opportunities to “make it”. Today it does not seem to matter much if they are from the Middle East, Yugoslavia, Pakistan, Africa or Sweden or Norway – if they are Muslim or Christian makes little difference. Criminal networks are mainly a city problem that is concentrated in or around the bigger urban areas.

Since the 1980’s the main gang / network in Norway has been the Pakistani A and B gangs. These networks experienced periods with open hostility and violence. This ended in one of the greatest efforts to control these groups by the police in the “Gang project” that started up in 2006. This project is generally perceived as a success, even if it has not been evaluated. The members of these networks are now in their 40’s and 50’s and there are signs of new groups growing up. The problems with criminal gangs and networks seem to be more explicit in Sweden and Denmark (Appelgren and Brodin, in this issue). In both these countries criminal networks with multiple backgrounds can be seen, often with members that are born in these countries. They all seem to be involved in the illegal economies of the countries.

– The incarnation of evil: the 1 % biker gangs

As mentioned the establishment of the Hells Angels, Bandidos and Outlaws in the Nordic countries from the end of the 1980’s came as an unpleasant surprise. In many ways these groups have come to symbolize and be the archetypical form of organized crime for the media, politicians, the police and the general population. These groups are often perceived as serious criminals per se even if analysis of the crime registers shows big variations in numbers and types of cases from no registered offences (15 of 115 persons in the Hells Angels and supporter clubs in Norway in 2010–2012) to multiple convictions⁷⁵. The crimes often associated with these groups are smuggling and trade of amphetamine, trade in hash and money collecting. Few cases are directly linked to the central members of the clubs, and in few instances do we see organized forms of crime with members from the clubs directly involved. The most threatening perspective when it comes to these clubs, where the average age of the central members is in their late 40’s and early 50’s, is a new war between the clubs. In the period 1995 to 1997 the so called Nordic biker war raged with 11 getting killed and more than 70 wounded in Norway, Denmark, Sweden and Finland. Open shootings, use of rocket launchers and bombing of club houses seemed to be getting out of control.

⁷⁵ With the rather tight police control of these groups it might not seem surprising that many of the offences are minor drug offences of possession and use. When it comes to convictions the number one category is theft, followed by drugs and violence / threats (Kripas 2012).

After the peace treaty between the Hells Angels and Bandidos was signed in 1997 the growth of the clubs stagnated for a long period. In Norway there has been little open hostility since. For the last years many new groups have been established that are labeled 1 % groups in the Nordic countries like The Mongols, The Gypsy Jokers, Coffin Cheaters and in Norway Gladiator MC. Many fear that this growth will destabilize the relationship between HA and Bandidos.

The Bikers have gotten much attention because of their uniform and their often openly aggressive behavior. This has made them highly visible and also an easy target for both police and the media. When it comes to their position and importance as active criminals the picture is getting much more blurred and there will also be local variation. Biker clubs in Denmark seems traditionally to have been much deeper rooted in well known forms of organized crime than their counterparts in Norway. In Denmark their business in hash has been substantial (Møller, in this issue). In Norway and Sweden other groups and more hidden networks seem to be of more importance.

– Foreign criminal networks

With the fall of the Soviet Union it was expected that there would be an invasion of criminal groups from the east and especially from Russia. This did not happen. What did happen in Sweden and Norway was that from the end of the 90's there was a clear increase in petty crimes, often theft of mobile phones, razorblades, silk stockings and so on, often connected to persons with a Lithuanian passport. The level of organization of these thefts is not clear, but one thing we do know, and that is that many of them were connected to the city of Kaunas. Their modus has changed somewhat through the years; at times they have stolen outboard motors and many stolen cars have gone the same way. In Finland the presence of their neighboring countries Russia and Estonia is felt. One of the most important smuggling routes goes to Finland via Estonia.

The last years we have seen a new development of so called mobile criminal groups, most from former Eastern bloc nations. In Norway today the foreign criminals registered are primarily from Lithuania, Poland⁷⁶, Bulgaria and Romania. These mobile criminal groups have specialized in different sorts of thefts; some are pick pockets, some do shoplifting and other have done breaking and entering in homes or robberies, at times of elderly people in their homes. Their normal way of operation is groups of 3–6 people in cars that move from place to place. The reaction from the police to these forms of crimes has been better cooperation between the different police districts, in Norway in the project “No borders”⁷⁷.

76 With the large numbers of both Polish (app. 50 000) and Lithuanian workers in the Nordic countries this should come as no surprise.

77 Prosjekt Grenseløs.

– Bank robbers and prison groups

Both Sweden and Norway have rather loose networks of criminals that have specialized in robberies of banks, post offices and money and value transports. There have been some rather spectacular robberies in the Nordic countries, with the use of armed military like groups and well planned attacks. One of those was the NOKAS robbery in Stavanger in Norway in 2004 that ended in open shooting on the streets and one police officer getting killed. The robbers got away with 54 million kroner, approximately 5.4 million pounds. The investigation and later the trial of the perpetrators of this robbery was one of the biggest and most expensive investigations in Norway before the bombing and massacre of 22 July 2011. All the 13 offenders got sentenced in the trial (Widerøe and Aass 2009). Since the trial the numbers of robberies of banks, post offices and value transports have dropped to a low point in Norway. This reflects that few have the skills required to pull off such crimes. The fear now is that some of these robbers are done with their sentences and will go back into their trade again and cause new problems.

Prisons are known to be central for the recruitment of members to criminal networks and organized gangs. Inside contacts are made and it can also be good for the general standing and status of the offender to have been inside. It is well known that the Soviet prisons were a breeding ground for organized crime groups and brotherhoods. There are few so called prison groups in the Nordic countries, but this does exist in Sweden in groups named Wolfpack and The Brotherhood (Wierup and Larsson 2007). These groups tend to be rather violent.

The present situation

In general the situation, the crime picture, does not change that much from year to year in the Nordic region. But there have been some developments both in the political focus and in types of crime the last years.

In Norway the picture is dominated by a lasting interest in the 1 % biker groups, especially Hells Angels and Bandidos. In both 2011 and 2012 there has been a massive focus on these groups and they have been labeled as serious threats by the national police (Kripos). There has been a move towards a national resistance against the establishment of such groups, especially in local communities often influenced by Danish experiences.

Mobile criminal groups from Eastern Europe, mentioned above, are another problem that has been covered a lot in the media and where police resources have been allocated.

For years trafficking primarily in connection to sexual exploitation has been high on the political agenda. White papers and reports have been written. Resources are earmarked to follow up this problem on many levels, both to help the victims of this crime and also to help the police to investigate such cases. Another aspect of this has been to criminalize the procurement of sexual ser-

vices. The main argument for this new law, from 2009, was to stop trafficking and sexual exploitation of women⁷⁸. The inspiration for this law came from Sweden, which criminalized this earlier, while Finland has laws that make it illegal to buy sex from women that are victims of trafficking (Skilbrei and Holmström 2011).

Another problem that seems to be boiling over is “brotherhoods” of youth from marginalized backgrounds. Some of the bigger cities in the Nordic countries have ghetto like areas. There are problems in connection to integration of boys, many of them 2nd generation immigrants. In our well oiled Nordic social democratic societies it is rather depressing to see the growth of neighborhoods with such an array of social problems and see all the factors that contribute to the growth of youth crime and gangs. In Denmark there has been much attention to ethnic gangs but also to what is known as rockers, mainly 1 % groups and the conflicts, but also co-operation between these (Klement, Kyvsgaard and Pedersen 2011). In general it can be said that the Danes have had been the ones giving most attention to the problems of gangs. In Sweden the problems of diverse brotherhoods have had the most dramatic consequences recently, especially in Malmö, Gothenburg and Södertälje. The level of violence in many of these confrontations has been high.

So called organized begging has for the last couple of years been high on the public agenda. Begging on the streets has not been common in the Nordic cities, even if it is not a new phenomenon. What really triggered the public opinion on begging was that the streets of the cities, especially Oslo, seemed to be filled by a new group of beggars, the Romanians. Their sheer number, their modes of begging and their open expression of poverty became a thorn in the eye. This export of poverty and social problems was definitely not welcomed in the wealthy Northern countries. Begging was associated with organized crime when it was discovered that bus trips were organized and that middlemen took part of the meager profits of the begging, often as pay for the busing. Some of the beggars were described as pick pockets and look-out men for other criminals by the police. This rather thin association with what could be labeled as organized crime became a central point in the debate on how to handle the problems with the beggars, especially for those who wanted a “police solution” to this problem⁷⁹.

There still is much focus on drugs; you could still say that drugs are king. It is taken for granted that smuggling and distribution of drugs is at the core of the activity of most of the organized crime networks in the Nordic countries. Drugs are seen as one of the most substantial illegal businesses, even if smuggling of legal commodities like cigarettes and alcohol is viewed as more lucrative and

78 Especially the flood of Nigerian women on the streets of Oslo made an impact on the debate on the law.

79 The use of the term organized crime in this instance is interesting in many ways. It seems to legitimize the use of force and to look away from the human suffering and the political questions in connection to this problem.

with sentences much more lenient than in drug cases⁸⁰. A substantial part of the police resources are focused on intelligence, investigation and following up on the known drug networks. Drug related crimes are highly prioritized by the police and in the political system.

Seen and not seen

We have described what is seen and reacted on as organized crime in the Nordic countries; one important question then is – what is not seen?

The focus on organized economic crimes, like aggravated frauds, is generally not given much attention. The exception might be Sweden where this has been of interest since the 1970's. The same can be said of organized exploitation of the welfare system, taxes, subsidies and illegal gambling. The normal reaction to these forms of crimes has been to blame the individual offenders or deal with these as purely economic crimes. To a certain extent the lack of organized crime perspective on these crimes can be explained by how the police and other regulators are organized. Investigators working in the field of economic crime are rarely integrated in departments specializing on organized crime. Again the fact that organized crime is defined as dangerous and serious also might make a difference. Economic crimes in general have much lower levels of sentences and are therefore not seen as serious / organized crime.

Smuggling of cigarettes, alcohol and other forms of consumer goods is in general not seen as an important problem and is rarely dealt with as serious organized crime. Johansen (2004) has pointed this out and explains the lack of attention to the fact that these goods are well known and appreciated by most of us, also by police and custom officers. The smugglers are often local guys and they have presented themselves as Robin Hood types smuggling highly taxed goods for the benefit of the local consumers.

Even if trafficking for sexual exploitation has been high on the agenda, trafficking for labor exploitation has not been (Ollus and Alvesalo 2012, Jokinen, Ollus and Aromaa 2011). The last years there have been plenty of examples in the Nordic countries of organized exploitation of foreign workers. It has been well documented in the construction business, in farming, among berry pickers and in brick laying and asphalt work for private customers, to mention some. Workers come from the Baltic region, Poland, the UK and as far away as Thailand. In many cases these workers get paid far below minimum wages and their working and living conditions are extremely critical. In some instances they have not got enough money to travel home and end up in the Nordic wilderness. Often the money paid to the workers by Nordic firms has gone through middlemen that have taken the lion's share of the pay.

⁸⁰ This is a statement made by the customs and the police that seems highly plausible.

Homegrown and imported: organized crime the Nordic way

Many of the features that characterize organized crime in the Nordic countries may not be that peculiarly Nordic. Instead they may reflect the types of research done and the theoretical perspectives of the researchers. The network perspective has been central in much of the research (Johansen 1996, Korsell, Skinnari and Vesterhav 2009, Larsson 2004). Qualitative research and a phenomenological and hermeneutical approach focusing on descriptions and understanding have also been more central than quantitative measurements of taken-for-granted concepts. All approaches have their pros and cons. If your starting point is to describe hierarchical structures in highly visible groups or networks, like the 1 % bikers, with no idea of being critical of the concepts and if your main sources are daily journalism and police sources, you are likely to find neat descriptions of power-structures and highly dangerous individuals. At the same time critical anthropological research from “the inside” may also produce a perspective that is too un-organized where violence might vaporize into thin air; researchers might also be taken for “a ride”. Many of the concepts used by researchers are seductive. If you want to sell your book, a title like “Mafia Wars” is much better than “Loose criminal networks in Malmö”⁸¹. The concepts have a tendency to present a packet of well established stereotypes that easily contaminate the research. To do well-balanced research on defined evils like the bikers, drug networks or traffickers of human beings is not easy work. One of my personal favorites is Wolf’s book “The Rebels” on a Canadian 1 % club. This book explains all the thrills and joys of being an outlaw, but makes no excuse of crimes and criminal and anti-social acts committed by such groups.

Many of the special traits of Nordic organized crime are also to be found in other European research on organized crime, but also in studies from both the US and Canada (Desroches 2005). So what does typical organized crime in the Nordic countries look like?

- Many studies have pointed out that most organized crime groups are rather loose criminal networks and very few if any have a highly structured and hierarchical structure. The typical networks would be like the smuggling groups and robber networks that have a rather flat structure and where friends and other trusted persons are brought into smuggling “projects” (Larsson 2009, Johansen 2004, Junninen 2006).

81 This title is not chosen by coincidence. There is a book called “Mafia Wars” written by Barkman and Palmkvist (2011) that is journalistic but has definitive qualities also as a source for scientists. One of the really interesting parts of the book is in the introductory chapter where they state that what they describe from the Swedish city of Malmö is definitely not mafia, it is not even as organized as gang structures, but mainly rather loose criminal networks dealing in illegal businesses such as gambling, smuggling of cigarettes, alcohol and drugs, organized prostitution and trafficking. But to sell the book a title like “Loose criminal networks in Malmö” would be suicide. Much the same as above can be said of one my own favorites, “Russian Mafia in America” by Finckenauer and Waring. This book clearly states that the criminal networks are not mafia, neither are they Russian, so why the title?

- Most of these networks are small scale. The number of “members” is low, often between 5 and 10, dependent on the scale of the project.
- Most networks are rooted and have their markets locally (Korsell in this issue). The focus on organized crime as transnational or international has often made us forget the simple fact that most organized crime is geographically centered. In Norway the hub of organized crime is central south-eastern Norway and the Oslo area.
- Most of these networks are flexible. Since they are basically illegal economic entrepreneurs they can not use the same smuggling route or the same cover too many times. The phrase *never change a winning formula* does not hold to be true when it comes to smuggling (Paoli 2003, Larsson 2008, Korsell, Skinnari and Vesterhav 2009, Johansen 2004).
- The Nordic countries are small in comparison with most other European nations when it comes to population and the size of the cities. The numbers of active criminals are quite low and “everybody” knows each other. A Norwegian report made by the National Police Directorate in 2005 found that the number of central organized criminals was 109⁸². Of course this number is a guess, but it indicates anyway that they are few. There is also a high degree of transparency and this also shows in the numbers between and across different networks and groups. In short it looks like everybody knows each other and also at times they co-operate.
- There is a low level of infiltration of organized crime in society. It is usually warned that organized crime is a danger to society because it will infiltrate media, politics and the general economy. Nordic societies have long traditions with strong states and central authorities. Organized crime in the Nordic countries is still much better understood as a part of the illegal and hidden economy, as outside state, politics and the business world (Johansen 2008).
- Parts of the open legal economy are in contact and do more or less co-operate with organized criminal networks. In general the level of infiltration of the business world is still low. Some, like the transport, construction and restaurant businesses, have traditions of contact with illegal groups and being a part of the grey economy (Johansen 1996).
- Nordic countries have a reputation of being more or less snowy white when it comes to corruption. This image has definitely faded and has probably never been that truthful. There is corruption in our countries; in Sweden it has been in connection to the arms industry, while Norway as a shipping and oil nation also has long traditions, but the typical forms of corruption in the Nordic countries are in connection to municipal and state led developments and building activity. When it comes to traditional corruption, by use of bribes and buying persons, by organized criminals against police, custom offi-

82 I love this number; it is like all other numbers dependent on how you define the vague term central organized criminal. In this case it is calculated based on the number of contacts and centrality of persons registered in different intelligence systems run by the police that cover what can be defined as organized crime based on the EU definition.

cers or judges the level seems to be very low (Korsell and Larsson 2011, Johansen 2004).

- There is still quite a low level of violence, but there are exceptions from this rule. In general Nordic organized crime could be described as rather peaceful, as Desroches (2005) also points out in his study of drug smugglers in Canada. But there are also examples of “un-Nordic” levels of use of violence. Booze smugglers in Norway in the 1920’s had speedboats and were usually armed. At times there were regular shootouts, often between smugglers and other criminal groups, but also between the smugglers and police and customs. The Nordic biker war (1995–97) was a bloody affair and there have been high levels of violence between criminal networks in Oslo, Gothenburg, Malmö, Copenhagen and in Södertälje (Appelgren and Brodin in this issue). Many of these networks have been ethnic groups or biker groups.
- In general the harms to society of organized crime are low in the Nordic countries. As pointed out the corruption and the harm done to legal industry are quite small. It was pointed out that there has been some merging between organized crime groups and the financial industry. This is an exaggeration. Parts of the grey and rather unserious financial world have “done business” with known criminals. Members of biker clubs are used as torpedoes by some financial institutions. But there are examples of harmful and dangerous behavior, there have been open shootings in the streets in many cities, the club house of Bandidos in the middle of the town Drammen in Norway was blown to pieces, rockets have been fired at a club house in Denmark in the Nordic biker war, and there have been shootings at airports in city squares. Most violence has been between fighting groups and it is just luck that no more bystanders have been killed.
- One of the EU’s 11 points states that the organized crime groups should use commercial or businesslike structures. Another point requires money laundering. The level of economic sophistication in most cases is still very crude. There are few, if any, advanced commercial and businesslike structures to be found. Most organized crime groups are operating on a cash level and are still involved in businesses they know well like restaurants, gambling, drug dealing, car related businesses or hotels (Ingvaldsen and Larsson 2009). Much of the cash from the criminal activity is reinvested in new criminal activity, like drug smuggling. It does not need to be laundered. A substantial part of the money is spent on a fancy lifestyle, often with an extremely high consumption of clothes, drugs, women and fast cars (Junninen 2006). But there are also some examples of money laundering of large sums; most of this is money that has gone into buying hotels, resorts and building of fancy private houses in places like Brazil, Thailand and Pakistan.

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The extent of organised crime involvement in Finnish human trafficking cases

Anniina Jokinen & Minna Viuhko

European Institute for Crime Prevention and Control (HEUNI)

1. Introduction

This paper discusses the phenomenon of trafficking in persons in Finland and its possible links to organised crime during the beginning of the 2000 s. The paper is based on the two studies conducted at HEUNI on trafficking for sexual exploitation and organised procuring (Jokinen & Viuhko 2009) and trafficking for forced labour and exploitation of migrant workers (Jokinen et al. 2011a; 2011b). Both of these studies focus on an analysis of trafficking within the larger context of exploitation and related criminality, since drawing the line between trafficking and offences that resemble trafficking is not always easy. Human trafficking is very much a hidden phenomenon and, due to this, conducting research on the issue is difficult. Often the number of cases that come to the attention of the criminal justice system represents only the tip of the iceberg of all existing cases. Therefore, also expert interviews, media articles and other relevant materials are an important source of information used in the HEUNI studies.

This paper focuses on the issue of organised crime in relation to trafficking for sexual exploitation and trafficking for labour exploitation in Finland. First, information on the Finnish national context is provided in chapter 2. In this chapter, the relevant legislation and statistics on trafficking are covered. Next, the results from the study on trafficking for sexual exploitation and organised procuring in Finland are described in chapter 3. This chapter focuses on the different actors involved in trafficking and procuring activity in Finland, the structure of the criminal networks, and the means of control imposed on the victims. Chapter 4 discusses the findings from the study on trafficking for forced labour and exploitation of migrant workers in Finland. It focuses on describing the concrete features of exploitation present in the Finnish cases as well as the difficulties related to the investigation of labour exploitation cases. Finally, conclusions are drawn in chapter 5 on the extent of organised crime involvement in relation to trafficking for sexual exploitation and forced labour. Also some differences related to these two types of trafficking criminality are discussed and some points are made regarding future developments.

2. National context

Until recently, there has been relatively little information on human trafficking in Finland. There have been few studies on human trafficking in Finland, and, in particular, no empirical research has been conducted on trafficking for labour exploitation and forced labour as such. Most of the existing trafficking studies focus on trafficking for sexual exploitation (see Roth 2010a, 2010b; Lehti &

Aromaa 2002, Kimpimäki 2009; Vähemmistövaltuutettu 2010 & 2011). In addition to studies focusing explicitly on trafficking, research on related issues such as organised pandering and prostitution (Leskinen 2003), commercialisation of sex (Jyrkinen 2005), the effects of globalization on the sex industry in Finland (Penttinen 2004), cross-border prostitution and buying of sex (e.g. Marttila 2004; 2006, 2008a; 2008b) and mobile prostitution (Skaffari 2010) has been carried out. Furthermore, Kontula has studied both sex work (2008) and migrant workers in the construction sector in Finland (2010), but these studies have not dealt with human trafficking as such. In addition to these, organised crime in Finland has been a subject of only a couple of studies (Junninen 2006; Palo 2010).

Legislation in Finland

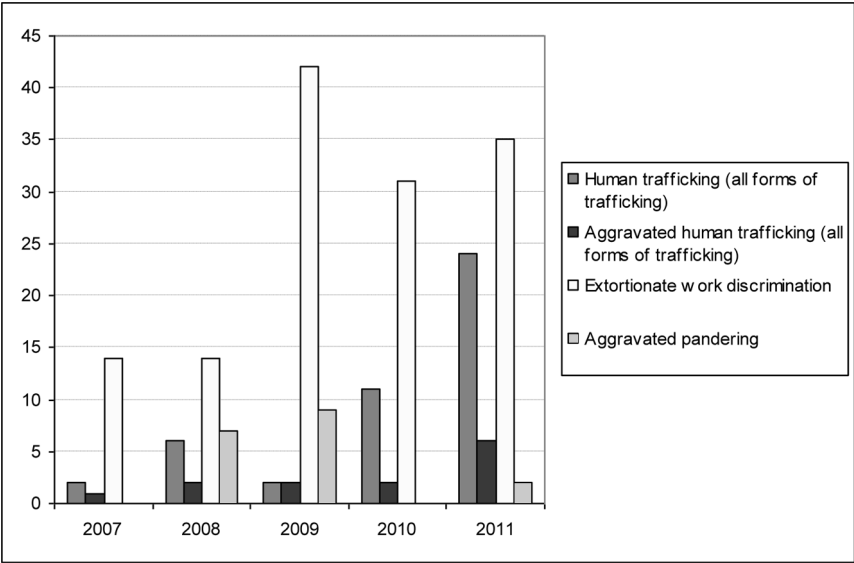
Human trafficking was criminalised in Finland in 2004. The legal provisions on trafficking in human beings (Criminal Code 25§3) and on aggravated trafficking in human beings (25§3a) were formulated to a large extent on the basis of the United Nations Convention against Transnational Organised Crime (the so-called Palermo Convention) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. The provisions criminalise different forms of trafficking, that is sexual abuse, forced labour and other demeaning circumstances, and removal of bodily organs or tissues. Later on, in 2006, also a provision on “exploitation of a person who is a subject of sex trade” (Criminal Code 20§8) was introduced. The provision criminalises the buying of sexual services from a victim of trafficking in human beings and from a subject of pandering. Pandering (Criminal Code 20§9) was criminalised in 1998. In addition to human trafficking, the Finnish Criminal Code includes provisions (so-called “crimes resembling human trafficking”) on aggravated pandering (20§9a), extortionate work discrimination (47§3a) and aggravated arrangement of illegal immigration (17§8); all of these were criminalised in 2004.

As will be shown in the next chapter, all of the above-mentioned provisions have, so far, been applied relatively seldom according to the available statistical information.

Statistics on the current situation in Finland

First some background information about the extent of trafficking in persons in Finland is presented, based on national statistics. Table 1 refers to the number of trafficking and related crimes investigated by the police and border guard in 2007–2011.

Table 05. Offences investigated by the police and border guard 2007–2011



Source: Statistics Finland.

As can be seen from the table, the number of trafficking investigations has increased in the more recent years, most notably in 2010–2011. This increase is most likely related to an improved level of awareness on trafficking in persons, more specifically on labour trafficking. The issue of exploitation of migrant workers has been widely discussed in the Finnish media.

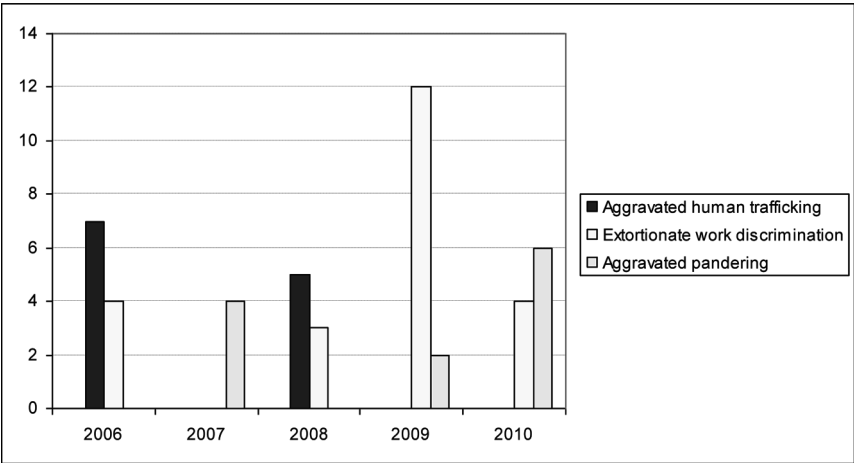
The police are also investigating more and more offences under the label of extortionate work discrimination. The number of these investigations has increased significantly in the last three years. This increase is probably also related to the wider awareness of the offence of extortionate work discrimination which was introduced in 2004. In addition, the regional labour inspectorates have reported an increasing number of exploitation cases to the police for investigation.

At the same time, the number of cases investigated by the police as aggravated pandering has decreased. Some sources indicate that pandering operations have gone underground and are more difficult to found nowadays than was the case at the beginning of 2000 s. The victims of trafficking for sexual exploitation rarely seek help because of the stigma related to prostitution. Moreover, the national Aliens Act includes the selling of sexual services as grounds for deportation, which is likely to affect the willingness of potential victims to come forward. Victims of trafficking for sexual exploitation are also often more mobile than victims of labour exploitation, since they switch between countries and cities, which hinders victim identification. Victims of labour-related exploi-

tation seem to be slightly more willing to seek help from the authorities than are victims of sexual exploitation.

In the next table, some statistics on the persons sentenced by the courts for trafficking and related offences are presented.

Table 06. Persons sentenced by the courts 2006–2010



Source: Statistics Finland.

The number of trafficking convictions remains low in Finland. In 2006, seven persons were sentenced for aggravated trafficking in one and the same case. Also the five persons sentenced in 2008 for aggravated trafficking were involved in one particular case. Both of these cases were related to trafficking for sexual exploitation.

The number of persons sentenced for extortionate work discrimination varies quite a lot according to the statistics. Overall, the low number of convictions reflects many problems related to the investigation of these types of exploitation cases as well as the length of investigations.

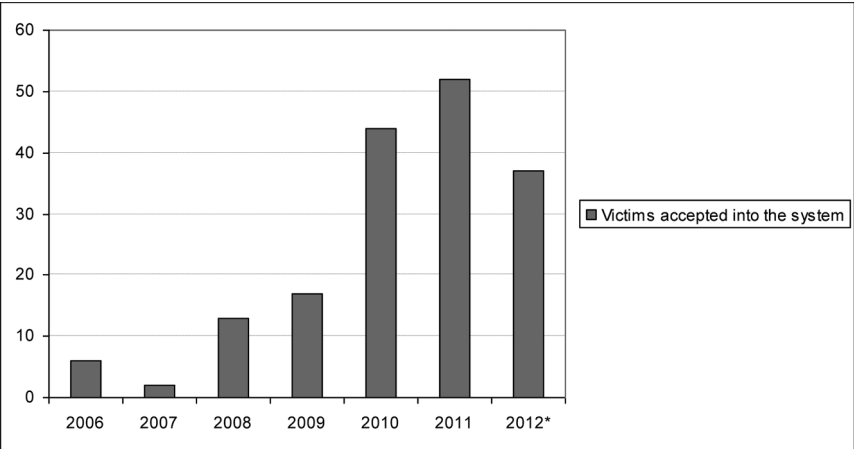
For the first time in 2012, Finnish district courts passed sentences for trafficking for forced labour in two individual cases.⁸³ Also during 2012 one person has been sentenced for aggravated trafficking in a case where the victim was underage and exploited in forced prostitution.

Next, some statistics on the number of identified victims are presented. Finland has an official system of assistance for victims of human trafficking. This system is coordinated by the Joutseno reception centre which is responsible for providing assistance to all victims of trafficking. The assistance system is also available for victims of crimes resembling human trafficking, i.e. extortionate

⁸³ Both of the judgments have been appealed and are therefore not yet legally final

work discrimination, aggravated pandering and aggravated arrangement of illegal immigration (human smuggling). The next table is based on the statistics provided by the reception centre.

Table 07. Victims accepted into the official assistance system for victims of trafficking 2006–2012⁸⁴



Source: Joutseno reception centre.

According to the available statistics, the number of victims accepted into the assistance system has increased quite steadily. During the last three years (2010–2012), the number of victims accepted into the system has been quite high when compared to the number of victims assisted during the first four years. This may be an indication that victim identification has improved or that the level of awareness about the existence of the system has increased. Partly because trafficking investigations and the criminal justice process are very lengthy, some victims may stay in the system for several years.

It is also interesting to point out that the majority of victims (approximately two out of three victims) accepted into the Finnish system has encountered labour exploitation and only a small proportion has been exploited sexually or has faced other forms of exploitation. This may be linked to the fact that sexual exploitation is very much a hidden phenomenon and its victims rarely seek help due to the stigma related to prostitution etc. At the same time, labour inspectors and trade unions work daily with labour migrants and can identify people in exploitative labour situations. While victims of labour exploitation often do not seek help, there is still a less of a stigma in looking for help as a migrant worker who has encountered labour exploitation than as “a prostitute” and a victim of sexual exploitation.

⁸⁴ The number for 2012 refers to victims accepted into the system by the end of August 2012 (31 August 2012). At that time, there were altogether 92 victims in the system.

In the next chapter, the results from HEUNI's study on trafficking for sexual exploitation and organised procuring are presented.

3. Trafficking for sexual exploitation and organised procuring in Finland

This chapter discusses the connections between trafficking for sexual exploitation, large-scale procuring operations and organised crime in Finland. The chapter is based mainly on the findings of the Finnish sub-study of the project "Mapping Organised Crime – A Market Perspective on Trafficking in Persons for the Purpose of Sexual Exploitation"⁸⁵. The Finnish sub-study was carried out in 2007–2009 (see Viuhko & Jokinen 2009).

The study dealt with 1) different phases of the human trafficking process (from recruitment to exploitation – from source country to destination country); 2) the roles of different actors involved in the activities; 3) the organisation of the activity and the structure of criminal organisations. The Finnish research data consisted of expert interviews (representatives of NGOs, police and border guard sector and other governmental organisations, researchers etc.), court verdicts (one trafficking in human beings case, and pandering and aggravated pandering cases⁸⁶), pre-trial investigation material and media reports (as published in the leading daily newspaper in Finland, Helsingin Sanomat) and discussions about prostitution, procuring and Thai-massage in the Helsingin Sanomat public Internet forum. The total number of interviews was 18⁸⁷.

The next sections will discuss the empirical findings of the study by focusing on the criminal networks, their structure and the different actors involved in the trafficking and procuring activities. Information will also be provided on the control measures imposed by the traffickers and procurers on the trafficking victims and procured women.

85 The project was coordinated by the Swedish National Council for Crime Prevention (BR\A). It was a joint project of BR\A, the Estonian Institute of Law at Tartu University, and the European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI). The project was co-financed by the AGIS programme of the European Commission (JLS/2006/AGIS/019). The research findings for the entire project have been published by BR\A in 2008 (see BR\A 2008).

86 At the time of the collection of data for the study only one trafficking case had proceeded to court, and resulted in a conviction for (aggravated) trafficking. We wanted to analyse also pandering cases that resembled human trafficking. In these cases the activity was not identified as trafficking by the police/court or they took place before criminalisation of trafficking. The selection criteria for including the pandering cases into the data were the structure of criminal organisation and the duration and volume of criminal activity, the use of threat, force and violence against the procured women, preventing the women from giving up prostitution, and the women's potential debt to the organisation. Because our purpose was to study organised crime and trafficking, small-scale pandering cases were excluded from the data. In total, we had eight court judgments in our data from 2000–2009.

87 14 interviews were conducted face-to-face, 3 by telephone and one by e-mail. The interviews took 1–2 hours to complete.

Criminal networks and the different actors involved in the criminal operations

Various actors involved in the activities

Large-scale procuring operations involve a number of different actors who have different roles in the activities. In addition to actual offenders (traffickers and pimps etc.), also a number of other middlemen and facilitators may be involved. According to Jyrkinen (2005, 38), different actors and indirect profiteers are needed in order to guarantee a smooth business flow. In the HEUNI study, the different actors were divided into traffickers, procurers, main organisers, regional leaders, recruiters, “field hands”/hired pimps, telephone operators, facilitators, sex buyers, and so-called “legal actors” (e.g. hotel/restaurant owners and staff, taxi drivers, landlords etc.). However, it has to be noted that the involvement of different persons varies between different operations and also within a network, and all the above-mentioned categories of actors are not involved in all trafficking and procuring cases. Also, people may have several different roles at the same time. For example, a person may act as a recruiter and also rent apartments and collect money from the procured women.

According to the HEUNI study, the persons engaged in trafficking for sexual exploitation and large-scale procuring operations in Finland were mainly Estonians, Russians and Finns in the first decade of the 21st century. In general, the main organisers and regional leaders are responsible for running the trafficking and procuring operations. They often stay in their home countries (usually Estonia and Russia). They are the ones who are the most powerful actors in the operations and who profit most from the business.

So-called field hands or hired pimps take care of the daily tasks. They might be Finns or foreigners (living in Finland or in their home countries). They take care of renting apartments or hotel rooms, organising the transportation, placing advertisements in the Internet (and some years ago in the newspapers), collecting the money and delivering it to the main organisers or other relevant people. Recruiters take care of recruiting new women (prostitutes and victims of trafficking) into the business. All these “lower-level” offenders are in a central role in taking care of routine matters and in making things work. Often, the leaders of the activities do not get caught, and it is the pimps and field hands who face the consequences.

So-called telephone operators or call centres have a specific role in the procuring operations. According to the HEUNI study, the “telephone operators” were usually women who answer the calls of sex buyers and direct them to the prostitutes. In the analysed cases, the operators either gave the sex buyers the exact address of the apartment where sexual services were provided or directed the buyers near the apartment. When the sex buyer arrived near the apartment, he

had to again call the operator or directly the prostitute to receive the exact address.⁸⁸

In addition to the actual offenders also other people may facilitate or be somehow – deliberately or unknowingly – involved in the trafficking and procuring activities. They are, for instance, property owners, landlords, hotel and restaurant owners and staff, taxi drivers and travel agency owners and workers. All of them might profit and benefit from the sex business. (For further details on these different actors, see Viuhko & Jokinen 2009, chapter 8.)

In addition to the above-mentioned persons, of course, sex buyers and women who sell sexual services have a central role in the activities. Sex buyers are mainly Finnish men or men living in Finland. They come from different social classes and different age groups, some of them are married or in a steady relationship.

According to the HEUNI study, the procured women were usually from Estonia or Russia. The role of the women was not always straightforward in the analysed cases. Sometimes they were deemed (in court) to be not only victims of trafficking or subjects of pandering but also perpetrators and persons aiding and abetting trafficking. This “double-role” resulted from the fact that they had helped and advised less experienced women who were selling sex, for example in the same apartments. In some cases the court concluded that advising the newcomers constitutes pandering or aiding and abetting trafficking in human beings.

Network approach

The HEUNI study analysed the role of organised crime in trafficking and pandering operations. “Organised crime” as a concept and phenomenon is not clear, and researchers and experts do not have a common understanding of the concept (see e.g. von Lampe 2003). In fact, von Lampe (2002; 2003) prefers the term “criminal network” instead of “criminal group” or “criminal organisation”. According to von Lampe (2003, 15), “a network is a web of dyadic ties connecting two or more persons.” Criminal organisation consists of individuals, as well, but “an organisation is more than just a sum of its parts as it entails a certain degree of integration” (ibid, 15).

Based on the HEUNI study, “criminal network” is a more characteristic concept than “criminal organisation” as far as trafficking and procuring groups operating in Finland are concerned. The networks are not always very coherent or large and they do not have a highly hierarchical structure. Additionally, the division of labour, duration, size, and complexity of the criminal networks vary in many ways. Furthermore, the use of control, force and other methods of persuasion differ between the networks and cases. However, we do not argue that the groups studied were invariably only “loose networks” without any degree

⁸⁸ We do not have up-to-date information on the use and relevance of telephone operators/call centres after the beginning of the 2000 s.

of integration. Moreover, we want to stress that the activities seemed to be very systematic and well organised although they were not always committed by actual organised criminal groups.

What was common for the trafficking and pandering operations in the beginning of the 21st century in Finland was the fact that the persons involved in the activities were almost always Finns, Estonians and Russians.

“In the procuring business in Finland, the organisers are Russians or Estonians (...) remaining probably in Russia/Estonia (...) and the field hands operating in Finland are Finnish, Russians living in Finland (...), and nowadays more often the latter since the Russians do not need Finnish helpers any more, or Estonians. (...) There are no entirely Finnish organised crime groups involved in the pandering business.”

(Representative of the police and border guard sector) (Viuhko & Jokinen 2009.)

The first case that resulted in a conviction for trafficking in human beings in Finland is presented as an example of the network structure in a trafficking operation. First the case is presented in general, and then the structure of the organisation is described in detail.

In this case, an organisation controlled from Estonia was engaged in a large-scale procuring operation in Finland in 2005–2006. The procuring operation took place mainly in Helsinki for a period of five months, in late 2005 and during the winter of 2006. The number of procured women was estimated to be 15. One of the procured women was a young Estonian woman suffering from a mental disability. She had been promised employment in Finland in child care, but in reality, she had to prostitute herself. The procuring organisation took all the money that the woman earned in prostitution. Furthermore, the woman believed that she would marry one of the men who had been organising the activity. The criminal court concluded that the offence in the case of the mentally disabled woman constituted trafficking in human beings, while the other exploited women were deemed to have been procured, not trafficked. The mentally disabled woman had been deceived into prostitution, she had been threatened with violence, and her dependence had been exploited by threatening her with a debt relationship. (Viuhko & Jokinen 2009, 39.)

In this case, four Estonian men, one Estonian woman and two Finnish men were sentenced by the Helsinki district court in the summer of 2006 for aggravated trafficking in human beings and aggravated pandering. The sentenced woman was also participating in the prostitution herself. Furthermore, other elements of the case were handled in an Estonian court on the part of some of the participants. The district court decision was appealed and the Helsinki Court of Appeal made a decision on the case during the winter of 2007. The trafficking and pandering sentences of the four Estonian men were upheld, but the two Finnish men were sentenced for aggravated pandering only, and the Estonian woman was sentenced for aiding and abetting aggravated trafficking

in human beings. The Supreme Court upheld the decision of the court of appeal in June 2007. (Viuhko & Jokinen 2009, 39–40.)

The structure of the criminal network in charge of the trafficking and procuring activity was described in detail in the court judgment and the pre-trial investigation material.

“(T)he activity was led by an Estonian man from an Estonian prison. Two women operated under his supervision in Estonia. Their job was to recruit and transport prostitutes in Estonia, as well as to receive the money from Finland and transfer it to different bank accounts and to the main organisers. In Finland, the activity was led by another Estonian man. He supervised the activities in Finland. His task was also to solve possible problems. The members of the organisation were mostly Estonian. Also two Finnish men were involved. In Finland, some of the members (who were so-called “security personnel” or field hands) worked as subordinates of the Estonian prisoner and other accomplices of the Estonian man who led the activity in Finland. The organisation operated mostly in Helsinki, but also in a few other towns in Southern Finland both in private apartments and in hotels. The organisation had about fifteen women engaged in prostitution under their supervision.” (Viuhko & Jokinen 2009, 67–68.)

According to the judgment of the district court, the case was considered to be international organised activity where each defendant had their own tasks and roles. The overall operation was systematically connected to criminal activity. Each of the defendants was aware that he or she operated as a part of criminal activity with the purpose of material profit. The foreign prostitutes had a subordinated position in relation to their procurers in Finland and the overall criminal network. (Viuhko & Jokinen 2009, 68.)

This case is an example of a large-scale and well-organised operation that had both several perpetrators and several victims (although only one person was deemed in court to be an actual trafficking victim). The persons involved can be divided into those who were operating in Estonia and those who were operating in Finland. There was a leader of the activities both in Estonia and in Finland and people working under their supervision in each country. What is relatively rare is the fact that the court explicitly stated that the activity was international organised crime. However, not all trafficking and procuring operations have such a well organised structure.

Means of control

Also the means of control used by the offenders were analysed in the HEUNI study. The perpetrators use different kinds of control measures to persuade and then keep the women in prostitution. Different kinds of rules (long days, daily fees, percentage fees, no personal phone calls, curfew, and no right to choose the clients), fines (punishments for breaking the rules) and economic abuse, as well as threats (either directed at the women themselves or towards their family), force and extortion were present in the cases studied. The women were

deceived about the nature and conditions of the activity, and also about the income. A large percentage of the earnings went to the organisation or network, and sometimes the women had to give all the money earned by the prostitution to the traffickers and pimps. A form of financial control is debt bondage that might even be “endless”: the (made-up) debt does not decrease although the victim pays all the money she earns to the procurers. Although actual physical violence is not necessarily used against the procured women, serious human rights violations are common in the context of trafficking and pandering operations.

Summary of the findings

To conclude, during the first decade of the 21st century, trafficking and pandering operations in Finland involved several different actors who were in most cases Finns, Estonians and Russians. No entirely Finnish organised crime groups were involved in the large-scale pandering and trafficking operations. In our opinion, “criminal network” is, indeed, a more applicable concept than “criminal organisation” or “organised criminal group” to describe pandering groups of that period of time.

According to the findings of the HEUNI study, the criminal networks operating in Finland were not very large and did not have a highly hierarchical structure. The size and division of labour varied and the division of tasks was not always very specified. However, for example in the first trafficking case that resulted in trafficking convictions in Finland, the activity was relatively large-scale and it involved several traffickers, pimps, procured women, sex buyers etc.

Some of the more recent trafficking and pandering cases, in turn, have been carried out for instance by two perpetrators, and there might have been only one procured woman involved. Thus, the operations might be small-scaled when it comes to the number of victims and perpetrators but the operations may continue for a long period of time and involve a huge number of sex buyers (that is, the number of “sex purchases” per victim may be quite high). Organised criminal groups are not necessarily involved, but the activities are, nevertheless, often very systematic and organised, and they include serious offences and human rights violations. The offenders use a variety of control measures to persuade the women into prostitution in the first place and then to keep the women in prostitution.

4. Trafficking for labour exploitation

In 2011, HEUNI completed an EC co-funded FLEX research project on trafficking for forced labour and exploitation of migrant workers in Finland, Estonia and Poland.⁸⁹ The FLEX project focused on identifying potential cases of la-

⁸⁹ Trafficking for Forced Labour and Labour Exploitation (FLEX) _ towards increased knowledge, cooperation and exchange of information in Estonia, Finland and Poland. Grant Agree-

bour trafficking within the context of exploitation of migrant labour and on identifying the sectors and victims vulnerable to such exploitation in the three countries. This paper refers only to the Finnish results (Jokinen et al. 2011b). The research findings for the entire project have been published by HEUNI in 2011 (Jokinen et al. 2011a).

Traditionally, trafficking research has focused on trafficking for sexual exploitation, and therefore the level of awareness related to labour trafficking has been lower and is often based on stereotypical ideas of exploitation.

Since very little concrete data on trafficking for forced labour exists, the FLEX project undertook a very broad approach in collecting a variety of qualitative and quantitative data and information on the issue. The project also developed an outline for a pilot research methodology on how to collect comprehensive information on labour trafficking also in cases where no court judgments on trafficking for forced labour exist (see Jokinen et al. 2011a for more details).

Various data sources were used in Finland. The data was collected in 2009–2010 and it covered the years 2004–2010. 19 experts from e.g. the police, the labour inspectorate, trade unions, NGOs and victim assistance were interviewed thematically. Also seven victims were interviewed. They were people who had been accepted into the official assistance system for victims of human trafficking. In addition, relevant court judgments, media materials, and pre-trial investigation materials from five cases were used as data and analysed accordingly. At the time of the study, no judgments on trafficking for forced labour had been passed in Finland. However, some cases had gone to court under this offence label, but largely due to insufficient evidence the defendants had been acquitted.

For this reason also cases of extortionate work discrimination were analysed. Extortionate work discrimination was criminalised in 2004 to protect the rights of migrant workers. It is defined as an offence resembling human trafficking, and it is a labour offence in the Finnish Criminal Code. It is usually applied in situations where a migrant worker receives a salary below the minimum wage and their work conditions are poor when compared to the Finnish collective agreements and standards.

In the Finnish study, trafficking for forced labour was analysed within the larger context of exploitation of migrant workers. This is based on the idea that exploitation of migrant workers can be understood to form a continuum in which forced labour represents the most aggravated exploitation, while more subtle forms of coercion represent less serious exploitation (Andrees 2008, 39). Overall, the environment where exploitation of migrant workers takes place is also a potential breeding ground for more serious forms of exploitation and therefore the issue of labour trafficking should be analysed in this wider context (David 2010).

ment No. JLS/2009/ISEC/AG/051, Prevention of and Fight against Crime Programme 2009, European Commission \ Directorate-General, Justice, Freedom and Security.

The indicators developed by the ILO (2005) on forced labour were used as a framework for analysing potential cases and the phenomenon of exploitation of migrant workers. The ILO (2005, 20–21) has listed six elements that describe the loss of rights or privileges that point to a forced labour situation:

- Physical or sexual violence or the threat of such violence.
- Restriction of movement of the worker e.g. through confinement or through preventing contact with the host community.
- Debt bondage or bonded labour e.g. rising from the process of recruitment and transportation.
- Withholding wages or refusing to pay the worker at all.
- Retention of passports and identity documents.
- Threat of denunciation to the authorities.

According to the ILO, the worker should also have the right of free choice of employment and the right to freely terminate the employment. Therefore a restriction on leaving a job, even when the worker freely agreed to enter it, can be considered forced labour (ILO 2005, 23).

Research findings on labour trafficking in Finland

According to the HEUNI study, it is evident from the data that cases of exploitation of migrant labour dealt with by criminal justice actors represent just the tip of the iceberg when compared to the numerous cases of exploitation identified by trade unions, labour inspectors, NGOs and the media. Various cases were uncovered e.g. in the restaurant, construction, cleaning and agricultural sectors. Various forms of exploitation were encountered in these sectors, but the victims themselves were notably quite often reluctant to seek help and report the cases to the police or other authorities.

The victims come especially from European countries such as Estonia, Russia and Poland (construction), as well as Asian countries such as China, Vietnam and Thailand (the cleaning sector, the restaurant sector, agriculture). In addition, some victims come from e.g. India, Latin America, Middle East and Africa. The perpetrators (i.e. the employers) often have a foreign background but they may have Finnish citizenship or at least a continuous residence permit in Finland. These people usually exploit their countrymen. There are also some cases involving Finnish employers who usually have a spouse or contacts, friends or ex-employees who are of the same nationality as the victims and who help the employers with recruitment and communication issues.

When looking at the concrete features of exploitation and methods used by the employers, we can see that many of the elements of the ILO indicators are present. Regarding violence and threats, there are only some examples of direct physical violence. However, a large variety of psychological violence is used to control workers. The workers are threatened with termination of employment or not extending the work contract, with non-payment of wages, or with denunciation to Finnish authorities. Quite often the workers are given to understand that they would be sent back to the country of origin if they complain about

their salary or other work-related issues. There were also cases where the employers forbid their employees contacts with the outside world. They were discouraged from learning Finnish or talking with their own countrymen with the purpose of keeping them unaware of workers' rights in Finland. In some cases also the workers' family members were threatened in the country of origin after the case of exploitation had come to the attention of the police and was being investigated.

Salary-related problems were very common in the Finnish data. Usually in these exploitation cases the salary was significantly below the minimum salary as stipulated in the collective labour agreement, or occasionally no salary was paid at all for months. The workers rarely received the mandatory extra salary for evening, night and weekend work or overtime, even though they worked up to 12 hours a day. Some had no holiday and rarely had time off from work. In several cases the employees were forced to pay back some or all of their salary in cash to their employer in order to make the company's bank transactions look like the employer had paid the workers a proper salary. Also unreasonable deductions were made from the salary for food, accommodation and travel costs. In one case, the employer had taken the workers bank cards away and used them to withdraw money from their bank accounts.

As regards the work contracts, there were cases where the employee had two separate contracts, one in his or her own language, which states the de facto salary, and another one with a much higher salary to be shown to Finnish authorities in the event of an inspection. In many cases the work contracts were in languages that the employees did not understand and thus they had no idea what they had signed.

No cases where the workers were locked up in the work place were identified. Instead, freedom of movement was limited in more subtle ways. The employer can monitor the workers and ask where they go and when, making them work such long hours that basically the workers are unable to leave their place of employment. Thus this lack of free time also limits the workers' movement and contacts with the outside world. In the countryside, the workers were unable to leave because they did not have a car and also their lack of language skills isolated them from the rest of the society.

In many cases the employees live in accommodation provided by the employer or live together with their employer. This makes it difficult for the employees to change jobs, and these people are often very dependent on their employer. In most exploitation cases the employees do not know the language, are unaware of their rights and have to rely on their employer for information and translation of official papers and such details. They are also dependent on their employers due to debt, or due to kinship or debt of gratitude.

A case example from 2012 clearly demonstrates the forms of exploitation related to trafficking for forced labour. In this case, a couple with a Vietnamese background ran two ethnic restaurants in the Tampere area in Finland. They had at least 10 employees originating from Vietnam, who worked as cooks and

waitresses in the restaurants. The length of exploitation varied from a few months up to 6 years. Most features of exploitation mentioned above were present in this case. The victims had a poor salary and they worked long hours. Average hourly salaries were around 2–3 euros; no extra salary was paid for evening, weekend and night-time work. The salary was paid to the bank accounts of the victims, but they had to pay some of their salary back to the employer in cash. The employer advised the employees on how much money they should return and when to withdraw the money from the account. The employees lived in housing arranged by the employers, some even in the same house as the employers. These housing costs were deducted from their salary, but these costs were very high when compared to the fact that up to eight persons shared a flat. The employees were also dependent on their employer due to housing and lack of language skills. They had no free time and were afraid of being returned to Vietnam if they complained about their terms of employment.

In June 2012, Pirkanmaa District Court sentenced the employers for six counts of trafficking, two counts of extortionate work discrimination, plus accounting and tax frauds, to six years and ten months in prison. The case has been appealed.

The HEUNI study also identified problems and difficulties related to the role of the police as well as investigation of labour trafficking cases and gathering of evidence. The investigations of trafficking for forced labour and other exploitation cases are often long and take up a lot of resources and money. Sometimes there is such a delay in initialising the investigation that the victims may have already left Finland. Getting sufficient evidence of the exploitation may be difficult if there are no records of the working hours and also the salary or part of it may have been paid in cash. In such cases, the police may have to rely on oral evidence only. Also language issues and cultural factors (e.g. the wording of the questions during interrogation, interpretation issues) may hinder communication with the victims, who are often reluctant to talk about their experiences of exploitation. Gaining trust in situations where victims are afraid of the authorities is difficult for the police. This process is explained by one interviewee in the following quote:

“The interrogation is kind of an official discussion, and with some people you get along better while with others it works less well, so for example one person who had had enough and had walked out from there [workplace X], so when he then began to trust us and understood that he doesn’t need to be afraid of us, well then he was very helpful indeed and talked so much that the investigators almost became desperate, that oh boy, this guy talks a lot. But to be able to achieve this he had to be told several times over what it was all about. (...) we start things softly so that they dare to talk ... about difficult things, nobody is going to start telling a total stranger right away, these are such difficult matters.” (Criminal investigation authority) (Jokinen & al. 2011b.)

So far, there are few signs of organised crime involvement related to labour exploitation in Finland. No organised crime groups have been directly involved in labour trafficking cases identified in the HEUNI study. However, the construction sector was mentioned by some experts as potentially involving also organised criminal groups, such as biker gangs. No further information on this was found.

In the HEUNI study the labour trafficking and exploitation cases identified have been small scale in respect of the number of organisers and exploiters, even though in many cases the exploitation has been systematic and has lasted for many years. Thus, the activity can be seen as organised in nature, but it is not necessarily organised crime according to the official definition. In many cases it is, however, unclear what had happened in the source country and whether there were possible organised crime elements present in the recruitment phase, for example.

Some human smuggling cases have been identified that had involved people who had to pay back their debt to the organisers by working e.g. in a pizzeria. In such cases, organised multinational networks have been involved. Finland is also a transit country for victims of trafficking for forced labour. Unfortunately, it is virtually impossible to know what is going to happen to a person after they leave Finland and end up somewhere else.

5. Conclusions

Based on the findings from HEUNI's two studies (Viuhko & Jokinen 2009; Jokinen et al. 2011b), it seems that organised crime involvement is more clear in relation to trafficking for sexual exploitation than in relation to trafficking for forced labour.

Regarding trafficking for sexual exploitation, the HEUNI study (Viuhko & Jokinen 2009) concluded that criminal networks are involved in organising the procuring operations. Although these networks may not always be very coherent or large and do not necessarily have a highly hierarchical structure and clear division of tasks, the activities are often very systematic and well organised. The operations may have elements of organised crime but are not necessarily carried out by actual organised criminal groups.

In some of the cases, the activities have continued for long periods of time, involved a huge amount of different actors (traffickers, pimps, recruiters, victims, sex buyers etc.) and been led from abroad (e.g. Estonia or Russia). By contrast, in some cases the number of persons involved was lower and the activities smaller-scale but, still, some elements of human trafficking were present in the activities. It is important to note, however, that both of these types of cases included very serious violations against the procured women and the women had to face different forms of control.

By contrast, no criminal networks or direct organised crime involvement were uncovered in HEUNI's study on labour trafficking (Jokinen et al. 2011b). This

does not, however, mean that the activity is not organised in nature. In many cases of labour exploitation the employers have exploited their employees in very systematic ways for long periods of time. It is possible that elements of organised crime have been involved in the recruitment phase in the country of origin but such information has not come up during the investigations made in Finland. More research could be done on the issue and it is of course interesting to see whether in the next few years also labour exploitation cases organised by organised crime groups are identified.

The trafficking situation in Finland has slightly changed during the 2000 s. The total number of the trafficking cases identified by the criminal justice system is still low but some progress has been taking place. Recent trafficking for sexual exploitation cases have been relatively small-scale as far as the number of victims and perpetrators is concerned. A new feature of the cases has been the fact that also a couple of “domestic cases” have been detected and taken to court. In this context, “domestic cases” refer to cases in which both the perpetrators and the victim have been Finnish nationals. In one of the cases, the victim was a minor. In addition to these domestic or internal trafficking cases, a case with an Estonian victim and a case with a Romanian, under-age victim have been dealt with in court as trafficking in persons.

It seems that recently “newcomers” have entered the trafficking and pandering field, and nowadays the criminality is also organised by people from Romania, Bulgaria and Nigeria. Currently, also women selling sexual services come from a larger variety of countries than before. The source countries include for example Nigeria, Thailand and Romania, as well as Estonia and Russia. According to the National Bureau for Investigation there have been signs of new groups and new forms of organised crime in Finland: e.g. Bulgarian and Romanian groups (pandering and property crimes) and Nigerians (pandering and drug crimes). Drug offences and economic crime remain the common forms of the criminality for Finnish organised criminal groups, and so far, to our knowledge, they have not been involved in human trafficking.

Overall, it seems that currently more cases of trafficking for forced labour than cases of trafficking for sexual exploitation are identified by the Finnish authorities. For example, the majority of the victims accepted into the official assistance system had been exploited in work and are not victims of sexual exploitation. This may at least partly be related to the fact that victims of sexual exploitation are often very reluctant to seek help because of the stigma related to prostitution or fear of authorities and/or deportation. By contrast, it seems that in recent years a growing number of victims of labour exploitation have been identified. Migrant workers are more active in reporting their cases to authorities even though many victims still fear the authorities and are afraid of losing their jobs and/or residence permits.

Nowadays cases of labour exploitation are often identified also by labour inspectors and trade unions whose awareness of the phenomenon of labour trafficking has improved. There are far fewer organisations doing outreach work among prostitutes and identifying problem situations in that more hidden field.

This situation is, however, not yet reflected by the current number of trafficking judgments. For now, the majority of trafficking judgments have been passed for trafficking for sexual exploitation. It was not until 2012 that the first two judgments for trafficking for forced labour were passed by Finnish district courts. It is therefore interesting to see whether the number of labour trafficking judgments will increase in the years to come and how this balance between the two forms of trafficking will shift in the future.

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Constellations of organized crime in the Baltic Sea Region⁹⁰

Risto Pullat

Estonian Police and Border Guard Board

Abstract The ruling form of criminal cooperation in the Baltic Sea Region, is the network of personal relationships that the criminals successfully take advantage of. Criminal structures can fulfill economic, social and quasi-state tasks. The author distinguishes between five criminal networks in the Baltic Sea Region.

Keywords Baltic Sea Region Organized crime Criminal networks, “Thieves-in-law”

Introduction

The discourse of criminal networks is based on the point of view that organized crime manifests itself in the cooperation of criminals and criminal groups in different combinations. Hence, criminal networks are groups of people connected with criminal networks.⁹¹ Research findings confirm that in Europe, including in the Baltic Sea Region, the ruling form of criminal cooperation is the network of personal relationships that the criminals successfully take advantage of. Criminal networks have the following features: the nucleus that coordinates the activity of the network; key figures making up the nucleus of the network; subgroups carrying out different tasks; members of the intermediate level carrying out the daily work, communicate with the members of the lower level and protect the key figures; the network is provided with information and resources by members separate from the network; a large number of members.⁹²

Timo Kyntäjä and other researchers are of the opinion that the stable criminal hierarchal structures have given up their place for flexible and changing organizations and networks that can be created for performing certain single “projects”.⁹³ Criminal cooperation is carried out either as a relationship of a supplier-consumer or as a relationship of a temporary employer-employee, as a partnership of two persons in pairs or in small groups of a small horizontal or vertical integration. This is partially also confirmed by official sources. It doesn’t of course mean that the criminal organizations would have finished their activity; they have just transferred it to the countries where it is possible to operate undisturbed. In an environment with an efficient system of internal

90 Opinions and conclusions expressed are authors and do not necessarily reflect the views of Estonian Police and Border Guard Board.

91 Bruinsma, G., Bernasco, W. (2004). Criminal groups and transnational illegal markets. A more detailed examination on the basis of Social Network Theory. *Crime, Law & Social Change*, 41, p 79.

92 Canter, D. (2004). A Partial Order Scalogram Analysis of Criminal Network Structures. *Behaviormetrika*, vol 31, no 2, pp 131–152. http://www.jstage.jst.go.jp/article/bhmk/31/2/31_131/_article (accessed in April 19, 2012).

93 Kyntäjä, T. (2004). Rikollisuus ja rikoskontrolli. *Sosiologisia kartalehtiä*. Toimittaneet Ismo Kantola, Keijo Koskinen & Pekka Räsänen. Tampere: Vastapaino, p 284.

security, emerging of criminal organizations is exceptional, except for in the cases when they are based on some legal structure.⁹⁴

The representatives of organized crime in the Baltic Sea Region became rich fast during Prohibition thanks to limits set by countries, laying at the same time the groundwork for future legal activities. Organized crime as it emerged in the nineties of the last century and related smuggling, especially drug smuggling, could very well be rooted in Prohibition period. Yakov Gilinskiy stressed that ban of selling alcohol is criminogenic factor which gives birth to smuggling and foster spread of organized crime.⁹⁵ Organized crime related organisations dealing in smuggled spirits during Prohibition⁹⁶ in the Baltic Sea Region and elsewhere cannot be compared to the so-called bureaucratic model of organized crime described by Donald Cressey.⁹⁷

Criminal organization

Criminal structures can fulfill economic, social and quasi-state tasks.⁹⁸ The economic criminal structures are oriented towards profit and they should be distinguished from the criminal structures filling the “social functions”, like outlaw motorcycle gangs in Germany and Scandinavia, street gangs as the Black Cobra in Nordic countries or the “thieves-in-law”. The so-called “Mutual Fund” controlling a big part of Estonian organized crime can also be counted in this group.⁹⁹ These structures indirectly support their members in their illicit activity by mediating contacts, ensuring the status, emphasizing deviant values and enabling a forum for exchanging information. Hence, as one former Estonian criminal police officer said that “the underworld boss does not have to kill and extort by himself; it is enough if he solves the disputes between groups with his opinion. This is where his influence has its roots.”¹⁰⁰ The quasi-state criminal structures support the illicit economic activity by creating and establishing rules of conduct and solving disputes in some areas or illegal markets.¹⁰¹

94 Lampe, K. von (2005). *Organized Crime in Europe*. Handbook of Transnational Crime and Justice. Ed. Philip Reichel. Thousand Oaks: Sage Publications, pp 406–407.

95 Гилинский, Я. (2009). Запрет как криминогенный фактор, или Всякое ли зло нужно запрещать? Индекс 30. <http://index.org.ru/journal/30/25-gilinski.html> (accessed in April 19, 2012).

96 See also: Pullat, Raimo, Pullat, Risto (2010). Viinameri. Salapiiritusevedu Läänemerele kahe sõja vahel. Tallinn: Estopol; Pullat Raimo, Pullat Risto (2012). Viinameri. Pirtusota Itämerellä 1920- ja 1930 luvulla. Helsinki: Tammi; Pullat Raimo, Pullat Risto, Urta A. (2012). Spiirta juurta. Kontrabanda Baltijas juurta starp diviem kariem. Riga: Zina tne

97 Cressey, D. R. (1997). *The Functions and Structure of Criminal Syndicates*. Understanding Organized Crime in Global Perspective. Edited by Patrick J. Ryan, George E. Rush. Thousand Oaks, p 14.

98 Lampe, K. von (2005), p 407.

99 Ilm, U., Tender, T. (2003). Trellide ja luku taga. Sisvevaade Eesti kinnipeetavate 20.sajandi slängi. Tartu: Atlex, p 39.

100 Kressa, K. (2007). Koit Pikaro pealilma autoriteet. Eesti Päevaleht, 06.01.

101 Lampe, K. von (2005), p 407.

“Thieves-in-law”

The so called “thieves in law” (“vory v zakone”) have been in existence since the early 20th century and their criminal activity has been distributed throughout Russia as well as the regions, countries, and territories which made up the former USSR for centuries. The criminal subculture called the “tradition of thieves” was formed in Soviet penitentiary institutions in the 1920’s and 1930’s and reached its peak during the following two decades. The Russian prison camps became the main seedbed of criminals. A social group with a special slang called „fenya“ (in Russian, *по фене ботать* means ‘to talk in slang’); value systems, behavioural norms and traditions were created. In the prison camps, the totalitarian Soviet system exploited the criminals to help the administration to persecute political convicts. The author is of the opinion that the former contributed to the emergence of organized crime in Russia as very soon, the security officials cooperating with the criminals were no more able to control the situation in penitentiary institutions. The central term of the subculture is “thief”, which denotes a professional criminal who belongs to the underworld and follows the norms and customs of the so-called „world of thieves“. The representatives of the criminal subculture were called thieves mainly because initially most of them used to be pickpockets.¹⁰²

According to Yakov Gilinskiy and Yakov Kostjukovsky, the first criminal organizations or “artels of thieves” emerged in Russia in the 15th-16th century and the subculture of “thieves” formed in the 17th-18th century. The traditional Russian communal way of life facilitated the emergence of the “artels of thieves”.¹⁰³ Valery Chalidze has described the world of “thieves” of the Soviet Union (*воровской мир*) as asocial institution with internal unity and a code of ethics.¹⁰⁴

The subculture of “thieves” growing out of the Gulag system has influenced, to a different extent, the organized crime of the whole Baltic Sea Region, including the underworld of the post-Soviet Baltic states, Poland and Russia, as well as that of Germany, Finland and Sweden.¹⁰⁵ According to Steffen Zdun the percentage of non-Germans and immigrants has grown by leaps and bounds among prisoners during the past several years and has caused significant secu-

102 Pullat, R[isto] (2007). Vory-v-Zakone: Professionalnaya prestupnost v Gruzii (Thieves-in-law: professional crime in Georgia), by G. Glonti and G. Lobjanidze, published by the Transnational Crime and Corruption Center (TraCCC) Georgia Office, Tbilisi, 2004, 212pp, language: Russian. Book Review. Trends in Organized Crime, vol 10, no 3/September. Springer: pp 129__130.

103 Gilinskiy, Y., Kostjukovsky, Y. (2004). From Thievish Artel to Criminal Corporation: The History of Organised Crime in Russia. Organised Crime in Europe. Concepts, Patterns and Control Policies in the European Union and Beyond. Eds Cyrille Fijnaut and Letizia Paoli. Dordrecht: Springer, pp 184__185.

104 Chalidze, V. (1977). Criminal Russia. Essays on Crime in the Soviet Union. New York: Random House, p 34.

105 See also: Aaltomaa, K. (2001). Järjestäytynyt rikollisuus Suomessa. Suomen poliisilehti, no 2, p 52.

city hazards in German penitentiary institutions.¹⁰⁶ In Estonia, a unique situation in the Baltic Sea region has formed where the nucleus of the underworld is one person surrounded by a dozen persons belonging to his immediate circle. “Kolja Zolotoi” has solely managed the organization called “Mutual Fund” for almost twenty years.¹⁰⁷ The hierarchic structure of organized crime has apparently been possible only due to the small size of the Estonian illegal market and to the leadership quality of the person managing it. The Estonian organized crime must be regarded separately from the Russian organized crime, but it does not exclude mutual business interests. Estonian Russian speaking organized crime operates still in the realm of the so-called subculture of thieves. The Estonian speaking organized crime operates in the space of “Western” crime; some of their concepts, however, originate from the subculture of “thieves”. The carriers of the criminal subculture are undoubtedly penitentiary institutions. The “Mutual Fund” have its own contact persons in the prisons and the prison administration keeps their eye on them. Estonian organized crime can be differentiated by fields of activity and not by territory. Specialization is a phase of development of crime that is characterized by growth of professionalism of the criminals, and the strict internal distribution of labor in a criminal organization. The forms of expression of a cross-border crime is above all drug trafficking and crime against property (car theft etc).¹⁰⁸

According to the Russian Ministry of Interior in 2010 there have been registered 141 “thieves-in-law” in Russian Federation. In 2006 Georgia outlawed “thieves-in-law” by making it illegal to be a member of an organized crime constellation. As a result many “thieves in law” left the country to take up operations and residence in Russia or other European countries. One such country was Sweden, being the first among the Nordic countries to host “thieves-in-law”. One “thief-in-law” was found guilty for the possession of drugs and forged identification papers and was deported to his native Georgia January 17, 2012.¹⁰⁹ The only representatives of the so-called subculture of thieves – the “legal thief” – in the EU Baltic Member States are “Adu” and „Sliva“ who live in Latvia. Both “crowned” in Russia, “Adu” is a professional pickpocket. “Sliva” got a 12-year sentence in 1991 in Russia for participation in the murder of three businessmen. In 2000, he moved to Europe. He is connected to Ded Hassan.¹¹⁰ Ded Hassan has contacts also in Estonian criminal world. In Soviet

106 See also: Zdun, S. (2008) \6Russian\9 Communities in German Prisons. Journal of Scandinavian Studies in Criminology and Crime Prevention. Vol. 9, pp 42__ 58.

107 See also: Anvelt, A. (2009). 90\9s not coming back ehk Eesti kuritegelikust maailmast eile ja täna. Eesti Ekspress, 16.12. <http://www.ekspress.ee/news/arvamus/arvamus/90-s-not-coming-back-ehk-estli-kuritegelikust-maailmast-eile-ja-tana.d?id=27693893> (accessed in April 24, 2012).

108 See also: Pullat, R. (2009). Organized Crime Related Drug Trafficking in the Baltic Sea Region. Police Point of View. Tallinn: Estonian Police Board, pp 118__ 122.

109 Wenngren, C., Kegö, W. (2012). Sweden. Russian Organized Crime: Recent Trends in the Baltic Sea Region. Edited by Walter Kegö & Alexandru Molcean. Stockholm Paper February 2012. Institute for Security and Development Policy, pp 42__ 43.

110 Pullat, R. (2009), p 118; FOTOD: Siin kohtusidki vahistatud kapolane Pöder ja tuntud Vene-maa allilmaliider? Delfi, 31.11.2011. <http://www.delfi.ee/news/paevauudised/estli/fotod-siin->

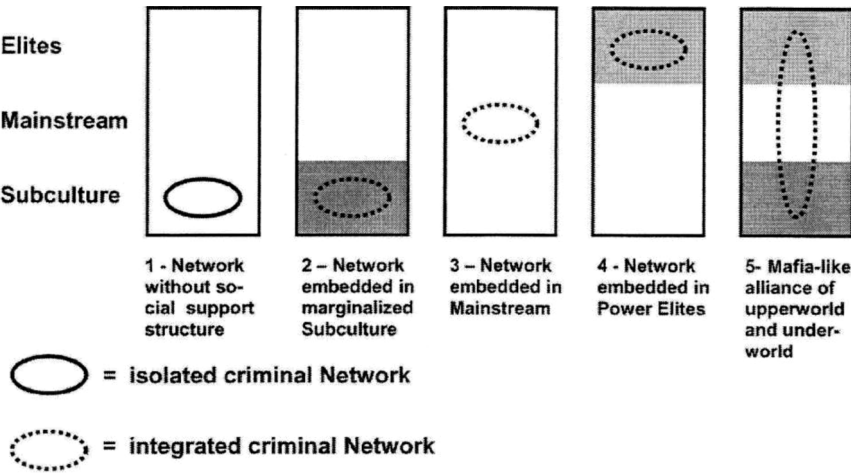
time, there were four ‘legal thieves’ in Lithuania who as of today are dead.¹¹¹ In Baltic states and Scandinavia the ‘thieves’ themselves never crowned anyone.

Beside legal norms, there are also unofficial social norms competing with the legal norms in the society. Differently from the legal norms, the state does not perform surveillance over fulfilling of social norms. Certain social norms may be valid also in various negative subcultures (e.g. the “Mutual Fund”) and the criminals can consider them legitimate and obligatory similarly to the legal norms. It is the duty of the state to apply countermeasures concerning those social norms.¹¹²

Models of organized crime in the Baltic Sea Region

The different social embeddedness determines the structure of organized crime. The author distinguishes between five types of organized crime on the basis of the classification provided by Klaus von Lampe (Figure 1). It is based on two assumptions: a) criminal networks are relatively homogenous, and b) the social position and the criminal possibilities of the criminals are in positive correlation. Klaus von Lampe has divided society into three strata: marginalized subcultures, mainstream society, and elites.¹¹³

Map 03. Constellations of organized crime in the Baltic Sea Region.



Source: Lampe, K. von (2008), *Organized Crime in Europe: Conceptions and Realities*. Policing: A Journal of Policy and Practice, 2(1), p 14.

kohtusidki-vahistatud-kapolane-poder-ja-tuntud-venemaa-allilmaliider.d?id=63713324 (accessed in September 20, 2012).

111 Pullat, R. (2009), p 117.

112 Kyntäjä, T. (2004), pp 269__ 270.

113 Lampe, K. von (2005), pp 415__ 416; see also Lampe, K. von (2008), *Organized Crime in Europe: Conceptions and Realities*. Policing: A Journal of Policy and Practice, 2(1), pp 14__ 15.

The first constellation includes criminal networks that have no social support structure in their countries of operation. Such are for instance the Estonian burglary gangs that organize burglarizing trips from Estonia to Western and Northern Europe. Recently also Lithuanian robbers in Finland. The members are recruited from prisons and rural areas, formation of the groups and training of their members usually take place beyond the control of the internal security system. Such conditions facilitate the formation of complex organizational structures and internal distribution of work, as well as distribution of work between the groups.

The second type pertains to criminal networks based on a sub-culture of thieves. In such cases, the criminals can rely on the social support structures separate from the society and its institutions; and those support structures are broader than their immediate criminal environment. The examples of such groups, for instance are the networks of drug trafficking that rely on the Finnish,¹¹⁴ Swedish and Norwegian¹¹⁵ alien communities. On the one hand, the criminals take advantage of the relative isolation of an ethnic minority for hiding their criminal activity, while on the other hand they have the knowledge of the local infrastructure (e. g. transport system, banking, etc.).

Third type includes criminal networks that exist in the mainstream society in a covert form that include seemingly law-abiding individuals who have no obstacles for using the legitimate social infrastructure. Such networks are above all connected to organized economic crime, for instance, the “invoice factories” in Estonia. In comparison with previously mentioned networks, they have strategic advantages, for example, the persons belonging to such a network can “freely” communicate with the officials, which can both open up new favorable opportunities for committing crimes and decrease the probability of intervention of law enforcement agencies. Even in case of visible corrupt connections, relations with officials may occur to be an efficient shield against authorities of internal security.

The fourth constellation refers to criminal networks intertwined with the elite in power, the participants of which have a direct access to the decision processes of politics, business and media. For example in Estonia ex-Environment Minister and former chairman of the People’s Union Mr Villu Reiljan, along with ex-Agriculture Minister Ms Ester Tuiksoo and Land Board head Mr Kalev Kangur, is accused of accepting kickbacks to ensure that three businessmen could conduct transactions with land under nature conservation.¹¹⁶

The fifth type, finally, comprises criminal networks where an alliance is formed between the political and business elites and the underworld. Alliances between underworld and upperworld exist in Southern Italy and Russia. Examples for such networks are Sicilian Cosa Nostra, Camorra of Campania, the Calabrian

114 Pullat, R. (2009), p 111.

115 Pullat, R. (2009), p 111.

116 Rikken, K. (2011). Real Jail Time Sought for Officials, Businessmen in High Profile Corruption Case. ERR, 16.12. http://news.err.ee/society/91c909d8__6b4e-4dc2-b7aa-dad7c8f54493 (accessed in April 25, 2012).

Ndrangheta and Sacra Corona Unita from Apulia in Southern Italy. Russian organized crime is expressed in the interoperability of corrupt public servants, oligarchs and criminal bosses, the background of which is the so-called „sub-culture of thieves“.

This typology, depicts a scale from less serious to more serious constellations of organized crime with respect to the integrity of European societies, going from left to right, with constellations four and five constituting alternative worst-case scenarios.¹¹⁷

Conclusions and future considerations

Organized criminal groups may have a monopoly in the illegal market on the local level; often they have concluded a mutual agreement of exclusive right to operate in a given territory or in a given field of activity.¹¹⁸ In the Baltic Sea Region, monopoly of the market of illegal products is a rare phenomenon; an exception is for instance the Estonian organized crime dominating the Finnish drug market (a major part of the synthetic drugs smuggled into Finland come from Estonia). The rapid expansion in Europe, in recent years, of the activities of Lithuanian organized crime groups is a notable feature. The Lithuanian criminal networks dealing with drug trafficking have pointed their activity towards Sweden, recently also to Finland (towards Western Europe, in case of illicit trafficking of cigarettes – e.g. the United Kingdom, Germany) and the Estonian networks have focused mainly on Finland. Latvian organized crime connected to Russian organized crime appears in the form of a criminal network and acts as a mediator for Russian organized crime.¹¹⁹

According to Europol the North East criminal hub remains a focus for transit of illicit commodities to and from the former USSR and a base for violent multi-criminal groups with international reach.¹²⁰ Successful efforts of law-enforcement agencies have ensured that the prices of narcotic substances in the Nordic countries are continually high. Russia will still remain an enticing illegal market for both international and national drug trafficking and St. Petersburg as a gate for it. The changes anticipated in the demographic structure of Russia in the mid-21st century may have an impact on the situation of Russian organized crime. Out of the Baltic Sea countries, the Baltic states and Poland are also facing the problem of drug couriers recruited among young people.¹²¹ Expansion of the Schengen legal space has facilitated cross-border crime in the Baltic Sea Region.

117 Lampe, K. von (2008), p 15.

118 Lampe, K. von (2005), pp 407–408.

119 See also, FOTOD: Siin kohtusidki vahistatud kapolane Põder ja tuntud Venemaa allilmaliider? Delfi, 31.11.2011. <http://www.delfi.ee/news/paevauudised/est/fotod-siin-kohtusidki-vahistatud-kapolane-poder-ja-tuntud-venemaa-allilmaliider.d?id=63713324> (accessed in September 20, 2012).

120 OCTA 2011. EU Organised Crime Threat Assessment 2011. https://www.europol.europa.eu/sites/default/files/publications/octa_2011_1.pdf (accessed in April 19, 2012).

121 See: Kejskrawiec, M., Wóciak, M. (2008). Powrót z piekła Ekwadoru. Newsweek, Polska, 14/2008, 6.04., pp 36–40.

The centralized hierarchic structure of Estonian organized crime – the so-called „Mutual Fund“ that controls most of the Estonian criminal business and symbolizes, in the discussed geographical area, the subculture of “thieves”, is unique in the Baltic Sea Region. The author is however of the opinion that in the nearest future, the „Mutual Fund“ will fall apart, as the deepening internationalization of crime makes the longevity of such a form of organization not very likely in the long term. To sum up, criminal networks dominate in the organized crime of the Baltic Sea Region. The networks support various fields of crime. Some of the networks focus only on specific types of crime (e.g. drug crime or illicit trafficking of counterfeit cigarettes, car theft), whereas others deal with various profitable areas of crime. The observed Baltic Sea countries are countries of origin, target and transit for different areas of crime, which provide organized crime with a broad area of activity.

Organized crime is changing and becoming increasingly diverse in its methods and groups structures. The author concludes with thoughts of professor David Canter “If images are to be drawn from fictional accounts the indications are that criminals far more often operate within structures illustrated in ‘Lock, Stock and Two Smoking Barrels’ than those illustrated in ‘The Godfather’”.

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Local organised crime

Lars Korsell

Swedish National Council for Crime Prevention (Brå)

External threats

Organised crime is often described using terminology such as “transnational crime” and “transborder crime” (Korsell 2001). The threat is external (Levi 1998). When the Berlin wall came down, a significant number of Swedish agency officials and politicians feared that the Russian mafia would invade and not only take over criminal markets but also bring with them violent methods that had up to then been unknown in our corner of the world (Korsell, Skinnari and Vesterhav 2009). This new threat is not so very new, however. The fear of the Russian threat has been around for centuries, and has simply assumed different guises over time – from the Tsarist Empire to the Red menace and Soviet imperialism, and now most recently the Russian mafia. And in some sense, the Soviet threat itself lives on, as former KGB officers have moved over into organised crime (Glenny 2009).

The threat can also be sought a little further away from our immediate geopolitical vicinity. “International crime” may also be associated with Balkan crime, for example, and Colombian cartels. Organised crime is described in terms of a global network with the tentacles of an octopus (Castells 2000). The descriptions of mafia organisations and godfathers found in popular culture also contribute in turn to the way the organised crime concept is visualised and serve to create expectations about the forms in which this type of crime can manifest itself.

It is easy to experience a sense of impotence in the face of a threat with international dimensions, with a power much greater than the average justice system is capable of withstanding. What can the local community do to combat organised crime? Don’t international organisations have to become involved and made to assume a greater responsibility?

It is also reasonable to assume that there are interests which benefit from an exaggerated view of organised crime. It may be the case that international organised crime has to some extent become the ‘ideal enemy’ of our time (Christie and Bruun 2003); an ideal enemy that provides politicians with a crime policy issue to pursue; an ideal enemy that leads to increases in the resources made available to state agencies (Levi 1998); an ideal enemy that provides international organs with an important role to play.

Local markets and global connections

Since organised crime predominantly takes the form of economic activities that meet a market demand for cheap, illicit or morally suspect goods and services, it is only natural for organised crime to have an international dimension. All

forms of trade are becoming more and more internationalised, and criminal markets are moving in the same direction as these more general trends (Korsell, Skinnari and Vesterhav 2009). But the existence of this international dimension does not in itself mean that crime is able to float above national borders without touching the ground. In actual fact, organised crime is completely dependent on local markets for the sale of its goods and services (Brå 2010).

Various types of narcotic substances constitute a typical form of imported goods. Foreign groupings may smuggle consignments of such substances into Sweden (Brå 2005:11). Once in Sweden, however, groups that are stationed inside the country take over, in the form of buyers, and sell the consignment on along the distribution chain (Brå 2007:7). In some cases it is conceivable that a foreign grouping not only transports the shipment into the country but also functions as a high-level distributor. But local intermediate- and low-level distributors then take over. A much more common scenario is for a group that is active in Sweden to buy a shipment of drugs abroad and then smuggle it into the country in order then to distribute the consignment itself.

The reason that foreign groupings are not responsible for domestic distribution can be found in the importance of being well-established in the environment where these crimes are committed (Dorn, Murji and South 1992). The risks involved in attempting to break into a criminal market as a complete unknown and with no contacts would simply be too great (Brå 2007:4). It is important to know the right people, and at the same time to stay away from those who can cause problems. Newcomers will attract attention and rumours will spread. Competitors may tip off the police. Vigilant drugs officers react when unknown faces appear. There is no help available within the local community. The risk of detection is constant.

Another reason for the minimal involvement of foreign groupings in the distribution of drugs is that the drug market itself is based on the sale and purchase of drug consignments between distributors who are independent of one another (Korsell, Skinnari and Vesterhav 2011). Thus it is not a question of syndicates being responsible for large segments of the production and distribution chain, but instead the process is divided up into a series of sale-and-purchase transactions. It is therefore quite natural for distribution to be conducted by groups that are established inside Sweden.

Over recent years, the cannabis market has changed as a result of hobby cultivation having become transformed into large-scale greenhouse production (Rikskriminalpolisen 2007). These greenhouses, which use artificial lighting, are set up in homes and industrial premises. The new form of cultivation has introduced a new distribution channel of former home-growers. These people often have a different (non-criminal) background from their competitors on the drugs market (Brå 2012). For them it is more a question of green fingers than of criminal capital. Selling takes place at the local level. Another structural change on the market is that an increasing proportion of drug sales are being conducted on the internet (Brå 2012). The same is true for substances used for doping. Internet trading also represents a form of local distribution, but one

which occurs via the postman or the local supermarket, which serves as the collection centre for oversized letters and packages. The handling of orders and packaging and despatch operations may occur anywhere at all however.

The above description of the local character of the illicit drug market can also be applied to alcohol and cigarettes (von Lampe 2005). These are also import goods that are distributed locally. More discerning forms of the illegal trade in alcohol and cigarettes exploit the opportunities offered by the excise duty legislation for accredited firms to import goods and postpone the payment of the relevant duties (Brå 2011:7). These duties are instead paid at a subsequent point in the distribution chain. The procuring of accredited firms and warehousing premises also requires a fixed local centre of operations.

The only form of crime that is conducted in Sweden by individuals who are clearly from outside the country is people-trafficking for the purposes of sexual exploitation (Brå 2012). The networks involved in this activity are as a rule established in those countries from which the women are recruited – such as the Baltic states, Poland and Romania (Brå 2008:24). This is because it is difficult to recruit suitable women without having a presence in the local community (Korsell, Skinnari and Vesterhav 2011). This requires contacts and the trust that can only be built up through being a part of the local environment. Nor do the foreign networks that are active in Sweden appear to have much contact with groups involved in other forms of organised crime (Brå 2012). It is possible that the sex trade may be viewed as being too problematic and ‘dirty’ for domestic groups. And sexual procuring activities have not been part of “Swedish” organised crime for a considerable time now.

Unlike the drugs trade, trafficking in human beings for sexual purposes is a highly service-oriented market. This means that it is typically one and the same group that is responsible for the entire supply chain, from recruitment in the country of origin to providing access to sexual services in apartments and hotels (Korsell, Skinnari and Vesterhav 2011). There may of course be individuals who work exclusively as recruiters. There are also cases where women drift between different groups, but there are substantial differences by comparison with the buying and selling activities that are typical of the trade in goods.

Just as recruitment takes place in the local community in the country of origin, the sex trade itself in Sweden is very much a local phenomenon. Local contacts are therefore required, amongst other things in order to write adverts and take photos for internet-marketing purposes, to produce flyers and distribute these in bars, tobacco shops and among taxi drivers, to organise contracts for apartments, to obtain mobile telephones, organise cars and also to deal with a thousand other details (Brå 2008:24).

Another form of trafficking in human beings– for the purpose of labour exploitation – has only been the subject of very limited research in Sweden (Hulting 2009, Olander and Tilly 2008). In the same way as with the sex trade, the nature of illegal activities in this area varies greatly, covering everything from trafficking in human beings to more or less serious forms of exploitation (Vi-

uhko and Jokinen 2009). It is reasonable to assume that the places where the people in question are intended to work have been agreed in advance. This may be in the areas of agriculture or forestry, commercial fruit production, certain types of construction work, such as demolition, and work in the cleaning and restaurant sectors. There is thus a clear local dimension even here. It may also be assumed that people who are the subject of smuggling are also subjected to exploitation to a varying extent. Irrespective of the precise nature of the trafficking activities, however, people-trafficking is a typically local phenomenon, since as a rule it is contacts in Sweden that provide the reason for people being smuggled into the country. In addition, there are cases where contacts in Sweden assist in the trafficking activities in various ways, such as by organising “look-alike” passports, for example (Brå 2012).

There are undoubtedly foreign groupings that engage in organised theft activities in Sweden (Brå 2012). Some of these groups are however assisted by people inside Sweden, who are able to provide a base from which the travelling theft activities can proceed. These people may also provide those who conduct the thefts with vehicles and storage space and conduct reconnaissance activities on their behalf. The presence of contacts in Sweden explains why groups involved in such organised theft activities may come to Sweden from such long distances. There are examples of individuals having travelled from as far afield as Chile to engage in theft activities in Sweden, where they have been given assistance by others from their country of origin (Brå 2012). People of Chilean extraction constitute a large group of immigrants in Sweden, as do people from the Balkans. When foreign groups are involved in activities of this kind, the stolen property is exported. This is in fact the only example of a case where goods or services leave the country, except for those instances in which Sweden functions as a country of transit, as in the case of drugs on their way to Norway, for example.

A great deal of stolen property is sold on within the country however, via the market for stolen goods (Brå 2006:6). Both the thefts themselves and the selling of stolen goods are local phenomena, even though stolen goods may be transported to a different area, and even to a different country, in order to make recognition of the property less likely or in order to get a better price for the goods in question (Steffensmeier 1986, Steffensmeier and Ulmer 2005, Klockars 1974). In all events, sellers of stolen goods act for most part at the local level, since it is there that the channels through which they conduct such sales exist.

Weapons have today become a typical form of imported goods in Sweden, as a result of the decreased availability of Swedish army firearms and an increase in the level of demand for handguns (Brå 2012). For this reason, there is little demand for Swedish hunting weapons. The majority of the foreign weapons smuggled into Sweden are transported into the country in very small consignments from the Balkans. This would also suggest that the sale of these weapons takes place at the local level.

The conclusion that can be drawn up to this point is that, even though there are international linkages involved in crime, the majority of it is fundamentally a local phenomenon. This is also true for organised crime, with its clear focus on import activities. Prohibited and “tax-free” goods and services with international origins must nonetheless find buyers here and now. Organised crime is far from being an abstract phenomenon that floats above national borders. This means that there is also a great deal that can be done within the local community in order to both prevent organised crime and combat it in other ways (Fijnaut 2002, van de Bunt and van der Schoot 2003).

From the global to the local arena

The problem with the above examples of how organised crime functions in the local community is that criminal activities are often carried on very quietly in the same way as any other form of commercial activity (Korsell, Skinnari and Vesterhav 2009). Since the goods and services involved to a greater or lesser extent may not be exposed to the light of day, the related business activities are furthermore conducted in a more or less well-concealed fashion. The exception to this is thefts, which are reported and also attract the attention of the local media. But it is likely that the link between thefts and organised crime is seldom understood and thus these thefts are instead viewed simply as one example of everyday crime among many others. For most people, theft offences probably constitute a form of crime that is too “simple” and “primitive” to fit in with their stereotyped preconceptions of the nature of organised crime.

The combination of the discreet nature of organised crime on the one hand, and on the other the exaggerated perceptions that exist about the ways this type of crime manifests itself, means that there is a risk that it will not be given sufficient attention at the level of the local community (Brå 2010). While organised crime has long been quietly getting on with business, local politicians continue in the expectation that organised crime will come from without. There is therefore a risk that large segments of organised crime will be given little attention.

At the local level it is first and foremost the damage caused by organised crime that is dealt with, in the form of such phenomena as drug abuse problems, youths being drawn into crime, prostitution among young women, potentially harmful environments and gambling addictions. But at the local level, these problems are more often referred to in terms of being social problems, health issues, youth problems, problems with integration, or as having to do with issues of alcohol policy and public safety. In other words, they are not viewed as being manifestations of organised crime. One explanation for this, in addition to the exaggerated perceptions about what organised crime consists in, may be found in the way municipal agencies are organised on the basis of a categorisation of different areas of activity that has nothing to do with crime.

Over more recent years, however, the stereotype of organised crime as a powerful international phenomenon has in part been abandoned as a result of the presence of one particular highly visible, locally active form of organised crime

that in many ways constitutes the worst nightmare of any municipal politician (Korsell, Skinnari and Vesterhav 2009). A municipal representative, who was asked whether they had any problems with organised crime in their area, gave the following answer (Brå 2010).

No, we don't have any biker gangs here.

The response serves to illustrate the way in which many people today believe that organised crime, in addition to transnational and godfather-like phenomena, is also in part a highly visible form of crime, and that those involved are easily identifiable on the streets of a given town – first and foremost by the fact that they ride motorcycles dressed in leather or denim vests with large patches emblazoned on the back. In Sweden, organised crime has become synonymous with biker gangs for large numbers of politicians, journalists and also for various groups working in public sector agencies (Korsell, Skinnari and Vesterhav 2009).

The reason lies not only in the visibility of these groups but also in their at times very rapid expansion. Since the Hells Angels first established themselves in Sweden in the Malmö area in the mid-1990 s, the number of biker gangs around the country has grown to around fifty (Brå 2012). Conflicts within the biker-gang environment have now and again led to violent showdowns. Today biker gangs are first and foremost establishing themselves in smaller communities. Among the reasons for this may be the availability of cheaper club premises and the fact that the authorities outside of the metropolitan areas are less well-prepared to deal with these gangs.

The provocative style of the biker gangs naturally causes anxiety in the local community and it presents a challenge to the capacity of local agencies to maintain law and order (Brå 2010). Municipalities are particularly anxious about biker gangs becoming established with their own club premises. This is interpreted as representing almost a partial occupation of their own municipal territory. Opening a club premises in this way involves establishing firm roots in the area, which is viewed as being likely to attract wannabes – resulting in the recruitment of new members – and as establishing a bridgehead for a broad range of criminal activity.

This focus on biker gangs means that when no such gang is present in a given municipality, there is a perception that the municipality does not have any problems with organised crime. At the same time, the trade in illegal goods and services is going on quietly in the background. When the municipal representative quoted above was asked follow-up questions about whether they were experiencing any problems with illicit liquor or cigarettes and large scale theft, it turned out that the municipality was not at all trouble-free.

The conclusion to be drawn is that whereas local representatives previously looked for the Russian mafia whenever the topic of organised crime came up, they now instead look for motorcycles and denim vests. This may serve to explain why the preventive approach to organised crime has failed to become more

deeply rooted in the local community. A further reason is the dominance of the police and the privileged position they hold in the area of problem formulation.

The lack of preventive strategies

In Sweden, the work to combat organised crime has largely been conducted by the police (Brå 2011:20). While it is true that the police collaborate with a large number of other agencies, the work has been dominated by the individual and criminal-justice perspectives that are characteristic of police work (cf. Ds 2008:38). The view of the police is that other agencies are able to “punish” offenders in ways other than by putting them in prison. Such alternative punishments take the form of administrative measures such as the rescinding of liquor licenses, the re-examination of social security benefits awards and the confiscation of property in order to pay off debts.

The crime prevention perspective is only present in the form of a focus on targeting particularly prolific offenders (Brå 2009:7). This may be viewed as a strategic and more well-considered way of working to combat crime, but it is fundamentally no more crime preventive in its focus than any other form of reactive anti-crime work. Typically the police devote very little thought to the nature of criminal markets or to how they interact with legal and other illicit markets.

It is actually quite surprising that the work of the police should be based on such a narrow perspective. Nordic countries such as Sweden are often portrayed as examples of places where the crime prevention perspective has achieved a particularly central role in the crime policy field. This may be true in relation to traditional forms of crime, but it is in no way the case in the field of organised crime. One explanation may be that government policy has in part been formulated in reaction to dramatic events that have led to demands for strong action in the crime policy field. Governments wishing to be seen as active have probably felt that crime prevention efforts do not really fit in with this image. A number of attempts have however been made to raise the profile of the crime prevention perspective. And in fact a great deal more is actually being done than the municipalities would themselves describe as preventive efforts focused on organised (Brå 2010) crime.

What is being done at the local level in Sweden?

Viewed from an historical perspective, work to combat organised crime at the local level can be said to have been conducted in three different phases. The first phase involves activities that the municipalities have been working with for a very long time (Brå 2010) in the form of local efforts to combat alcohol and drug abuse, an area of activity which has more recently also included work to combat doping offences. In addition to work in these areas, many municipalities also work actively to prevent young women being drawn into prostitution and youths becoming involved in crime. Essentially this work involves a range

of measures with a social focus, which the municipalities themselves would be very unlikely to define as measures intended to combat organised crime.

The second phase of local measures against organised crime was initiated at the beginning of the 1990 s when “criminal” biker gangs became established in various places around the country (Brå 2010). At this time, there was a great deal of activity focused on making things difficult for these gangs. Municipalities and public sector agencies worked to stop gangs acquiring property or entering into rental agreements for premises. There were also a variety of local initiatives focused on exposing the problems associated with criminal markets. These included information campaigns about illicit goods, for example, and public hotlines for tips about illegally imported alcohol.

The measures that characterised phase three were for the most part comprised of special measures specifically focused on organised crime. One example can be found in the county of Östergötland, where the police and other agencies, together with the municipalities, formulated an action plan against organised crime (Brå 2010). The principal focus of the plan is that of getting rid of a number of biker gangs. Another example is the knowledge centre on organised crime at the City of Gothenburg, which has employed qualified staff to assist the municipal administrations in combating organised crime in various ways.

Municipalities and local agencies are large-scale purchasers of services from sectors which employ black-market labour in an organised way (Brå 2010). This is true of the building and construction sector, the cleaning sector and taxi and other transport services. In order to reduce the risk for the concealment of black-market and illegal labour in connection with the work contracted out by municipal administrations, certain municipalities work actively to conduct careful controls of the firms they hire. Central aspects of this work involve ensuring that the individuals who conduct the work in question wear identity badges and that staff members are checked out with the Swedish Tax Agency. Although a good deal of work is now being conducted to combat the organised use of black-market labour, it remains a major problem and there is much still to be done.

Taxonomy of areas of illegal activity

In order to promote the issue of crime prevention in relation to organised crime, the Swedish National Council for Crime Prevention has published a handbook (Brå 2010). The handbook contains advice and suggestions on how to work to combat organised crime in the local community. A range of examples are provided. Since one of the problems is that local representatives view organised crime in terms of either an all-powerful international organisation or local biker gangs, the handbook includes a typology intended to assist in the identification of signs of organised crime in the local community.

The objective of the taxonomy is to assist local representatives in starting to think in terms of markets in order to discover what is going on in their own municipalities. The taxonomy is presented below. It is broken down by diffe-

rent categories of crime and different types of problems. It includes a column describing actors who may be expected to have knowledge of these areas or who may have observed indications of organised crime. These indicators are then described in the third column.

Table 08. Taxonomy of areas of illegal activity

Survey tools		
Crime categories	Actors in possession of relevant knowledge	Indicators
Organised theft and sales of stolen goods	<ul style="list-style-type: none"> Local businesses Local transport security groups The Theft Protection Association at the local level Home-owner associations/Neighbourhood watch 	<ul style="list-style-type: none"> Wave of residential burglaries Goods such as razor-blades on sale cheaply at retailers Lots of “coming and going” around parked-up lorries Cars (particularly foreign-registered) parked in strange places at unusual times Metal thefts, thefts of contractors’ plant and machinery, waves of thefts in boatyards and marinas
Illegal alcohol and cigarettes	<ul style="list-style-type: none"> Social services Healthcare providers Municipal alcohol officers Schools After school and youth clubs Local bar and restaurant owners Customs Agency National institute of public health 	<ul style="list-style-type: none"> Large quantities of empty foreign cans in public places Cheap alcohol in local bars and restaurants Differences between state alcohol monopoly sales figures and results of local surveys of alcohol habits Packs of cigarette with unusual brands Packs of cigarettes with no Swedish warning text or recommended retail price
Drugs and doping substances	<ul style="list-style-type: none"> Social services Healthcare providers Schools After school and youth clubs Gyms Local bar and restaurant owners Customs Agency National institute of public health 	<ul style="list-style-type: none"> Extensive theft crime relating to low-price goods Extensive drug use in public places High levels of drug use in surveys of drug habits Large numbers of individuals coming to healthcare providers under the influence of drugs
Organised black-market labour	<ul style="list-style-type: none"> Trade unions (Construction, retail, municipal) 	<ul style="list-style-type: none"> Cleaning of restaurants, offices and workshops conducted long after closing time

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Survey tools		
Crime categories	Actors in possession of relevant knowledge	Indicators
	<ul style="list-style-type: none"> – Small business associations and trade organisations – Local business owners – Local property owners – Swedish Tax Agency 	<ul style="list-style-type: none"> – Staffing agencies that hire out very cheap labour – Company cars with no company logos or similar – Lack of protective clothing at construction sites – Signs of “disorder” at construction sites
People trafficking/Sexual procuring	<ul style="list-style-type: none"> – Social services – Women’s shelters – Healthcare providers – Local property owners – Local hotels and restaurants (Swedish Hotel and Restaurant Association) – Taxi firms 	<ul style="list-style-type: none"> – Foreign prostitutes – Unable to speak Swedish – Do not appear to have constructed their websites themselves – Someone other than the prostitute answers when you phone – Lots of “coming and going” at certain addresses – Large numbers of women in taxis outside a certain building
Illegal gambling and gambling activities	<ul style="list-style-type: none"> – Social services – After school and youth clubs – Local KRIS (former offenders association) – Local bar and restaurant owners – Small business associations – Problem gambling associations – Swedish Gambling Authority – Swedish Tax Agency 	<ul style="list-style-type: none"> – Lots of “coming and going” in stairwells at unusual times – Gambling machines placed in locations with no public access – More than five “fruit machines” in the same restaurant – Gambling machines placed close to schools, after school and youth clubs and sports premises
Exertion of unlawful influence, blackmail and protection rackets	<ul style="list-style-type: none"> – Municipal and county council licensing and inspection officers – Local officials at the Social Insurance Agency – Local media – Elected representatives in the municipal council chamber – Small business associations – Local business owners 	<ul style="list-style-type: none"> – Increase in e-mail, text and telephone traffic containing threats or improper offers to officials – Increased numbers of “visits” at workplaces, outside the workplace and in the homes of officials – Increase in reported cases of harassment, threats and violence against officials – Increase in self-censorship among officials – Frequent changes in ownership of bars, restaurants and businesses

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Survey tools		
Crime categories	Actors in possession of relevant knowledge	Indicators
	<ul style="list-style-type: none"> – Local bar and restaurant owners – Regular customers and staff at bars and restaurants 	<ul style="list-style-type: none"> – Different client groups at bars and restaurants – Vandalism and arson targeting bars, restaurants and businesses

The future

Bringing views of organised crime down to earth and acknowledging its local roots also serves to create a preparedness to work with this problem at the local level. This enables a much broader range of actors than just the police to become a force against organised crime. There ought to be opportunities to work locally to combat organised crime in the areas where it manifests itself in the form of more everyday types of crime.

At the same time, the local field of vision must not be restricted to the premises of biker gangs on the outskirts of a town's industrial areas, but must rather focus on the markets. Not least it is important to understand how criminal markets, black markets and white markets interact with one another, such as when smuggled alcohol (criminal market) is sold to restaurants (white market) that employ black-market labour (black market).

There has recently emerged an increased focus on the organised crime problems that specific towns and cities are facing. This is the case for the country's three metropolitan areas, but also for towns such as Södertälje and Eskilstuna. While it is true that the trigger that has led agencies to act and work together has for the most part been shootings and spectacular murders, it is possible that this local perspective will open the door to a broadened perspective that includes markets and the economics of crime. When all is said and done, all crime is fundamentally a local phenomenon.

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Drugs and organized crime in Denmark – Recent developments and research priorities

Kim Møller, Aarhus University

The story of organized criminal groups in Denmark is closely tied to the development of the illicit drug markets. This is most visible with the street-level cannabis retail market in the capital Copenhagen, but can also be seen indirectly through the conflicts between the various organized criminal groups. This article analyses the developments in these conflicts and gives an account of recent research priorities.

Denmark has traditionally led an unusually permissive policy towards cannabis retail markets. Particularly an area of Copenhagen known as Christiania has been notorious in this regard. Danish police have consistently claimed that outlaw biker gangs dominate the cannabis market. This became increasingly visible as the market grew more organized during the 1980's. In the late 1990's disputes over access to criminal markets turned into a violent conflict between biker groups, referred to as the great Nordic biker war (Hoeyer 1999). In the 2000's the violence escalated even further as immigrant gangs began to confront the biker's dominance. It is commonly held that the core of the conflicts – at least initially – revolves around struggles over illicit drug markets and the cannabis market in particular (Vestergaard 2005; National Police 2010). The location, temporality and pattern of retribution in the violent events make this a plausible explanation (Moeller and Hesse 2012).

The argument is made that the measures taken to repress drug markets have contributed to a destabilization and restructuring. These adaptations have inadvertently fuelled a violent conflict between organized criminal groups, specifically outlaw biker gangs and a plethora of immigrant gangs. The rest of this article is laid out as follows: (1) introduction of a few definitional and theoretical issues, (2) the local Danish context and recent developments, (3) presentation of new research on the organized criminal groups, the individuals that constitute them and their crime involvement, and (4) analysis of the interaction between drug law enforcement, organized criminal groups, and drug markets.

Organized Crime and drug markets

Organized crime became an increasingly visible problem as the illicit drug market expanded during the 1980's. This prompted the strategic development of criminal groups into the market, who then quickly became globally mobile and expanded their areas of business (Naylor 2002, Silverstone 2011). The 1988 UN Convention on Drug Trafficking illustrates how this has become “one of the most significant challenges of the 21st century” (Töttel et al. 2012, 260). The associated problems were further exacerbated in the 1990's, which saw the introduction of a variety of new synthetic drugs and an increase in prevalence of illicit drug use, particularly cannabis. Never have so many people used so

many illicit drugs. This is a challenge for society in general and criminal law in particular.

The forms of crime that require organization are the same forms of crime that are consensual or market-based crime (Naylor 2002). The bulk of these are drug related offenses. This illustrates at the most fundamental level how criminal law and its implementation can and will affect these crimes. The consequences are not always intuitive and straight forward. Illicit drug distribution is primarily a menial, risky, and labor intensive field that potentially attracts those without the necessary skills to perform more complicated tasks within the regular economy. Illicit markets differ from legitimate markets because market participants, consumers, and those engaged in the business, by definition, operate outside the purview of law. Operating outside the legal realm, these markets are more prone to violence over disputes involving things like market share, and market participants face greater personal risk of arrest, loss of gain from criminal activity, injury or death. The primary reason for drug markets to be attached to organized criminal groups is because these groups may control a geographic territory and have the potential and willingness to use violence to maintain this control, if necessary (Felson and Clarke 2012).

With this said, it is important to note that “the drug market” is a misnomer. Law enforcement efforts may be relatively more effective against some drugs compared to others. Cannabis is bulkier and harder to conceal than cocaine and heroin so it is more difficult to smuggle and distribute. Even frequent users of cannabis are probably more responsive to changes in the risks posed by law enforcement than regular users of cocaine and heroin. There are several distinct but interrelated markets for illicit drugs which are differentially affected by enforcement (Rasmussen and Benson 1999).

The fundamental theoretical framework for analyzing the interaction between law enforcement and drug markets is Reuter and Kleiman’s (1986) *Risks and Prices*. Law enforcement can affect the risks involved with selling illicit drugs. The levels of risk will, in turn, affect the structure of the aggregate market, the openness and accessibility of individual local markets, as well as the revenues involved. Law enforcement can affect these risks either through overall levels of deterrence or more targeted crackdowns (Moeller 2012a). Affecting risks by increasing deterrence has the counterintuitive effect of also increasing the potential profits. Increased risk from law enforcement translates to a higher retail-price for the drugs. Demand will not decrease in the short run due to enforcement, which means that the potential profits increase when enforcement increases. Ultimately this can imply that the competition between criminal groups increases because both risks and profits increase. In this situation violence as a competitive tool increases in value (Kleiman 1989). Criminal groups need to display a capacity for and willingness to use violence in order to stay in the market.

The local context

This section will be structured by Paoli and Reuter's (2008) list of pull and push factors that make certain countries or regions more or less attractive for organized criminal groups. The assumption is that the available opportunities for crime in a particular country are more important than whatever groups are involved in exploiting these opportunities (Silverstone 2011). Briefly put, the most important pull-factors in Denmark are the high demand for illicit drugs in an environment of comparably low legal risks. The push-factors are derived from an increase in drug law enforcement and the ensuing competition from criminal groups.

Pull factors

Mass demand

Cannabis is by far the most widely used illicit drug in Denmark, as it is in all other Western countries. There are three interrelated aspects of illicit drug demand that are relevant to an organized criminal group: prevalence, quantum, and monetary value. "Prevalence" is the measurement for examining how widespread illicit drug use is in a population. It denotes the percentage of an age group that confirms that they have tried a specific substance in the past month, the past year, or at some point during their life; referred to as monthly, annual, and lifetime prevalence. The higher the prevalence (especially of intensive use), the larger the quantum demanded, the higher the monetary value of the market, roughly speaking. Currently, about eight percent of adults in Denmark have tried cannabis within the past year, which is similar to the average in other European countries. However, lifetime prevalence is unusually high at 46 percent, meaning almost half of all Danish adults will at some point in their life have tried smoking cannabis (EMCDDA 2010).

The Danish prevalence rates correspond to approximately 184,000 "annual users" aged 16–44 in 2010. This can be seen below in table 1. In the left side of the table we see that for the age group 16 to 44 the annual prevalence was 8.9 percent in 2010. When this fraction is multiplied by the total Danish population in the age group, 2,071,222 persons as seen in the right side of the table, we get an estimate of how many people have smoked cannabis within the past year, i.e. approximately 184,000. Through various statistical methods it can be assessed that this corresponds to an aggregate quantity of about 20 tons used annually (Moeller 2011). A good and simple way that has been found to produce good estimates is to multiply 100 grams per year per "annual user" (Bouchard 2007). Estimating the monetary value of this aggregate quantity is more complicated. A first approximation is to take the quantum estimate and multiply this with the value per gram. This method ignores quantum discounts and will overstate the value of the market. An assessment of the Copenhagen cannabis market that included some considerations of quantity discounts estimated the value to be about 120,000,000 Euros, in turnover annually (Moeller 2011).

Table 09: Number of cannabis users in Denmark in various age groups

Cannabis prevalence				Absolute number of users		
Year		2008	2010	Year	2008	2010
Age	16–24	(n=862)	(n=1,643)	Total population age 16–24	567,538	604,917
	Monthly	8.1	7.1	Number of “annual users”, age 16–24	120,886	114,329
	Annual	21.3	18.9			
	Lifetime	41.1	38			
Age	16–34	(n=1,718)	(n=5,748)	Total population age 16–34	1,254,940	1,269,256
	Monthly	4.8	5.1	Number of “annual users”, age 16–34	166,907	171,350
	Annual	13.3	13.5			
	Lifetime	48	44.5			
Age	16–44	(n=2,219)	(n=5,748)	Total population, age 16–44	2,070,745	2,071,222
	Monthly	3.5	3.5	Number of “annual users”, age 16–44	188,438	184,339
	Annual	9.1	8.9			
	Lifetime	45.1	41.5			
Age	16–64	(n=3,408)		Total population, age 16–64	3,542,311	
	Monthly	2.2		Number of “annual users”, age 16–64	194,827	
	Annual	5.5				
	Lifetime	38.6				

Sources: EMCDDA Statistical Bulletin 2010, Danish National Board of Health 2009, 2011

Lenient statutory penalties

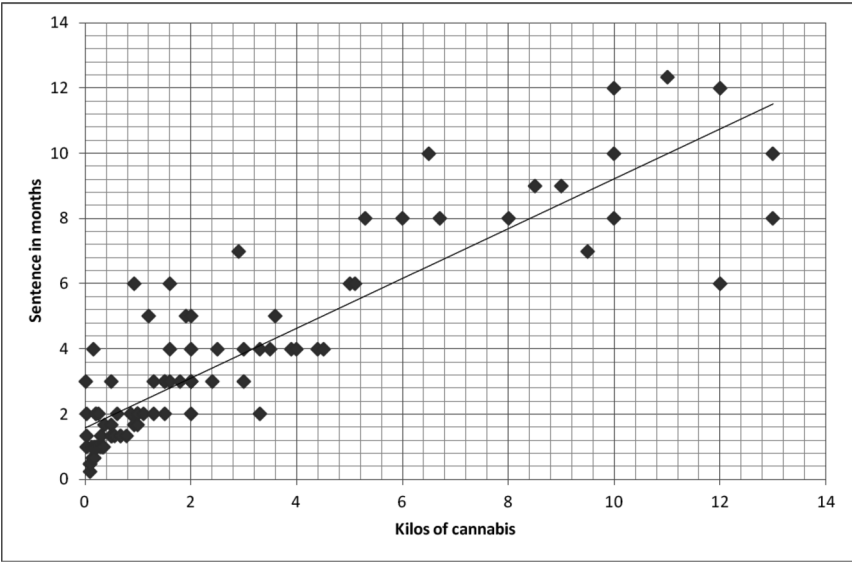
In international comparison Denmark has a lenient drug control policy that is focused on “harm reduction” as opposed to “use reduction” (Caulkins and Reuter 1997). Danish drug control policy rests on two overarching ambitions that were decided upon in the late 1960’s and early 1970’s: to spare drug users from excessive penalization by not criminalizing use itself and to keep the markets for harder drugs and cannabis separate. In extension of these goals a series of prosecutorial guidelines instructed police to focus resources on “professional sellers” and “harder drugs” (Storgaard 2000).

The statutory penalties for cannabis offenses are especially lenient. In 2003 the formal starting point sanction for possession of amounts under ten grams was a fine of 300 Danish Crowns, this was increased to 500 Crowns in 2004 as part

of an overall adjustment of fine levels, and then increased to 2,000 Crowns in 2007 as a drug policy adjustment. 2,000 Crowns is about 250 Euros. Amounts up to 100 grams of cannabis resin or 500 grams of marijuana can be considered for “personal use”, if the circumstances surrounding the incident do not lead police to think that there was intent to sell. Presence of large sums of money or various tools associated with drug dealing etc. will be taken to suggest that the cannabis is intended for sale (Attorney General 2006/2007).

It is difficult to assess the actual risks involved with selling cannabis as we have no methods for estimating a number of active cannabis sellers. Also, the way Danish criminal statistics are registered makes it impossible to establish the number of criminal convictions for selling cannabis. Neither the criminal act (possession, selling, trafficking) or the type of drug is registered. We do know that the potential sanctions are not very severe. Isolated instances of sales of small amounts of cannabis are punishable by a fine while sale of amounts up to two kilos is sanctioned with three months imprisonment (Attorney General 2006/2007), but only a few cases go to trial (n=92) (Judges Association 2002).

Map 04: Sentences for cannabis sale by quantum



Source: Judges’ Association (2002).

Relative impunity

In an economic framework of crime we expect the risk of getting caught to have more of a deterrent effect than the severity of the eventual sanction (Reuter and Kleiman 1986). The levels of enforcement of cannabis prohibition are lower in Denmark than in Sweden and Norway, when seen in the context of

use levels. That is, there are actually more cannabis seizures in Norway per 100,000 citizens than in Denmark, but when we factor in cannabis use levels the risks are lower in Denmark (Moeller 2012c). The relatively low levels of enforcement intensity combined with moderate statutory sanctions amount to a degree of “impunity” in Paoli and Reuter’s (2008) terminology.

In sum, the Danish policy towards cannabis sales bears much closer resemblance to the coffee-shop policy in the Netherlands than the use reduction policies of Norway and Sweden. In the Netherlands it was declared that the sale of small amounts to the final customer would not be policed at all. In Denmark the declaration was that retail sales would not be policed with any noteworthy intensity. This difference means that in practice it has been possible to run a coffee-shop system in the Netherlands whereas the retail market in Denmark has always been illegal, just not policed actively. This relative impunity could be clearly observed prior to 2004 in a street-level cannabis market in a centrally located area of Copenhagen, referred to as Christiania. Upwards of 40 cannabis sellers and their various helpers would sell a wide variety of cannabis products from this area (Moeller 2012d).

Geographic location

Together the aspects reviewed above amount to a “permissive environment” (Silverstone 2011, 193) for illicit drug distribution. This makes Denmark an interesting case study on organized crime because of the geographic location as Scandinavia’s southern border to mainland Europe. From the perspective of the other Nordic countries the open market in Christiania and the ease of supply for which it stands, combined with the relatively lower sanction levels for drug-related offenses, makes Denmark the weak link in the effort to repress organized criminal groups. Denmark’s role as a transit country for illicit drugs on their way to Norway and Sweden has been a recurring theme of contention among the Scandinavian countries, repeatedly expressed in the context of the Nordic Council of Ministers (Jepsen and Laursen 2002).

Push factors

Increased law enforcement

The question of how to regulate Christiania’s market in a way that respects both the overall drug policy ambitions and also curtails flagrant crime has been discussed actively since the mid-1990’s. When cannabis prevalence rates increased during the late 1990’s, as they did in all Western countries, this was exceedingly visible in Christiania’s market. A new and more repressive policy towards cannabis sales was implemented around 2000 to repress the flagrancy of the market. This new stance on cannabis policy was implemented through a series of amendments to the criminal code and administration of justice act.

Table 10: Recent law amendments relating to drug control

2001: Prohibiting visitors to designated places. Act no. 471 of June 7.
2001: Termination of tenancy as a result of violation of the ban under the act prohibiting visitors to designated places. Act no. 447 of June 7.
2003: Combating biker crime and other organised crime. Act no. 436 of June 10.
2004: Penalties and provisions on penalty setting, etc. Act no. 218 of March 31.
2004: Stricter efforts against drugs, etc. Act no. 445 of June 9.
2007: Higher fines in drug cases. Act no. 526 of June 6.
2007: Alcohol concentration in exhaled air, zero-limit for euphoriant drugs, etc. Act no. 524 of June 6.

Source: www.retsinformation.dk/Forms/R0200.aspx

The two first amendments from 2001 make it possible for police to evict tenants in locales where they suspect cannabis sales are taking place. This is a step away from the protection usually enjoyed by tenants where a court order would normally be required. The amendments from 2003 and 2004 increase the penalty frame for illicit drug distribution and introduce relaxed provisions for the employment of undercover police. Together they make it possible to have undercover police investigate the market in Christiania. The amendment from 2003 also introduced a reversed burden of proof in asset forfeiture cases related to drug distribution. Professor of criminal law at the University of Copenhagen, Joern Vestergaard (2005, 18) describes the state of the law as follows:

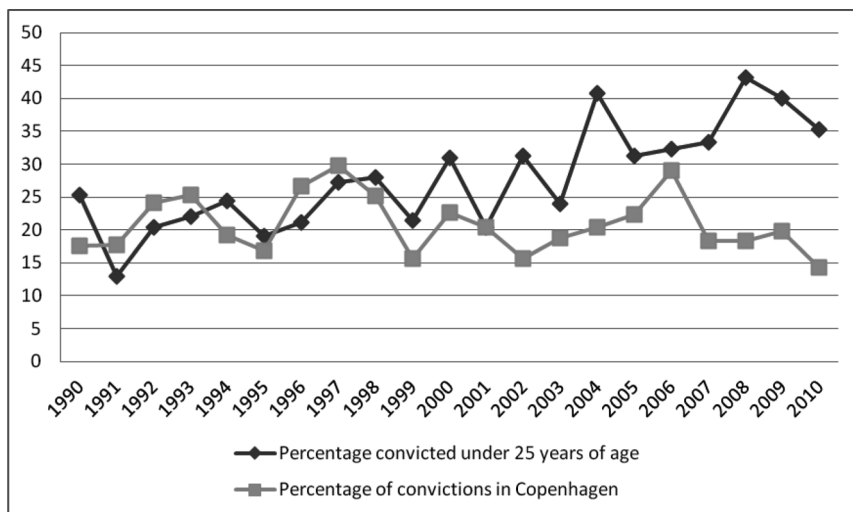
“In principle, an amount equivalent to the selling price is confiscated; see Section 75(1) of the Penal Code. If such an amount is not in the remains of the perpetrator, the proceeds gained are confiscated, i.e. an amount equivalent to the selling price minus the cost/purchase price. Ancillary expenses are not deducted. A certain amount of discretion might be necessary in assessing the confiscation amount. In serious cases, a confiscation order can be addressed to a spouse, if an item was not acquired more than five years before the offense, and the party is not able to prove that the item has been acquired by legal means, see Section 76a of the Penal Code.”

The amendment from 2004 revoked the option of using warning for cannabis possession and made fines a default sanction. The purpose with this amendment was to give police a tool to maintain the results from the crackdown on Christiania, to more effectively deter buyers from returning to the market. Together these legal amendments paved the way for a police crackdown on the Christiania market on April 16, 2004. Fifty people were arrested and tried and sentences ranged from a year to two-and-a-half years. Police maintained a massive presence in Christiania for about nine months afterwards. This disruption of the dominant market severely destabilized the balance between drug selling groups in Copenhagen as buyers sought out sellers in other parts of town.

However following the crackdown on Christiania in 2004 a series of violent episodes erupted. This sudden destabilization of the cannabis market was followed by a series of shootings in Copenhagen. Many of these episodes appeared to be connected to the cannabis trade in one way or another. Some incidents were targeted executions of known cannabis sellers; others were indiscriminate shootings around crowds in known cannabis selling locations. This conflict was so violent that it affected aggregate homicide rates in Copenhagen, and even nationally. The causality of these events is of course debatable. Prior to the shooting Copenhagen's police had noted that they were finding weapons in cannabis selling locations and that a conflict between bikers and immigrant gangs could be on its way (Bech-Hansen 2003). It is quite plausible that a violent conflict would have erupted sooner or later even if the crackdown had not happened. However, the crackdown did happen and the events that followed display a pattern well known from the international research on drug markets. In an economic analysis of drug markets (Kleiman 1989) increased enforcement destabilizes established hierarchies among competing drug selling groups. The increased risks inadvertently lead to an increase in the aggregate market value at the cost of increasing the risk of involvement. The result is that a criminal group's capacity for and willingness to use violence increases in value. Other researchers have found that this appears to be especially pertinent for unstable drug markets where roles, hierarchies and turf are still under contention. For a more in-depth analysis of this violence see Moeller and Hesse (2012).

This is not the first time that organized criminal groups with interests in the illicit drug market have been in violent competition. Figure 2 below illustrates two interesting patterns in Danish homicide convictions that relate to the involvement of organized criminal groups.

Map 05: Age of convicted and geographic location of homicides



Source: dst.dk; table: straf3

Particularly two periods are of interest, the late 1990's and the period after the 2004 crackdown.

From about 1995 to 1997 a violent conflict erupted between the Hells Angels and the Bandidos. National Police (2009, 10) assess that the conflicts revolved around access to the drug market and specifically the “desire to exert a monopoly on crime within a specific geographic area”. Initially the Hells Angels had accepted that Bandidos expanded in Northern Europe and established chapters in Denmark in 1993. They would change their minds shortly after when Bandidos started to establish chapters in the other Nordic countries outside of Denmark as well. At first there was a series of assassination attempts on members of the clubs in Sweden and Finland, but the conflict spread to Denmark as well. The conflict involved all of the Nordic countries but was controlled and initiated by the Danish chapters (National Police 2009, 9–10). The conflict is referred to as the “great Nordic biker war” and involved a series of excessively violent episodes that resulted in 11 homicides and 74 attempted homicides at the national level.

A truce was eventually reached through the mediation of a lawyer and a press conference was called in which both clubs declared a stop to the violence. The common understanding of the conditions of the truce is that the Hells Angels remained in control of Copenhagen while the Bandidos control the remaining larger cities (Hoeyer 1999). Also both the clubs stated that they would not expand on their operations in the Nordic countries, nor would they establish new chapters. During the conflict police registered a decline in the criminal involvement of the groups, particularly for drug crime and other forms of income ge-

nerating crimes. Police assess that this is due to organizational resources needed to monitor and fight the competing groups. Shortly after the introduction of the truce, crime involvement returned back to pre-conflict levels; however the violence ceased (National Police 2009).

After 2004 we see some changes again. For 2006, there is a spike that reflects the shootings following the crackdown on Christiania. After these initial altercations the Hells Angels felt prompted to start a youth division that could actively confront the immigrant gangs. The concept of “youth divisions” in the outlaw biker gangs may be unique to Denmark. The group AK81 [Always Ready Hells Angels] in particular has gained notoriety. A prominent member of the Hells Angels authored and published a text “The Jackal Manifesto” in which the conflict with the immigrant gangs was explained in patriotic terms, for lack of a better description. The escalation of the conflict between Hells Angels and the immigrant gangs prompted a “significant increase” in the number of individuals connected to the seven monitored groups (National Police 2009). The years after 2006 display a much smaller percentage of convictions taking place in Copenhagen, presumably because the violence spiraled away from the original locations and turned into reciprocations for prior shootings. With the age of the convicted we see a more uniform trend towards an increase in the share of the convicted that are below 25 years of age. This is interpreted as a result of the conflict between organized criminal groups where younger members of the group are required to perform dangerous tasks, such as physically attacking competitors. The altercations take on a life of their own as codes of honor and identity require violent revenge.

Recent research priorities

Following the increase in serious violence The Ministry of Justice’s research department initiated a series of projects analyzing outlaw bikers and immigrant gangs. So far two reports have been published and several more are underway. This research is hitherto focused on the groups and the individuals that make them up (Klement, Kyvsgaard and Pedersen 2010, Pedersen and Lindstad 2011). The other side to the developments is the crime that these groups commit. This crime is reported in annual reports from the National Police and has recently also been analyzed in studies from the Centre for Alcohol and Drug Research at Aarhus University.

Groups

National Police registers members of outlaw biker gangs and persons otherwise assumed to be members of organized criminal groups in the Police Intelligence Database. This database contains information on the socio-demographic characteristics and criminal histories of the registered individuals. Known members of outlaw biker gangs are automatically registered in the Police Intelligence Database. For persons with relations to immigrant gangs, the criteria are more complex. Firstly some documentation for formal contact is required, and se-

condly the person has to be suspected or convicted for a serious crime to be registered. Serious crime is defined as the following types of crime: dangerous crimes against persons, including vice and robbery, and drug related crime. If a person has not been suspected in relation to serious crime within a two year period the person may be removed from the Police Intelligence Database. This means that there is a lack of transparency to the process; only police know the exact reasons for a person to be registered. There are currently 1,146 persons registered in the PID (Klement, Kyvsgaard and Pedersen 2010). The largest group is the Hells Angels and their support groups.

There are two “levels” of criminal groups, 1 and 2. This distinction is based on the criminal involvement of the person, but the exact evaluation depends on police discretion. According to police Level 1 gangs are groups with a relatively high degree of organization who commit serious crimes. Level 2 have some organization and commit local serious crime.

Table 11: Estimated number of members in various organized criminal groups

Name of group	Registered members
Hells Angels	139
Hells Angels support	184
AK81 (Hells Angels Youth Division)	127
Bandidos	208
Bandidos support	95
Level 1 gangs	185
Level 2 gangs	194

Source: Klement, Kyvsgaard and Pedersen 2010

Once a person is registered in this system the Danish authorities can cross-reference registrations in other databases based on a system known as CPR-numbers (Central Personal Registry). This system allows Danish authorities a unique possibility for register-based research into these otherwise hidden populations. The research reviewed below is based on these registers of income sources, criminal histories, educational attainment, and family relations.

Outlaw biker gangs

Historically, organized crime in Denmark has been largely synonymous with outlaw biker gangs. From the 1990’s and onwards biker gangs in Denmark has meant the Bandidos versus the Hells Angels, both of which are international groups originating in the USA. Both clubs have a formal and strict hierarchy where each member has a specific rank and status (National Police 2009) and both groups, as well as their various support groups, are considered Level 1 (Klement, Kyvsgaard and Pedersen 2010). Although many members of outlaw

biker gangs have been convicted for crimes committed in cooperation, it has not been possible to establish that the organizations themselves are part of the criminal endeavors of the members. While outlaw biker gangs are not perceived as illegal criminal organizations in the letter of the law (Vestergaard 2005), they do however resemble “organizations” in their internal structure. Being an organization means that they are hierarchically organized, with distinct roles and responsibilities, registered control of participants, visible association between organization and individual, collective resources. In other words, a system of “positions” with role specialization in a vertically integrated hierarchy based on developed interpersonal relationships (Korsell et al. 2005).

In the report by Klement, Kyvsgaard and Pedersen (2010) they compare the biker’s social background to the majority population and a control group with similar criminal histories, in a risk factor analysis. Secondly they conduct a network analysis that includes another 3,987 persons that have “criminal relations” to these groups.

The risk factor analysis examines the personal characteristics at the date of the last penal code violation before being registered in the Police Intelligence Database. The social characteristics of the bikers and gang members are then compared to a ‘criminal control group’ that is made up by persons that are equally as criminal as the gang members and identical on the non-dynamic risk factors, sex, age and ethnicity. There is also a ‘regular control group’ that only matches sex, age and ethnicity. The purpose of this regression analysis is to understand if the gang members’ social characteristics deviate from others before they become gang members. Are there certain attributes that can be identified as being correlated with gang membership later in life? It is found that the members of the biker gangs share most attributes with the criminal control group.

The network analysis seeks to uncover how and to what extent the bikers and gang members are connected through criminal acts, with members from the same groups, members from other groups, or persons that are not known to be affiliated with any groups. It is found that the majority of the criminal acts that gang members engage in, they engage in on their own. Only rarely is more than one person charged for the same crime, and when there is more than one it is usually only two or three at the most. On the other hand it is found that many of the gang members and bikers do associate with persons outside of the gangs. These forms of criminal associations appear to be quite fluid and not very stable. The persons involved change from crime to crime.

Immigrant gangs

The reports from the Ministry of Justice find that the registered members of the immigrant gangs are characterized by having a more stable family background than the outlaw biker gangs. Their parents however have no education and are less frequently employed. Other than that, the gang members share many similarities with the criminal control group in the study (Klement, Kyvsgaard and Pedersen 2010). In general immigrants from non-Western countries, and their

descendants, have social characteristics that are different from the majority Danish population: higher rates of unemployment, lower educational attainment, heavier reliance on transfer payments, more registered crime and violent crime. Particularly non-Western immigrants of MiddleEastern descent are overrepresented in participation in violent crime at a rate of 1.8, after controlling for socio-economic variations (Andersen and Tranæs 2011).

American research on street gangs has found that criminal activities increase considerably in the period when a person is active in a gang. The Danish study confirms this finding. For the registered gang members there appears to be a 40 to 45 percent increase in penal code violations, after having been in the registry for two years. Note that this is despite the fact that individual crime frequency will usually decline with age. It is possible that police activity and surveillance may have influenced this picture because the persons in Police Intelligence Database will be more closely monitored and therefore have a higher risk of being charged and convicted. This appears to be relevant as regards traffic violations and drug law violations, weapons, and penal code drug violations because these are crimes that require a high degree of police pro-activity.

The immigrant gangs resemble “networks” where persons are more important than positions. Networks are characterized by a structure of relatively autonomous units that co-operate. Networks typically consist of persons with a high degree of social uniformity which improves mutual trust. Compared to an “organization”, networks are systems built around the persons, not the positions they occupy (Korsell et al. 2005). Many of these groups have weak organizational structures; firmly established leaders may be absent; there is likely to be an absence of specialization; and group membership may be fluid.

Recruitment

The report “First Link in the Food Chain” is based on two datasets (Pedersen and Lindstad 2010). Firstly a self-report survey of 1,886 students in 7th-10th-grade from schools in socially deprived neighborhoods in the greater Copenhagen area. Secondly, interviews with 40 local stakeholders that work with youth in these areas.

The self-report survey delineates and examines youth in criminal groups and the interviews highlight contacts and possible recruitment to organized gangs. A total of 13 percent of the 1,886 respondents are seen to be part of a criminal group according to the definition in the report. These persons are responsible for 56 percent of the total crime the survey respondents admit to having committed. The term ‘criminal groups’ covers the groups of young people that are characterized by having been together for a longer period of time, spending a lot of time on the streets, committing crime together, and accepting crime as part of the groups’ activities. Such ‘criminal groups’ are more informal and less organized than actual gangs, and they commit less serious crime.

From the interviews with local stakeholders it is found that there is no “recruitment” to these criminal groups; rather it is a matter of “attraction”. This is be-

cause the gangs are very visible in the neighborhoods and partly because they signal energy and dynamics. What is attractive about the gangs is primarily their offer of a strong community and secondarily their image and lifestyle. Participation in criminal youth groups can also involve status, power and recognition. Participation in the criminal groups also provides safety and protection which can be motivating. Crime is not the primary objective when youth are attracted to these groups, rather something that follows with “membership”.

Crime-based research

In one of the recent reports from National Police, outlaw biker gangs are described as having a “[C]entral role in planning trafficking operations and distribution of cannabis within Denmark. This takes place with a base in Denmark but also through persons residing in countries close to producer areas]” (National Police 2004, 13). However, from the onset of the 2000’s “other criminal groups and networks have tried to establish themselves in the Danish cannabis trade” (National Police 2004, 13). In practice, these “other criminal groups” refer to the variety of loosely structured immigrant gangs, primarily of Middle Eastern descent. From 2008 National Police changed the title of its annual publication on organized crime to “Status report on crime committed by bikers and gangs. National Police (2009) state that the numbers of crimes committed by the gangs is increasing and that the profit motive is clear. Mostly the crime consists of illicit drug sales, weapons, and violence, which is similar to the crimes committed by the outlaw biker gangs.

Restructuring of the illicit drug market

Established knowledge holds that organized criminals generate their income in illicit markets and that fighting illicit markets therefore equals fighting organized crime. This is not always straightforward as there may also be unintended consequences.

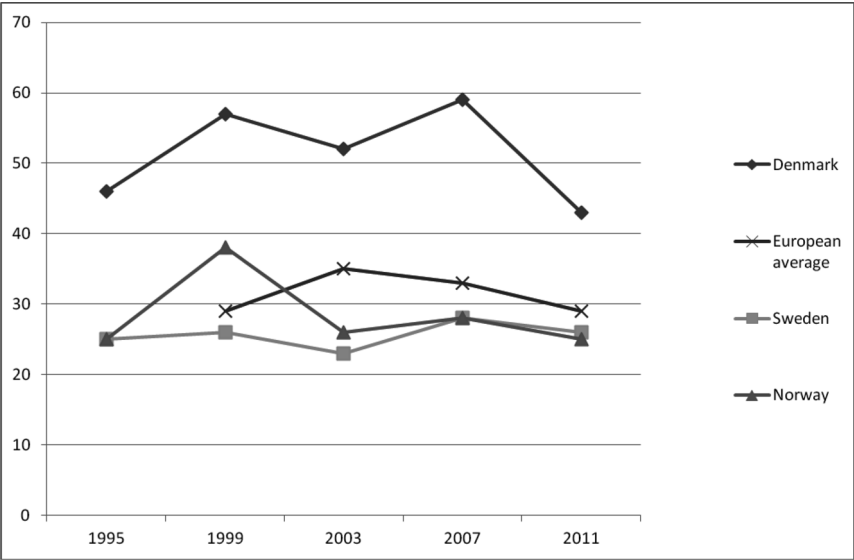
Following the crackdown and the violent conflicts, the cannabis market is much more decentralized with various distribution points spread throughout Copenhagen. This has allowed for the immigrant gangs to achieve a larger share of the aggregate market. The immigrant gangs rely on slightly different methods for distributing cannabis. A very simplified but illustrative description: the immigrant gangs sell cannabis from street-markets and so-called “hash clubs”. Hash-clubs are small and low-key forms of coffee-shops as seen in the Netherlands, except of course illegal. The persons working there are paid by the hour and employment and opportunities. The biker gangs have their primary retail outlet in Christiania, which is place specific and has a much more formal structure as far as who gets to sell from where, a collective look-out corps etc. The stable open-air cannabis market in Christiania would have been dismantled by law enforcement anywhere else in the world, but the leniency of the Danish cannabis policy allowed for this unusual configuration. An analysis of

the costs and revenues associated with two different street-level cannabis retail markets in Copenhagen found that economies of scale had been successfully implemented in the Christiania market (Moeller 2012d). Combined with the relative impunity due to the lenient policing, the sellers in Christiania were able to expand their market share. The openness of the market allowed for easy access for locals as well as tourists and the fact the Hells Angels were known to have a part in the market kept disturbances from outside groups to a minimum. This market was closely tied to its turf. The lack of intensive enforcement formed the basis for a stable drug market. This stability is self-reinforcing because the dominant group can continue to offer better products and service, thus perpetuating a concentrated industry (Kleiman 1989). The implication is that the cannabis market in Denmark is believed to have had an – in international comparison – unusually “concentrated” structure, where the market in Christiania approached monopoly status and was able to implement economies of scale.

Reuter’s (1983) analysis of gambling and loan sharking found that most illegal enterprises were small because the economic conditions of their markets did not lend themselves to large oligopolies. This is consistent with a cottage industry model that asserts that the primary forces governing organized crime are the same forces that govern legitimate business and that organized crime groups (like legitimate business organizations) cannot grow unless there are economies of scale in their illegitimate industry. Criminal markets are typically found to be very decentralized and therefore one group will struggle to monopolise either a criminal market or territory (Silverstone 2010, 191). Morselli (2009, 145) notes: “...whereas the Hells Angels organization is a hierarchical structure with clear and explicit rules laid out for its members, there is no clear indication that this formal organizational structure is relevant when studying the criminal activities of members and associates. Quite differently, when it comes to participation in criminal markets, flexibility offers a better fit than the rigid confines of a formal organization.”

The restructuring process was fueled by violence between criminal groups, but that does not mean that the crackdown was not successful on its own terms. The ambition with cracking down on the largest distribution point was to sanction the sellers, inhibit the underlying organization and reduce availability. All of these criteria have been met; at least to some extent. It has not been cheap (Moeller 2012a) or painless (Moeller and Hesse 2012), but nobody assumed that it would be an easy task, nor did police have unrealistic expectations as to what could be achieved (Bech-Hansen 2003). One of the successes has been to reduce the availability of cannabis. For lack of better data the ESPAD-surveys of 15 to 16 year-olds in all of Europe can be used as an indicator to substantiate the perception that the displacement actually succeeded in curtailing availability.

Map 06: Percentage that respond: "Cannabis is relatively easily available", or "cannabis is very easily available", 1995–2011



Source: Hibell et al. (1997, 2000, 2004, 2009, 2011)

There are several problems associated with having visible and easily accessible street-level drug markets in a community. The most obvious are: (1) They provide easy access to drugs for inexperienced users and tourists, (2) the visible criminal economy facilitates and legitimizes criminal careers, and (3) the presence of unpunished, flagrant criminal activities undermines the public sense of justice. While arresting flagrant sellers and forfeiting assets is good for combating public cynicism it may increase competition among criminal groups for turf and market shares: “[It is assessed that there is an ample supply of new actors in the cannabis market that will step up when authorities apprehend known perpetrators and groups.]” (National Police 2004, 13)

The developments in Denmark illustrate that increased violence may be the result if established criminal hierarchies are removed. This poses an unsolvable problem for law enforcement as either outcome (flagrant drug selling, violence) is unacceptable. No matter how law enforcement attempts to control drug distribution networks and organizations, the criminal groups will still be active. The crackdown on Christiania is illustrative of this because it has changed the nature of drug distribution in Denmark, even though it has not eliminated it. Eck and Gersch (2000, 247–8) describe this interaction as follows: “Law enforcement might displace trafficking behaviors so that traffickers became more efficient at avoiding law enforcement, and as a consequence, less efficient at distributing drugs. (...) In the long run, this would reduce their drug trafficking capacity, even as it improved their effectiveness at thwarting legal intervention.

(...) When explaining this theory to law enforcement practitioners, we often use the analogy of predator-prey co-evolution.” Developments in Denmark have therefore underlined the view that drug control policy is a dilemma as far as outcomes achieved. Some aspects can be improved, for example reduced availability and profits, but only rarely do these improvements come cheaply. Public resources and potentially even overt violence can be the direct and indirect costs.

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Facing a new criminal setting – A joint-agency initiative against organized crime in the municipality of Södertälje

Gunnar Appelgren and Per Brodin
Stockholm County Police

Introduction

On the night of July 1, 2010 three persons arrived outside the illegal gambling locale “Oasen” in the municipality of Södertälje in Sweden. Two of the men entered the locale at 02:23 in the night and by automatic weapon they executed two men at the premises.

The above episode was the informal start of one of the biggest criminal investigations in Swedish history. This was moreover the informal start of the establishment of one of the most ambitious joint-agency initiatives against organized crime in Swedish history.

However the growing problems with criminal networks in the municipality of Södertälje have been known and talked about for at least 20 years. The local police have during many years seen an increasing number of attempted homicides, homicides, assault and battery etc. But, after a period of some very frequent homicides during 2009–2010, the local and regional police were aware that they needed to look at the problems in a broader scenario.

The situation in the municipality of Södertälje – geographical and ethnic-cultural context

The municipality of Södertälje is one out of 26 municipalities in Stockholm County. It is also one out of eight police districts in the county. Södertälje has about 85 000 inhabitants, which makes it the 20th biggest municipality in Sweden.

In 1967 the first Assyrians/Syrians came to Sweden and the municipality of Södertälje. Assyrian/Syrian is an ethnic group that has lived as a Christian minority in a Muslim context in the Middle East for 2 000 years. The minority has lived in different empires and states, which have always tried to assimilate the Assyrians/Syrians. During these 2 000 years the minority has been exposed to at least 20 genocides. The most well-known genocide against the Assyrians/Syrians took place in Turkey in 1915. The point of origin for the ethnic group cuts across Turkey, Syria, Lebanon and Iraq. However the ethnic group has always been stateless/nationless and scattered all over the world.

Today there are around 70 000 Assyrians/Syrians in Sweden. Many Assyrians/Syrians were initially employed in southern and central Sweden. As time passed, however, many moved to where their relatives lived. The main residence location is nowadays the municipality of Södertälje. Other major places of residence are Gothenburg, Norrköping, Västerås, Örebro and Jönköping.

Today, about 20 000 Assyrians/Syrians live in the municipality of Södertälje. That is about one fourth of all inhabitants. The ethnic group has gone from a Christian minority in the Middle East to become a majority in many residential areas in Södertälje. The community of Assyrians/Syrians in Södertälje has for example nourished two big TV stations, two major league soccer teams and two archbishops for the Scandinavian countries.

Due to the above mentioned pursuits, the religion has become an important denominator against other ethnic groups. This also means that the group has become a multiethnic minority. In addition to the area of origin widely covering several countries, the group, excepting dialects, speaks the Turkish, Kurdish, Arabic and Persian languages.

Hence, after emigration from the Middle East the community also speaks the exile countries' languages; they belong to different denominations, they adapt to different interpretations of the Holy Bible and have adopted a variety of habits and customs. The differences amongst the ethnic group have made it possible to define its ethnic background in various ways. This has resulted in that, foremost, two groupings have developed in Sweden, the Assyrians and the Syrians, and among some of them the denominations and interpretations of the Bible have been seen as incompatible.¹²²

The basic thesis – parallel social structures

All criminal gangs/networks/formations must, in order to survive, constantly find new people to connect to the criminal gang/network. The reason for this is often that many established members are serving long prison terms, and that a criminal activity constantly needs new and diverse skills.

A basic thesis is that, the stronger the connection an individual has to any person in a criminal gang/network, the greater the risk that the individual is going to be recruited. Relationship and kinship between individuals are risk factors, and previously committed crimes together can be another driving force for further criminal activities. An ethnic relationship in itself is not decisive for being recruited to criminal networks. However, the residential area plays a crucial role, since friendships are established in residential neighborhoods and in the local school environment.¹²³

All sorts of crime can be seen as parallel structures to the majority society, and to different degrees this has society-threatening character. In some geographical areas, however, the parallel social structures are more complex and integrated into mainstream society, and in some manifestations considered as seriously society-threatening. Some examples of society-threatening crime are a serious im-

122 The background to this part is taken from Deniz, F. (1999) *En minoritets odysseé-det assyriska exemplet* (A minority odyssey-the Assyrian example), Doktorsavhandling Uppsala universitet (tredje tryckningen 09/2003 Örebro universitet) and Deniz, F. & Perdikaris A. (2000) *Ett liv mellan två världar* (A life between two worlds), Örebro Universitet

123 Björk, Micael. (2006) *Ordningmakten i stadens periferi* (The forces of order in the city periphery) Brutus Östlings Bokförlag Symposion.

pact on the security of the public, control of the traders, having one's own judicial system and mediation.

There is no uniform definition of parallel structures in society but there are a variety of criminal phenomena with varying degrees of structure, complexity and duration that are difficult to define. What we see in Södertälje could be summarized in a parallel structure that is held together by kinship and being bound by tradition.

Key elements in the creation of parallel social structures/a parallel society which we see in Södertälje are:

- **Presence of tradition-bound families**

By presence of tradition-bound families, we mean families where the living conditions in the country are associated with the family's capacity and power. The individual has a collectivistic mindset in which loyalty to the family takes precedence over loyalty to the community. Loyalty based networks in informal systems consist of trust, duties and obligations. The point is to build one's own functioning society to ensure survival.

The traditional family norms are often in opposition to the majority society's standards. The gap between these standards creates in some families a black/gray/white zone in which actions occur. In addition to family/relatives, a common childhood environment may be an important factor for continued crime and recruitment.

- **Population base**

In order to develop criminal parallel structures, a sufficient number of individuals guided by allegiance towards their own group is needed. Crimes are often committed against their own population.

- **Motivated individuals**

There are motivated individuals with a strong entrepreneurial spirit within families who have the will to develop their position.

- **Operating in the local community**

The families operate in certain neighborhoods or districts. As the power status of some families increases, the ability to exercise pressure and criminality in areas other than their own increases.

- **Segregation facilitates**

Stigma, ethnic and social segregation affect the ability to enjoy equal societal resources, such as access to education, work, housing and political participati-

on. Segregated areas have a strong impact on the residents' identity formation which can lead to crime and a rejection of mainstream society as the standard bearer. Local communities can under the circumstances develop into quiet areas where cooperation with police is dismissed because the police are not seen as legitimate representatives of society, or residents can be afraid to cooperate with police out of fear of retaliation. This means that criminals may operate relatively undisturbed. It is in such areas that unlawful influence takes the form of, for example, social unrest and "police fishing", which means that it becomes difficult for the police and other authorities to act. It can in some cases lead to weak authority.¹²⁴

Segregation as a concept is often co-occurrent in scientific as well as police reports. In the research context, the concept of segregation is used in three sorts of geographical distinctions between people. The first distinction, termed *demographic*, is about jagged allocation of ages between geographic areas. The second distinction, termed *socio-economic*, is when areas are divided out of class/economic borders. The third and most interesting form of segregation is called *ethnic segregation*.

The segregation process is constantly on-going and depends on various causes. The process is complex and there are no easy explanations. The professor in human geography Roger Andersson tries to explain the ethnic segregation process in four phases¹²⁵.

- Segregation generating moves – in some areas there is a bigger out-migration of households with Swedish background and a bigger in-migration of households with foreign background. There are thresholds in those phases. When the distribution has reached a certain level, there is a risk that the process will escalate.
- Segregation generated moves – areas with a thinning out of households with Swedish backgrounds tend regularly to be in the focus of the citizens' and mass media's stigmatization process. Naming of the areas strengthens the preconception and the surrounding world's negative comprehension. The area is seen as divergent and problematic. The situation in the schools is often unsettling if more households with Swedish background tend to move out.
- Institution generated moves – some of the responsibility for in- and out-migration has to do with the housing corporation, housing queues, social services and the Migration Board. The individual official cannot have the full responsibility for, to give an example, directing newly arrived families to the areas where there are vacant apartments. This takes an unexpected path since it leads to an even bigger housing segregation.

124 Björk, Micael. (2006) *Ordningsmakten i stadens periferi* (The forces of order in the city periphery) Brutus Östlings Bokförlag Symposion.

125 Andersson, Roger (2001) *Skapandet av svenskglea bostadsområden* (The creation of Swedish sparse neighborhoods) in Magnusson, Lena (editor) *Den delade staden __ segregation och etnicitet i stadsbygden* (The divided city __ segregation and ethnicity in urban areas) Boréa.

- Network generated moves – some of the process has to do with countrymen seeking proximity to other countrymen, especially during the beginning of their residence in their country. There are many reasons for this, but finally it has to do with basic human needs. What is called immigrant-dense has more to do with several ethnic groups' rounds ending in the same places.

Criminality connected to criminal Assyrians/Syrians in Södertälje

Criminal recruitment and expansion

Today there is a new generation of young Assyrians/Syrians in Södertälje. In kindergarten and at school, children with Swedish and Assyrian/Syrian parents have grown up side by side, although voluntary and involuntary segregation today is clear and striking. Among some of these individuals who were born particularly during the 1980 s, now violent crime has become an everyday situation. At the same time, there are also clear indications that elements of crime in recent years have become increasingly subtle and now several of the generations and families are included.

As previously mentioned, the majority of the Assyrians/Syrians came from countries that generally stressed the traditional family and its duty and order. When they arrive in a new country, people automatically start to define their position by careers, rather than family relations and local history. When the market (business life/business) expands into family life, private property purchased becomes more and more important to human identity. It is in this borderland between family and market that modern criminal spheres often come to life.

Two Assyrian/Syrian families are today the most visible criminal spheres. Because of an ongoing violent conflict between the two families, they are now extremely isolated/marginalized. The other sphere consists of around 50–70 hardened criminals, Assyrians/Syrians who operate in both visible and covert criminality. The people involved in the covert criminality are much more difficult to both assess and describe.

Visible criminality

This section follows the crime which is well known for both the public and the police. Since the beginning of the 2000 s, we have seen numerous cases of aggravated theft, assault, drug offenses, attempted murder and homicide. The individuals linked to the above crime were born during the late 1970 s – and especially at the beginning of the 1980 s. These individuals have also been guilty of:

- **Unauthorized impact – open threats**

As a result of law enforcement efforts, police officers and public officials have been subjected to violence or threats of violence. Among several of the harde-

ned criminal Assyrians/Syrians there has apparently been an idea that, while remaining relatively undisturbed, you can threaten in order to achieve different types of advantages. Below is a selection of those times when government agents have been subjected to direct threats from the constellation of hardened criminal Assyrians/Syrians:

- The police station in Södertälje has been subjected to bomb threats and shootings.
- A pipe bomb was deployed on a car belonging to an alcohol licensing inspector working for the municipality.
- In intervention situations, police officers and firefighters have been attacked with verbal abuse and sometimes stone-throwing. At interventions/controls they have pointed out that they know the police officers' residential addresses and what cars they use.
- Open violent conflicts. As a result of a territorial fight for the criminal market, open conflicts within the Assyrian/Syrian population have also occurred. The conflicts represent obvious risks to third parties.

• **Extortions**

In the late 2000 s, it was possible to see an increasingly growing number of crimes linked to above all cash-intensive industries such as restaurants and hairdressers. At the beginning of the 2000 s a voluminous collection of investigations indicated that several taverns in and around the center of Södertälje had gradually been taken over. In addition to the fact that a restaurant is cash-intensive, it is often seen as a natural "entrance ticket" to Swedish society, both for those with serious intentions and those with dishonorable intentions.

Also linked to the above crimes are a large number of documented cases of serious fraud, serious accounting fraud and evasion of tax.

Initially in the early 2000 s, the modus operandi was to take over at the restaurants' doors with their guards. The guards who chose not to go along with this were pressed to leave the restaurants and in some cases even the profession. In addition to the loss of income from the doors, the restaurant owners were forced to pay big amounts in racketeering fees.

Covert criminality

The above crimes are partially visible to both the police and the public. The below-described crime is some of the covert crime we uncover through investigations.

• **Illegal gambling and restaurant operations**

Various forms of crime are unknown to the authorities, and instead these are dealt with by churches/associations through so called "co-development". Investigators claim that illegal agreements/negotiations often take place in connec-

tion with associated facilities/cultural facilities. These premises are also important for illegal gambling and in some cases illegal pub and restaurant business.

The religious denominations and national federations are now very closely linked to many of the older people in families. These families have also invested money and efforts in order to gain influence in both communities and other federations.

- **Frauds**

Very advanced fraud involving the social security systems: These frauds are targeted against both municipal and government social insurance systems. The profits from the frauds are reinvested in both legal and illegal society.

- **Unauthorized subversion**

Linked to a form of illegal mediation are other very serious signs of improper influence involving subversive traits. Information concerns everything from pure "insider problems" to people who, because of their ethnic background, are subjected to threats and great social pressure, which in turn leads to conflicts of interest with the profession that they practice.

Information also indicates that individuals from these spheres also try to go deeper and deeper into the political assemblies, especially locally in Södertälje. It seems that these individuals all have an interest in taking an active part in the political councils and the boards that have influence and take an active part in the exercise of authority, which may have an impact on the legal/illegal activities associated with the sphere. Examples of this may be political committees that decide/take part in decisions about building permits and licenses.

Present situation

As mentioned before, the first Assyrians/Syrians came to Sweden from Lebanon in 1967. In connection with this, the first Assyrians/Syrians who moved to Sweden had difficulty in maintaining the strong Christian identity that they had had in their home countries. Assyrians/Syrians were thus forced to create new border markers with their surroundings in order to survive as a people.

The need for boundary markers has been furthered by the fact that civil society, in terms of output, consists of the family and its duty, order, and strong ties to the homeland. As well as coming to a new country, while the society develops people are defined by their position in such things as careers, rather than family relations and local history.

Today there are around 15 000–20 000 Assyrians/Syrians in Södertälje and it is therefore the municipality with the highest number of Assyrians/Syrians in Sweden. In some neighbourhoods in Södertälje today Assyrians/Syrians are the largest single population group.

For some time there has been a very complex segregation process in and around Södertälje. In some areas we have reached the threshold effects due to the households with Swedish background that have almost entirely left some neighbourhoods by segregation generating moves/segregation generated moves.

The process, expected for a long time, also has accelerated the institution generated moves, in which particular local housing actors further strengthen the process.

It should be emphasized that what we are now seeing in Södertälje also suggests that we have reached the fourth level of the segregation process, network generated moves where Assyrians/Syrians clearly seek out certain neighbourhoods in Södertälje.

The development taking place in Södertälje for Assyrians/Syrians, in itself, is not unique to Swedish conditions. Similar network-related migrations can be seen among other ethnic groups around the world. The process in Södertälje can be said to be accelerated due to the fact that Assyrians/Syrians have always lived in a stateless and scattered context. Now that Södertälje has something of a role as an unofficial "world capital" of the Assyrians/Syrians, we may get a bigger network-strengthening move to Södertälje. For some years many have been saying that Södertälje has a "community within a community". Today we have a new generation of Assyrians/Syrians living in and around the municipality of Södertälje. They are born and raised in Södertälje. The absolute majority has made a good impact on society, with for example entrepreneurship and business enterprises. But there are also some individuals who, out of their common ethnicity, relationship, and residential area, try to expand criminal business.

The basic thesis is that, the stronger the connection an individual has to another individual in a criminal network, the bigger the risk that the person is going to be recruited. One of the connections/bonds can be ethnic or relationship-related and another can be common criminal infringement. According to the literature, ethnicity is of course not material for creating locally based criminal networks. But, together with a common residential area, we can see that connections have been developed in the common residential area and the local school environment.

This is being reinforced by the fact that Assyrians/Syrians historically have lived in states and societies with traditionally weak government power. That is to say that the society in these countries has not been fully able to secure the citizens' physical and social safety and security. Therefore we can often see signs that many Assyrians/Syrians always feel that loyalty to the family/relatives is superior to loyalty to society. The individual's success and safety are based on the strengths and weaknesses of the group.

The situation in Södertälje is characterized by the existence of a structure based on a common ethnicity and/or relationship to positions of power in visible as well as covert crime. This concerns, among other things, serious theft, extor-

tion, racketeering, drug offenses and violent crimes. These black-market and criminal profits are then invested in legal businesses, for example restaurants.

The breaking point for when the structure has become too complex is when individuals with key positions are used to benefit themselves or relatives in some form of "borderland" for crime.

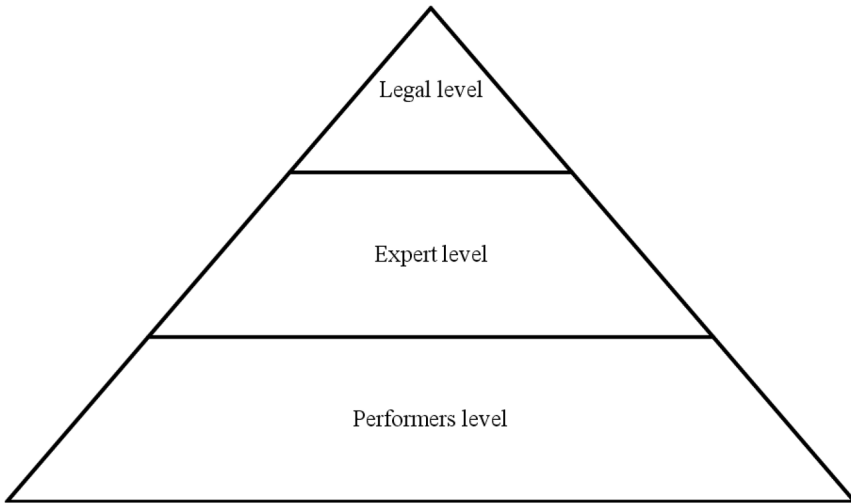
There are also suspicions that the structure exerts some unlawful influence directed toward authority figures. The unauthorized impact can also be expressed in that people do not dare to report crimes or otherwise cooperate with authorities. Internal conflicts often have internal solutions through mediation.

The criminal structure along with its significant influence on various levels of the local community has for many years been able to develop to great complexity when there has been a lack of large and successful joint-agency efforts. The police may therefore not independently affect the situation by law enforcement or prosecutorial action.

Today we see that the organized criminality which is connected to the criminal sphere includes aspects of exploiting society. That is to say that this form of organized criminality, in contrast to terrorism, wants to use and misuse the existing legal society. That is done by offering the general public what legal society cannot offer, for example narcotics. Another example is using illegal methods, trying to get benefits in the legal society – for example taking an active part in public procurement. This is seen in the visible criminality (homicides, assault and battery etc.), but it can also be seen in increasing covert criminality in which criminal maturity is one of the key factors/ingredients. By criminal maturity we mean, for example, infiltration of administrative authorities and sophisticated reinvesting of money in the legal society.

We can also see indications of criminal organization divided into three levels, level 1: Legal level ("empire-builders"), level 2: Expert level, level 3: Performers level. The criminal organization has some resemblance with a classical hierarchical mafia organisation.

Map 07: Indications of criminal organization



Level 1) Legal level (leaders or so called "empire-builders")

Level 2) Expert level (logistic level)

Level 3) Performers level (underlings)

The lowest level, level 3, appears to be relatively well-documented by the police. In this group, large parts of the described criminal sphere are included. This level includes all the persons who perform various forms of visible crime, in the form of, for example, drugs and violence. We should emphasize that, despite the very great efforts by both the police and other law enforcement agencies, apparently already at this level there are big problems in prosecuting and judging these professional criminals. This is despite the fact that crime often occurs relatively visibly. Many of the problems depend on the silence of "good society" and on fear. That is, the reluctance of individuals to report and testify about crimes has its roots in the traditional society's will to resist and assert their independence against modern society. This "good society" silence is decisive in order to increase the activities of the criminal sphere.

At the next level, that is level 2, currently both the police and other agencies have greater problems. Based on investigations, it seems highly likely that the sphere/spheres have the "expertise" that can protect and improve their critical nominal earnings. Moreover it seems obvious that these spheres have access to the "insiders" and expertise in areas such as management of money/funds. These "experts" are used to protect and transform visible as well as covert crime.

Finally, at the highest level, level 1, both the police and other agencies in the field of intelligence/investigation cooperation currently lack complete know-

ledge. At this writing, there is a vague idea of what level 1 consists of. Neither the police nor other authorities in intelligence cooperation have so far had the knowledge or endurance to attack level 1. The crimes committed within level 1 are serious and their impact might grow stronger in an open democratic society.

However, it is important to once again point out that the absolute majority of the Assyrians/Syrians have made a good impact on society, with for example vigorous entrepreneurship as well as flourishing business enterprises.

A joint-agency initiative

In the autumn of 2010 the Regional Criminal Investigation Department presented a problem and a mission statement/scenario centered around the problem with organized crime in the municipality of Södertälje. To meet this enormous challenge, which to some extent has been touched upon in this article, the regional police realized that the problem could not be tackled only at local and regional level. The problem also needed to be tackled with cooperation from the National police. The problem and mission statement also showed that this problem could only be addressed by searching for and sharing intelligence and information with other government agencies.

So, by means of cooperation in and around the Regional and National Intelligence Centre, this has now become one of the most ambitious joint-agency initiatives against organized crime in Swedish history. So far the operation, besides the police, includes the following nine government agencies: Swedish Economic Crime Authority, Swedish Tax Agency, The Swedish Social Insurance Agency, Swedish Coast Guard, Swedish Prison and Probation Service, Swedish Enforcement Authority, Swedish Customs, Swedish Secret Service and Swedish Migration Board

The mission aim is, broadly, to identify and take legal action against strategic key persons and to apply joint efforts within relevant agencies in order to forestall, obstruct and prevent the continuation of criminal activities. Furthermore, it is to forestall and obstruct the preconditions for the criminal subculture/parallel society that has grown strong in Södertälje, and also to motivate and create scope for the “good forces of society” to work in the municipality of Södertälje.

The joint-agency initiative steering group comprises a commander, operations leader and their deputies. The interacting authorities also have their coordinators.

One of the success factors of the joint-agency initiative is, so far, a joint problem scenario/statement with an in-depth analysis with a defined problem scenario. This problem scenario forms the basis for the joint target perspective anchored in all the coordinating agencies. Another key factor is sustainability and long-term operations planning based on the problem scenario with a 1, 3 and 15-year perspective. Coordinated concurrent operations by the various crime-fighting agencies provide operational depth and breadth. It also defines the res-

possibilities of the national, regional and local resources. Finally, active information goes to the mass media with a focus on the local perspective. There is extensive openness as to what has happened, is happening, and will happen.

The joint-agency initiative is still on-going and will be evaluated in the autumn of 2013. The evaluation will be made by the government agencies themselves but also by the Swedish National Council for Crime Prevention (BRÅ). BRÅ is an agency under the Ministry of Justice and is a center for research and development within the judicial system.

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Outlook

The continued funding by the EU has ensured the future of the OC research conferences for the next three years. The geographical orientation of the research conferences, which to date had focused on the issues of OC research and control in Germany's neighbouring countries (2008), South-Eastern Europe (2009), Southern and South-Western Europe (2010), Western Europe (2011) and Northern Europe (2012), has now been concluded. In future, the events will be dedicated to selected phenomenological topics, with a greater focus on the cross-border aspect of organised crime. The motto of the conferences from 2013 onwards will be "Transnational Organised Crime". The 6th International Research Conference on Organised Crime is scheduled for September 2013 and will be held in Wiesbaden. The proceedings from this series of events will be presented to interested readers in the form of a third publication in 2016.

Deutscher Teil

Part IV

OK-Forschung und Praxis in West- und Nordeuropa: OK-Forschungskonferenzen 2011 und 2012

Entstehung und Entwicklung des OK-Forschungsnetzwerks und der OK-Forschungskonferenzen

Die Organisierte Kriminalität (OK) und ihre Auswirkungen auf die internationale Sicherheit stellen für die Sicherheitsbehörden zweifelsohne eine der größten Herausforderungen des 21. Jahrhunderts dar. Kriminelle Netzwerke agieren über die Grenzen hinweg und fordern die überwiegend national arbeitenden Strafverfolgungsbehörden heraus. Daher gewinnt die enge polizeiliche Zusammenarbeit auf internationaler und insbesondere auf europäischer Ebene immer mehr an Bedeutung. Für die akademische Forschung spielen nationalstaatliche Grenzen traditionell eine untergeordnete Rolle. Dennoch war bis zum Jahr 2008 die grenzübergreifende Zusammenarbeit zwischen OK-Forschungseinrichtungen lediglich in den Anfängen zu beobachten. So entstand im Bundeskriminalamt die Idee, im Bereich der OK-Forschung europaweit den Austausch über sicherheitsrelevante Fragestellungen, methodische Ansätze und Forschungsergebnisse zu fördern und dazu Forschungskonferenzen auszurichten. In den Jahren 2008 bis 2012 veranstaltete das Bundeskriminalamt zusammen mit dem Research and Documentation Centre (WODC), der Police Academy of the Netherlands (bis 2010), dem Serious Organised Crime Research Team des britischen Home Office sowie – ab 2010 – dem schwedischen National Council for Crime Prevention (Brå) in Frankfurt am Main und Wiesbaden fünf internationale OK-Forschungskonferenzen. Diese Konferenzen ermöglichten einen umfassenden Überblick über die Situation der OK-Forschung in zahlreichen europäischen Ländern. Sie boten ein Forum für den grenzübergreifenden Austausch von Wissenschaftlern und Polizeipraktikern zu Themen und Fragestellungen wie gewählten und möglichen Feldzugängen bei empirischen Forschungsprojekten, Umsetzung von wissenschaftlichen Erkenntnissen in die Praxis und Adressaten von Forschungsprojekten. In den Jahren 2008 bis 2011 hatten Wissenschaftler und Praktiker aus Belgien, Bulgarien, Deutschland, Frankreich, Griechenland, Italien, Polen, Tschechien, Schweden, Slowenien, Spanien, der Türkei, Ungarn und den USA ihre Forschungsaktivitäten oder die jeweilige nationale Kriminalitäts- und Bekämpfungssituation vorgestellt. In den Jahren 2011 und 2012 referierten Vertreter von Wissenschaft und Praxis aus Dänemark, Estland, Finnland, Großbritannien, den Niederlanden, Schweden und Interpol über OK-Forschung und -Lage in ihren Ländern oder Zuständigkeitsbereichen.

Der vorliegende Tagungsband fasst die Forschungskonferenzen aus den Jahren 2011 und 2012 zusammen. Er soll dem Leser einen Eindruck von der Bandbreite der Forschungsaktivitäten im Bereich der OK sowie den inhaltlichen und methodischen Schwerpunkten der Strafverfolgung in West- und Nordeuropa vermitteln.

Die internationalen Forschungskonferenzen zur OK-Forschung werden von BKA, Wiesbaden, WODC, Den Haag, Home Office, London und Brå, Stockholm, gemeinsam ausgerichtet. Sie verfolgen das Ziel, den Austausch von Informationen zur OK sowie zur Bewertung der Bedrohung durch die OK zwischen Wissenschaftlern und Praktikern aus der Strafverfolgung zu fördern.

Eine zweite Initiative führte zum Aufbau eines internationalen OK-Forschungsnetzwerks im Jahr 2008. Dieses Netzwerk dient der Intensivierung des direkten Austausches zwischen behördlichen Forschungsinstituten, der abgestimmte Bewertungen von Entwicklungen in Wissenschaft oder Praxis ermöglicht und bereits zur Initiierung eines gemeinsamen Forschungsprojektes geführt hat. Netzwerkmitglieder sind die Forschungs- und Beratungsstelle für Organisierte Kriminalität (OK), Wirtschaftskriminalität und Kriminalprävention des deutschen Bundeskriminalamts, die „Crime Research Development Unit“ des britischen Home Office, das „Research and Documentation Center“ (WODC) beim niederländischen Justizministerium, die niederländische Polizeiakademie (bis 2010) und die schwedische Forschungsstelle „Swedish National Council for Crime Prevention“ (Brå). Neben dem anlassbezogenen Austausch auf Arbeitsebene finden im Rahmen der Netzwerkaktivitäten pro Jahr zwei Treffen der behördlichen Institute statt. Die Netzwerktreffen institutionalisieren den kontinuierlichen Austausch von Informationen und Erkenntnissen aus Forschungsprojekten, Bedrohungsanalysen, Lageeinschätzungen und Bekämpfungsansätzen. Darüber hinaus werden neue Entwicklungstrends in der OK-Forschung diskutiert und auf eine gemeinsame Umsetzung geprüft.

Für beide Initiativen, OK-Forschungstagung und OK-Forschungsnetzwerk, wurde von der Europäischen Kommission eine Förderung genehmigt. Zentrales Ziel des geförderten Gesamtprojekts ist es, die enge und nachhaltige Zusammenarbeit zwischen den Forschungseinrichtungen sicherzustellen und über ein Forum die Verzahnung zwischen Forschung und Polizeipraxis europaweit zu unterstützen. Das Projekt „International Research Network on Organised Crime“ (March 2010 – February 2013) wurde im Rahmen des Internal Security (ISEC) Programms „Prevention of and Fight against Crime“ von der Europäischen Kommission kofinanziert.

Beschreibung der Partnerinstitute

Nachfolgend werden die am EU-Projekt beteiligten Institute kurz beschrieben.

Forschungs- und Beratungsstelle für Organisierte Kriminalität, Wirtschaftskriminalität und Kriminalprävention, Bundeskriminalamt Wiesbaden

Die Forschungs- und Beratungsstelle für Organisierte Kriminalität, Wirtschaftskriminalität und Kriminalprävention (KI 14) ist als Teil der kriminalistisch-kriminologischen Forschungsgruppe (KI 1) des BKA die führende OK-Forschungsstelle der deutschen Polizei. Bei KI 1 sind folgende Forschungsstellen angesiedelt.

- Forschungsstelle Terrorismus / Extremismus (FTE)
- Forschungsstelle Polizeiliche Kriminalstatistik (PKS), kriminalstatistisch-kriminologische Analysen, Dunkelfeldforschung
- Forschungsstelle für Gewaltkriminalität, Jugenddelinquenz und Operative Fallanalyse (OFA)
- Forschungs- und Beratungsstelle für Organisierte und Wirtschaftskriminalität und Kriminalprävention
- Rechtspolitik, Forschungs- und Beratungsstelle Recht
- Forschungs- und Beratungsstelle für Cybercrime

Gemäß § 2 des Gesetzes für das Bundeskriminalamt (BKAG) obliegt es der kriminalistisch-kriminologischen Forschungsgruppe, die Polizeien des Bundes und der Länder zu unterstützen, polizeiliche Methoden und Arbeitsweisen sowie phänomenologische Fragestellungen der Kriminalitätsbekämpfung zu erforschen und zu beantworten. Das Team der Forschungsstelle für OK, Wirtschaftskriminalität und Kriminalprävention ist interdisziplinär zusammengesetzt und besteht aus Polizeipraktikern und Wissenschaftlern, die an der Schnittstelle zwischen Wissenschaft und Praxis unter Anwendung wissenschaftlicher Methodik an der Beantwortung polizeilicher Fragen sowie der (Weiter-)Entwicklung von Lösungskonzepten arbeitet. Hierbei wird Wert auf eine enge Abstimmung mit den Anwendern bzw. Bedarfsträgern gelegt. Bei KI 14 werden Forschungs- und Beratungsaufgaben auf den Feldern der Organisierten Kriminalität, des Menschenhandels und der Schleusungskriminalität, der Wirtschafts- und Finanzkriminalität sowie der Kriminalprävention wahrgenommen. Vor dem Hintergrund der Ausrichtung auf eine anwendungsbezogene Forschung und des generellen Koordinationsauftrages der Zentralstellenfunktion hat KI 14 die Aufgabe, neue oder noch unbeantwortete polizeiliche Fragestellungen und Problemlagen im nationalen und internationalen Kontext aufzugreifen, zu analysieren sowie Lösungswege und Lösungsmethoden zu erforschen und zu entwickeln. Die Forschungsergebnisse fließen in die kriminalpolizeili-

che Arbeit ein. Neben der Durchführung von Forschungsprojekten und Analysen wird diese Aufgabe primär mit Hilfe des Monitorings, also der systematischen Beobachtung, Identifikation und Bewertung relevanter Geschehnisse aus dem Umfeld der genannten Deliktsspektren, umgesetzt.

Forschungsschwerpunkte zum Thema Organisierte Kriminalität

Im Deliktsfeld Menschenhandel zum Zweck sexueller Ausbeutung hat die Frage der Opferidentifizierung auch vor dem Hintergrund erschwerter Zugänge zu Opfern infolge ausgedehnter legaler Aufenthaltsmöglichkeiten in Deutschland nach wie vor hohe Bedeutung. Das Kriminalistische Institut führte daher ein Forschungsprojekt zur Verbesserung der Opfererkennung durch, das im Rahmen von drei Teilprojekten aus verschiedenen Perspektiven Optimierungsmöglichkeiten in der Bekämpfung des Phänomens des Menschenhandels zum Zweck der sexuellen Ausbeutung untersucht hat: Aus der Perspektive der Opfer ist der Frage nach den Determinanten ihrer Aussagebereitschaft nachgegangen worden. Aus der Perspektive der Polizei wurde die Erfassung der Verfahrensinitiierungsgründe im polizeilichen Bundeslagebild Menschenhandel untersucht. Aus übergeordneter Perspektive erfolgte die Erhebung nationaler und internationaler strategischer Konzepte und Aktivitäten zur Bekämpfung des Menschenhandels zum Zweck sexueller Ausbeutung. Der Projektbericht „Palermo-Protokoll und die Folgen, Bekämpfung des Menschenhandels zum Zweck sexueller Ausbeutung – Materialsammlung zu nationalen und internationalen eher strategisch ausgerichteten Aktivitäten“ wurde im Frühjahr 2010 auf der Homepage des BKA als eBook zur Verfügung gestellt.

Zum Thema Organisierte Kriminalität und den darunter subsumierten Phänomenen werden darüber hinaus kontinuierlich Analysen durchgeführt.

Forschungsschwerpunkte im Themenbereich Wirtschaftskriminalität

Der Schwerpunkt fokussiert die Wirtschafts- und Finanzkriminalität im weiteren Sinne. Neben Delikten, die aus polizeilicher Sicht der Wirtschaftskriminalität im engeren Sinne eingeordnet werden, sind auch Umwelt- und Verbraucherschutzdelikte, Arzneimittelkriminalität sowie Korruption Gegenstand der Forschungstätigkeit – in Abhängigkeit zum jeweils aktuellen Bedarf.

• Arzneimittelkriminalität – ein Wachstumsmarkt? (2007)

Das Vorhaben hat sich mit relevanten Aspekten des Phänomens „Arzneimittelkriminalität“, insbesondere mit der aktuellen Lageentwicklung, dem Bedrohungspotenzial sowie den rechtlichen Rahmenbedingungen, Zuständigkeiten und Kooperationsformen, befasst und durch enges Zusammenwirken zwischen der polizeilichen Praxis und der wissenschaftlichen Forschung eine umfassende Lagedarstellung erarbeitet. Das Ergebnis der Untersuchung gibt den tangierten Behörden und Partnern zahlreiche Handlungsempfehlungen, auf deren Basis die Bekämpfung der Phänomene der Arzneimittelkriminalität zukünftig noch

effektiver gestaltet werden kann. Die als Eigenprojekt erarbeitete Studie "Arzneimittelkriminalität – ein Wachstumsmarkt?" wurde im Herbst 2007 als Band 36 der Reihe Polizei + Forschung veröffentlicht.

- **Abfallwirtschaftskriminalität im Zusammenhang mit der EU-Osterweiterung (2007 – 2008)**

Im Rahmen einer Expertenbefragung wurde die Abfallwirtschaftskriminalität im Zusammenhang mit der EU-Osterweiterung empirisch untersucht und es wurden Defizite bei der Strafverfolgung identifiziert. Das Rechtsgutachten stützt sich auf eine rechtswissenschaftliche Auswertung der aktuellen Gesetzgebung, Rechtsprechung, Verwaltungs-, Polizei- und Strafverfolgungspraxis. Die Studie "Abfallwirtschaftskriminalität im Zusammenhang mit der EU-Osterweiterung" wurde im Herbst 2008 als Band 37 der Reihe Polizei + Forschung veröffentlicht.

- **Die Bekämpfung der Produkt- und Markenpiraterie – Eine Evaluation der polizeilichen Bekämpfungsmaßnahmen (2008 – 2009)**

Die Bekämpfung der Produkt- und Markenpiraterie rückt zunehmend in den gesellschaftlichen Fokus. Neben den finanziellen Einbußen der Unternehmen schädigt die Produkt- und Markenpiraterie insbesondere den Verbraucher. Hierbei steht die Gefährdung der Gesundheit durch diese Tatbegehungsweise im Mittelpunkt. Aber auch Umweltschäden dürfen bei der Bewertung dieser Phänomenologie nicht unberücksichtigt bleiben. Ziel des Projektes war die Aufbereitung der aktuellen Situation der Bekämpfung der Produkt- und Markenpiraterie unter Einbeziehung von Lageinformationen, Informationen zum derzeitigen Umfang polizeilicher Aktivitäten sowie die Darstellung rechtlicher und organisatorischer Zuständigkeiten bei der Bekämpfung. Darüber hinaus wurden (polizeiinterne) Bearbeitungshinweise für Ermittlungen im Deliktsfeld Produkt- und Markenpiraterie erarbeitet.

- **Netzwerk Wirtschaftskriminalität**

Seit 2008 betreut das BKA ein „Netzwerk Wirtschaftskriminalität“, in dem sich Vertreter der Corporate Security großer Unternehmen zusammen mit dem Bundeskriminalamt halbjährlich über Tatbegehungsformen von Wirtschaftskriminalität austauschen. Ziel ist, Kriminalitätsentwicklungen frühzeitig zu erkennen und best-practice-Modelle zu identifizieren.

- **Weitere Themen**

Die Themen „Kriminalität im Kontext von Kapitalmärkten“, „Geldwäschebekämpfung“ und „Compliance-Systeme und ihre Auswirkungen auf die Verfolgung und Verhütung von Wirtschaftskriminalität und Korruption“ bilden derzeit Schwerpunkte der Arbeit, zu denen aktuell Projekte durchgeführt werden.

Kriminalprävention

KI 14 ist seit 01.11.2012 Schnittstelle zur polizeilichen Kriminalprävention der Länder und des Bundes und gestaltet in dieser Funktion Themen und Angebote des „Programms Polizeiliche Kriminalprävention“ (ProPK) aktiv mit. Präventive Handlungsnotwendigkeiten, die sich aus den Erkenntnissen der Fachabteilungen des Bundeskriminalamtes ergeben, werden von KI 14 in die präventionsbezogene Bund-Länder-Zusammenarbeit eingebracht.

Forschungsgruppe Organisierte Kriminalität (Serious Organised Crime Research Team), Britisches Home Office

Die Forschungsgruppe Organisierte Kriminalität bildet einen Teil der Analyseinheit Kriminalität und Polizeiarbeit innerhalb des Home Office. Das Home Office ist innerhalb der Regierung zuständig für Kriminalität, Polizeiarbeit, Terrorismusbekämpfung und Einwanderung.

Die vom Forschungsteam selbst durchgeführte und in Auftrag gegebene Forschung untersucht Ausmaß, Auswirkungen und Eigenschaften organisierter Kriminalität im Vereinigten Königreich. Projekte zu folgenden Schwerpunktthemen werden von der Forschungsgruppe durchgeführt:

- Charakteristika und kriminelle Laufbahnen organisierter Straftäter;
- die OK in der öffentlichen Wahrnehmung;
- die Wirksamkeit von Strafverfolgung, Antworten des Gesetzgebers und der Strafjustiz auf die OK und
- das Ausmaß, die Kosten und der gesellschaftliche Schaden, der durch die OK im Vereinigten Königreich entsteht.

Die Forschungsprogramme richten sich grundsätzlich an der *Local to Global (Lokal bis Global)* – Strategie des Home Office im Hinblick auf OK aus ¹²⁶. Die Kernelemente dieser Strategie zur Bekämpfung der organisierten Kriminalität lassen sich anhand der folgenden drei Leitsätze zusammenfassen:

1. **Beschränkung** der Möglichkeiten zur Etablierung der Organisierten Kriminalität

Unser Bestreben ist es zu verhindern, dass im Vereinigten Königreich lebende Personen in die OK hineingezogen werden, sowie die Ursachen der OK durch Entwicklungs- und Stabilisierungsarbeit im Ausland zu bekämpfen.

2. **Stärkung** der Strafverfolgung gegen OK-Straftäter

Die gesamte Bandbreite an rechtmäßigen Interventionsmöglichkeiten zur Bekämpfung der OK soll angewendet werden. Dies beinhaltet das kompromisslose Vorgehen mittels Anklageerhebungen, soweit dies zweckmäßig ist, jedoch auch die Anwendung einer breiteren Palette an innovativen Maßnahmen zur Zerschlagung von OK-Strukturen. Wir werden dabei insbesondere die durch Straftaten erlangten Finanzmittel stärker in den Mittelpunkt der Maßnahmen rücken.

3. **Schutz** der Gemeinwesen, Unternehmen und des Staates

Wir werden dazu beitragen, sie weniger anfällig gegenüber Schädigungen durch das organisierte Verbrechen zu machen. Dies soll durch die Schärfung des Bewusstseins für die Bedrohung und die von OK-Straftätern angewandten

¹²⁶ Local to Global: Reduzierung des von der Organisierten Kriminalität ausgehenden Risikos (Reducing the Risk from Organised Crime _ 2011), verfügbar unter: <http://www.homeoffice.gov.uk/publications/crime/organised-crime-strategy?view=Binary>

*Methoden, durch die Bereitstellung von Informationen für Öffentlichkeit und Unternehmen zum Zwecke des Selbstschutzes sowie durch eine engere Zusammenarbeit mit Partnern erfolgen.*¹²⁷

Die Forschungsprioritäten werden in dem Dokument „Future Directions for Organised Crime Research“ (Zukünftige Richtungen für die Forschung auf dem Gebiet der Organisierten Kriminalität – 2011) zusammengefasst. Diese wurden auf der Grundlage von interministeriellen Beratungen über die wichtigsten Forschungserfordernisse entwickelt¹²⁷. Die in diesem Dokument enthaltene Auflistung von Forschungsprioritäten ist nicht erschöpfend. Ziel ist es vielmehr, einen Ausgangspunkt für den Dialog zwischen Regierung, Behörden, Forschungsräten, Universitäten, Wirtschaft sowie anderen Stellen, die ein Interesse an Forschung zur OK haben, zu bieten. Zudem dient dieses Dokument als Leitfaden für Regierungsstellen und Behörden, wenn sie Forschungsbedarf zu Organisierter Kriminalität prüfen.

Unter den kürzlich veröffentlichten Berichten befindet sich eine Studie, die die Verbindungen zwischen Mord und OK untersucht. In einer weiteren Studie wird der Beitrag, den Finanzermittlungen bei der OK-Bekämpfung leisten, analysiert¹²⁸. Unter den laufenden Forschungsprojekten befinden sich Arbeiten zu den kriminellen Laufbahnen organisierter Straftäter. Die meisten Studien werden auf der Website des Home Office veröffentlicht.¹²⁹

Anfang 2012 hat die Forschungsgruppe das Virtuelle Forschungsnetzwerk Organisierte Kriminalität (Organised Crime Virtual Research Network) eingerichtet. Es handelt sich dabei um ein Online-Forum, das die Kommunikation zwischen Behörden und Organisationen mit einem Interesse an Forschung und Fakten über organisierte Kriminalität (Regierung, Kriminalitätsbekämpfung, Wissenschaft und Privatsektor) verbessern soll.¹³⁰

127 Zukünftige Richtungen für die Forschung auf dem Gebiet des organisierten Verbrechens (*Future Directions for Organised Crime Research* _ 2011), verfügbar unter: <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/future-organised-crime-res-2011?view=Binary>

128 Online verfügbar unter: <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/horr65?view=Binary>

129 Veröffentlichte Studien sind verfügbar unter: <http://rds.homeoffice.gov.uk/rds/index.html>.

130 Falls Sie beitreten möchten, kontaktieren Sie bitte OC_ResearchStrategy@homeoffice.gsi.gov.uk

Forschungs- und Dokumentationszentrum (WODC) [*Wetenschappelijk Onderzoek- en Documentatiecentrum*], Ministerium für Sicherheit und Justiz, Niederlande

Das WODC ist ein halbautonomes Forschungs- und Wissenszentrum, das zum Ministerium für Sicherheit und Justiz der Niederlande gehört und für dieses Ministerium sowie für dessen untergeordnete Stellen arbeitet. Das WODC betreibt Forschung auf den Gebieten Sozial-, Verhaltens- und Rechtswissenschaft. Ziel des Instituts ist die Schaffung von Wissen über aktuelle und zukünftige für die Sicherheit und Justiz relevante Phänomene. Dazu gehören Bewertungen von politischen Richtlinien und Programmen sowie Prognosemodelle.

Das WODC macht das gewonnene Wissen einer breiten Öffentlichkeit zugänglich. Alle Forschungsergebnisse werden auf der eigenen Website zur Verfügung gestellt. Forschungsprojekte zu wichtigen Kernbereichen und umfassenden Themen werden auch in Buchform oder elektronisch veröffentlicht. Darüber hinaus berät das WODC das Ministerium für Sicherheit und Justiz auf der Basis seiner Forschungsergebnisse. Letztlich fungiert das WODC auch als Vergabestelle, da ein beträchtlicher Teil des Forschungsportfolios externen Partnern zugewiesen wird.

Die Organisation des WODC setzt sich aus folgenden Abteilungen zusammen:

- Forschungsabteilung Kriminalität, Strafverfolgung und Sanktionen,
- Forschungsabteilung Justizverwaltung, Gesetzgebung, internationale und Ausländerangelegenheiten,
- Abteilung Forschungsauftragsvergabe,
- Abteilung Statistische Daten und Analyse politischer Richtlinien,
- Abteilung Dokumentation und Information.

Die Forschungsabteilung Kriminalität, Strafverfolgung und Sanktionen hat etwa 30 bis 35 Mitarbeiter. Sie führt verschiedene Arten von Forschung durch, aber ein wesentlicher Teil konzentriert sich auf Organisierte Kriminalität und Wirtschaftskriminalität, Terrorismus und polizeiliche Ermittlungsmethoden. Das WODC arbeitet mit wichtigen externen Forschungsinstituten zusammen, z. B. im Rahmen des Informations- und Forschungszentrums Organisiertes Verbrechen (Centre for Information and Research on Organized Crime – CIROC, eine Zusammenarbeit zwischen dem WODC und der Freien Universität Amsterdam, der Erasmus Universität Rotterdam und den Universitäten Utrecht und Maastricht) sowie dem Internationalen Forschungsnetzwerk Organisierte Kriminalität und Wirtschaftskriminalität (International Research Network on Organised and Economic Crime).

Niederländischer OK-Monitor (Dutch Organized Crime Monitor)

Ein zentrales laufendes Forschungsprojekt ist der niederländische OK-Monitor. Die wichtigsten Quellen für dieses Projekt sind Kriminalakten abgeschlossener Ermittlungsverfahren der niederländischen Polizei zu OK-Gruppen, die oft ei-

nen Zeitraum von mehreren Jahren umfassen. Für den Zeitraum von 1996–2012 wurden 150 groß angelegte Ermittlungsverfahren systematisch analysiert. Jede Fallstudie beginnt mit strukturierten Interviews mit Polizeibeamten und Staatsanwälten. Im Anschluss an diese Interviews werden die Kriminalakten analysiert und zusammengefasst. Bei der Beschreibung und Analyse dieser Akten wird eine umfassende Checkliste verwendet, die auf folgenden Leitfragen basiert: „Wie setzt sich die Gruppe zusammen, und wie kooperieren die Straftäter?“ „An welchen Arten von illegalen Aktivitäten sind sie beteiligt und wie arbeiten sie?“ „Wie gehen sie mit den Chancen und Risiken ihrer Umgebung um?“ „Welche Einkünfte ergeben sich aus den kriminellen Aktivitäten und wie werden diese Einkünfte ausgegeben?“ Aufzeichnungen von Telefongesprächen sowie aus polizeilichen Observationen und Vernehmungen von Opfern und Straftätern gewonnene Daten ermöglichen häufig einen detaillierten und interessanten Einblick in die sozialen Aspekte der OK. Im Zeitraum von 1996 bis 2012 wurde ein breiter Querschnitt von 150 Fällen gesammelt, nicht nur über die verschiedenen Ausprägungen der OK und die verschiedenen Kooperationsformen, sondern auch innerhalb eines bestimmten Zeitrahmens. Zusätzlich wurden Interviews mit Sachverständigen und Informationen aus anderen Ermittlungsverfahren, vertrauliche Berichte, Kriminalitätsanalysen und (wissenschaftliche) Literatur verwendet. Die Fallstudien des niederländischen OK-Monitors wurden für die Erstellung von vier Hauptberichten für das niederländische Parlament über die OK in den Niederlanden und für zahlreiche wissenschaftliche Artikel verwendet (siehe <http://english.wodc.nl>: Organized Crime Monitor).

Kriminelle OK-Karrieren

Ein interessantes Forschungsprojekt innerhalb des niederländischen OK-Monitors untersucht mit einem multi-methodalen Ansatz kriminelle Karrieren von OK-Tätern, für das Daten aus dem niederländischen OK-Monitor, Einwohnermeldedaten, Kriminalakten und Interviews mit Straftätern verwendet werden. Links zu den wissenschaftlichen Arbeiten dieses Projekts sind unter www.wodc.nl und auf den persönlichen Websites von Edward Kleemans und Vere van Koppen (Freie Universität Amsterdam) zu finden. Vere van Koppen verteidigt 2013 ihre Doktorarbeit an der Freien Universität Amsterdam. Ihre Doktorarbeit wird von Prof. Dr. Edward Kleemans, Dr. Christianne de Poot und Prof. Mr. Dr. Arjan Blokland betreut.

Ermittlungsmethoden

Ein weiterer wichtiger Forschungsbereich am WODC ist die Erforschung der Methoden, die bei Ermittlungsverfahren zum Einsatz kommen. Berichte aus jüngster Zeit beschäftigen sich u. a. mit den folgenden Themen: verdeckte Polizeiarbeit und nicht-technische Aufklärung; Telefonüberwachung (einschl. Internetüberwachung); Menschenhandel im Amsterdamer Rotlichtmilieu: Phänomen, Ermittlungen und behördenübergreifende Zusammenarbeit und Emergo – ein behördenübergreifendes Projekt in Amsterdam. In Kürze erscheinen unter

anderem Berichte über: Cloud Computing und Ermittlungsverfahren; Vorratsdatenspeicherung (Telefon- und Internetdaten) sowie über die Regulierung von Ermittlungsmethoden im Bereich Terrorismus.

Weitere Informationen finden Sie auf der Website <http://english.wodc.nl/>.

Forschungsstelle zu Wirtschafts- und Organisierter Kriminalität (EkoOrg), Schwedischer nationaler Beirat zur Prävention von Kriminalität (Brå)

Schwedischer nationaler Beirat zur Prävention von Kriminalität

Der Schwedische nationale Beirat zur Prävention von Kriminalität (Brottsförebyggande rådet – Brå) – eine dem Justizministerium untergeordnete Behörde – ist ein Forschungs- und Entwicklungszentrum innerhalb des Geschäftsbereiches des Justizministeriums.

Die Tätigkeit von Brå besteht hauptsächlich in der Kriminalitätsbekämpfung und der Erhöhung der Sicherheit in der Gesellschaft durch die Erfassung von Daten und die Verbreitung von Wissen über Kriminalität und Präventionsarbeit.

Der Rat erstellt die offizielle Kriminalitätsstatistik Schwedens, evaluiert Reformen, führt Forschung zur Gewinnung neuer Erkenntnisse durch und bietet Unterstützung für die Präventionsarbeit vor Ort. Die Forschungsergebnisse von Brå dienen den Entscheidungsträgern innerhalb des Justizsystems, des Parlaments und der Regierung als Wissensgrundlage für die Verabschiedung und Umsetzung von Gesetzen und politischen Richtlinien. Brå arbeitet regelmäßig mit Organisationen und Anstalten des öffentlichen Rechts zusammen. Der Rat richtet außerdem im Auftrag der schwedischen Regierung das kriminologische Symposium in Stockholm, eine jährlich stattfindende internationale Forschungskonferenz, aus. Brå wird von einem Generaldirektor geleitet, der von der Regierung ernannt wird.

Forschungsstelle zu Wirtschafts- und Organisierter Kriminalität

Aufgabe der Forschungsstelle zu Wirtschafts- und Organisierter Kriminalität ist es, eine nationale Expertenfunktion im Bereich von Wirtschafts- und Organisierter Kriminalität einzunehmen. Umweltkriminalität und Straftaten im Zusammenhang mit dem kulturellen Erbe gehören ebenfalls zu ihren Forschungsthemen. Die Forschungsstelle führt verschiedene Forschungsprojekte durch, häufig in Zusammenarbeit mit anderen Akteuren und unter Verwendung externer Mittel, und sie verbreitet diese Forschung auf verschiedenen Wegen. Die Forschungsprojekte beleuchten die Beschaffenheit der Wirtschafts- und Organisierten Kriminalität, vorwiegend in Schweden, wobei ein besonderes Augenmerk auf die Methoden und Strategien für die Kriminalitätsprävention gerichtet ist. Über die Forschungsarbeit hinaus nehmen die Vertreter der Forschungsstelle regelmäßig an Arbeitsgruppen teil und übernehmen hieraus sich ergebende Aufgaben. An der Spitze der Forschungsstelle steht ein Abteilungsleiter.

Forschungsstrategie

Die Forschungsstelle zu Wirtschafts- und Organisierter Kriminalität konzentriert sich in hohem Maß auf neue und zuvor unerforschte Formen von Kriminalität sowie auf kommunale Programme zur Kriminalitätsbekämpfung. In den

vergangenen Jahren hat die Abteilung Berichte über verschiedene Themen veröffentlicht, wie Erpressung, Korruption und andere Formen ungesetzlicher Einflussnahme („unlawful influence“), Geldwäsche, Finanzmanagement des Rauschgifthandels, organisierte Steuerhinterziehung, Missbrauch von Sozialleistungen, Straftaten in Zusammenhang mit dem kulturellen Erbe, Umweltkriminalität, behördenübergreifende Bekämpfung Organisierter Kriminalität sowie Geldwäsche im Zusammenhang mit der Abschöpfung illegaler Vermögenswerte.

Die Forschungstätigkeit der Abteilung ist hauptsächlich auf angewandte Forschung und Entwicklung ausgerichtet. Auf der Grundlage empirischer Studien entwickelt die Abteilung gemeinsam mit anderen Behörden innerhalb des Justizsystems Strategien und Methoden zur Verbrechensvorbeugung. Sie kooperiert außerdem mit anderen Regierungsstellen sowie internationalen Akteuren im Rahmen gemeinsamer Forschungsprojekte. Die Abteilung ist zurzeit Mitglied in vier internationalen Forschungsnetzwerken, durch welche sie an Konferenzen, Seminaren und Veröffentlichungen teilnimmt und diese auch selbst organisiert.

Bei Regierungsbehörden, in der Öffentlichkeit und in verschiedenen Organisationen besteht ein merkliches Interesse an Forschung über Wirtschaftsdelikte und Organisierte Kriminalität. Die Mitarbeiter der Abteilung halten regelmäßige Vorträge über abgeschlossene und laufende Projekte, bieten Regierungsstellen fachliche Beratung an und stehen in häufigem Kontakt mit den Medien.

Abgeschlossene und laufende Projekte

Die Forschungsstelle zu Wirtschafts- und Organisierter Kriminalität führt zurzeit zwei Forschungsprojekte durch: Ein Projekt über die ungesetzliche Einflussnahme gegen strategische Insider und eine Fallstudie über die behördenübergreifende Bekämpfung Organisierter Kriminalität in der Stadt Södertälje.

Das erste Projekt beschäftigt sich damit, welche Personen innerhalb von Regierungsstellen für Straftäter der Wirtschafts – oder Organisierten Kriminalität von strategischer Bedeutung sind. Ziel des Projekts ist es, Positionen zu identifizieren, die einem höheren Risiko unrechtmäßiger Einflussnahme ausgesetzt sind als andere. Die Absicht der Straftäter ist beispielsweise die Gewinnung von Informationen über die Ermittlungen gegen sie selbst, die Einflussnahme auf Entscheidungen oder die Entwicklung nützlicher Beziehungen zu strategisch bedeutsamen Personen. Durch das Projekt soll herausgefunden werden, wie diese unrechtmäßige Einflussnahme durchgeführt wird und was die betroffenen Personen und Stellen charakterisiert. Die empirische Datengrundlage besteht aus nachrichtendienstlichen Informationen, Ermittlungen und Interviews mit Insidern, OK-Tätern und Sicherheitspersonal innerhalb der Regierungsstellen.

Im Rahmen der Fallstudie von Södertälje wird die behördenübergreifende Bekämpfung Organisierter Kriminalität anhand teilnehmender Beobachtungen, Interviews und der Auswertung von Ermittlungsakten untersucht. Das Projekt ist insofern einzigartig, als dass es die gemeinsame Behördeninitiative in Echtzeit

verfolgt und dadurch eine tief gehende Analyse der Art und Weise ermöglicht, wie sich eine Zusammenarbeit zwischen den verschiedenen beteiligten Regierungsstellen entwickelt. Die Studie ist aus einer größeren Evaluierung der nationalen Initiative für behördenübergreifende Bekämpfung Organisierter Kriminalität in Schweden heraus entstanden und wird in Zusammenarbeit zwischen Brå, der Polizei des Bezirks Stockholm sowie der regionalen Kriminalpolizei durchgeführt.

Im Jahr 2012 hat die Abteilung zwei Berichte über ungesetzliche Einflussnahme veröffentlicht: einen eher allgemein gehaltenen Bericht über Erpressung und einen spezielleren Bericht über die ungesetzliche Einflussnahme auf Unternehmen und Unternehmer. Beide Berichte fanden beachtliche Aufmerksamkeit in den Medien. Die Forschungsstelle leistete einen Beitrag zum offiziellen Bericht der schwedischen Regierung zum Thema Zwangsmaßnahmen. Zusätzlich zu den genannten Projekten wurde ein Bericht zur Korruption in Schweden abgeschlossen, dessen Veröffentlichung für Anfang 2013 vorgesehen ist. Gemeinsam mit anderen staatlichen Stellen plant die Forschungsstelle darüber hinaus für 2013 die Veröffentlichung von Forschungsergebnissen zur Abschöpfung illegaler Vermögenswerte.

Ein geplantes Projekt befasst sich mit Identitäts- und Dokumentenfälschungen. Es soll als gemeinsame Initiative zwischen Brå und einer Reihe von anderen staatlichen Stellen planmäßig im Herbst 2013 beginnen. Im Laufe des Jahres 2013 plant die Forschungsstelle zur Wirtschafts- und Organisierten Kriminalität außerdem zwei neue Forschungsprojekte zum Menschenhandel zum Zweck der Arbeitsausbeutung und zur Umweltkriminalität.

Forschungskonferenzen 2011 und 2012

Auf den jährlichen Forschungskonferenzen wurde der aktuelle Stand der wissenschaftlichen OK-Forschung und der OK-Lage in den Ländern West- und Nordeuropas vorgestellt und diskutiert. Die Bedeutung der OK-Forschung im jeweiligen Land, gewählte und mögliche Feldzugänge bei empirischen Forschungsprojekten, Umsetzung der Erkenntnisse in die Praxis, Zielgruppen der Projekte und betriebener Aufwand standen im Mittelpunkt der Vorträge und anschließenden Diskussionen, in denen Wissenschaftler und Praktiker ihre Erfahrungen austauschten. Beispiele grenzübergreifender Forschung im Rahmen von EU-Projekten sowie geplante Forschungsprojekte bildeten einen besonderen Schwerpunkt. Im folgenden Abschnitt werden die Präsentationen der Konferenzen der Jahre 2011 und 2012 zusammengefasst dargestellt und ausgewählte Beiträge von Referenten veröffentlicht.

OK-Forschung und Praxis in Westeuropa: 4. OK-Forschungskonferenz in Wiesbaden, 2011

Überblick über die Konferenz mit Zusammenfassung der Einzelbeiträge

Die vierte OK-Forschungskonferenz fand im November 2011 in Wiesbaden statt und war dem Thema OK-Forschung und -Lage in den westeuropäischen Ländern gewidmet. Wissenschaftler und Polizeipraktiker aus Großbritannien und den Niederlanden sowie Interpol-Vertreter waren als Redner eingeladen und stellten ihre einschlägigen Erkenntnisse bzw. Forschungsergebnisse vor. Dabei wurden u. a. Probleme bei der OK-Bekämpfung, mit denen man in den unterschiedlichen Ländern aufgrund der spezifischen rechtlichen, politischen und kontextuellen Bedingungen konfrontiert ist, präsentiert und diskutiert.¹³¹

Den Auftakt bildete der Vortrag von **Dr. Gianni Baldi**, stellvertretender Direktor der Abteilung „Specialized Crime and Analysis“ bei Interpol. In seiner Präsentation zum Thema **„The global organised crime situation and its impact on Western Europe“** stellte er nach einer Schilderung der Kernfunktionen von Interpol das Projekt „Millennium“ als Beispiel für eines der Vorhaben vor, in die Interpol einen Großteil seiner analytischen Ressourcen investiert. Das Projekt wurde 1999 auf Empfehlung der G8 Law Enforcement Gruppe ins Leben gerufen und befasst sich mit transnationaler eurasischer OK. Derzeit sind 42 Interpol-Mitgliedstaaten auf verschiedenen Ebenen des Projekts und seinen Teilprojekten beteiligt. Das Projekt zielt darauf ab, den Austausch operativer

¹³¹ Die hier dargestellte Beschreibung der Konferenzen beruht ausschließlich auf den Vorträgen und repräsentiert dementsprechend weder die Positionen des BKA noch die Auffassung der Herausgeber dieses Buches.

Informationen zu eurasischen OK-Gruppen zwischen den Mitgliedstaaten zu optimieren. Eurasische OK-Gruppen sind in systematische kriminelle Geschäfte involviert, einige genießen dabei sogar Schutz durch die Unterstützung von korrupten Beamten. Diese Gruppen und ihre illegalen Aktivitäten haben auch deutliche Auswirkungen auf Westeuropa und Nordamerika.

Als weitere OK-relevante Interpol-Projekte nannte Dr. Baldi „BESA“, das sich mit der OK in Südosteuropa befasst, das „Asian Organised Crime“ – Projekt und „Pink Panthers“, gerichtet gegen Gruppen, die Raubüberfälle auf Juweliergeschäfte in Europa, dem Nahen Osten, Asien und Amerika verüben. Weitere Schwerpunkte der Arbeit von Interpol gegen die OK sind die Bekämpfung von Rauschgifthandel, Menschenhandel und sexuellem Missbrauch von Kindern. In allen Bereichen ist Interpol aktiv und unterstützt die internationale Fahndung und Bekämpfung sowohl auf operativer Ebene als auch mit umfangreichen Beratungs- und Ausbildungsprogrammen.

Neue Erkenntnisse aus der OK-Forschung der Niederlande präsentierte **Prof. Dr. Edward R. Kleemans**, Vorsitzender des Research and Documentation Centre (WODC) und Professor an der VU University Amsterdam in seinem Vortrag „**Criminal careers in organised crime**“. Prof. Kleemans stellte Ergebnisse der empirischen Erforschung von kriminellen Karrieren von OK-Tätern in den Niederlanden vor. Es handelt sich dabei um eine Studie, die auf den Datenbeständen des niederländischen Organized Crime Monitors aufbaut und 120 OK-Fälle¹³² mit 1.623 Straftätern berücksichtigt. Folgende Fragestellungen wurden dabei untersucht: Wie genau vollzieht sich der Einstieg in die OK? Werden Menschen als Verbrecher „geboren“ oder werden sie erst später im Leben kriminell? Wie sehen ihre Entwicklungswege aus?

Im Ergebnis wurden einige der traditionellen kriminologischen Auffassungen über die Lebenswege von Straftätern in Frage gestellt. Zunächst wurde festgestellt, dass bei der OK junge Täter kaum vertreten sind. Zweitens, ein Großteil der OK-Straftäter wird erst in fortgeschrittenem Alter aktiv. So sind die so genannten „Spätstarter“ („late starters“) im OK-Bereich keine Ausnahme, im Gegenteil, sie stellen die größte Tätergruppe dar. Diese Ergebnisse widersprechen der These, dass ältere Verbrecher eine kriminelle Vergangenheit haben müssen und dass individuelle Charakteristiken und langfristige Risikofaktoren, die eigentliche Erklärung für das Kriminellwerden darstellen.

Über die Erkenntnisse zum Einstiegsalter hinaus wurden auch Einstiegsmechanismen analysiert. Den Forschungsergebnissen zufolge spielen, neben gezielter Anwerbung, folgende vier Faktoren eine wichtige Rolle: soziale Bindungen, Arbeitsbeziehungen, Freizeitaktivitäten und einschneidende Ereignisse im Leben (einschließlich finanzieller Rückschläge). Daher liegt nach Kleemans einer der Gründe, warum sich OK-Karrieren anders entwickeln können als die herkömmlichen „Kriminalitätslaufbahnen“ darin, dass die Optionen zum Einstieg in die OK sich nicht jedem anbieten und wenn, dann eröffnen sie sich erst spä-

¹³² Anzahl der groß angelegten OK-Ermittlungsverfahren, die im Organized Crime Monitor zum Zeitpunkt der Studie erfasst waren.

ter im Leben. Viele der OK-Straftäter spezialisieren sich auf einen Deliktsbereich und sind häufig in internationale kriminelle Aktivitäten über gut ausgebaute Netzwerke verwickelt. Ein weiterer Unterschied zur Allgemeinkriminalität liegt darin, dass organisierte Kriminelle beträchtliches Kapital anhäufen und aufgrund ihres finanziellen Erfolges manchmal sogar gesellschaftliche Anerkennung erreichen. Prof. Kleemans kam zu dem Schluss, dass kriminelle Karrieren in der Organisierten Kriminalität anders verlaufen, weil sie auf verschiedene Verwicklungsmechanismen abstellen und weil viele der Täter eigentlich „Spätstarter“ sind. Daher agieren und vernetzen sie sich anders als Allgemein-kriminelle.

Die geographische Ausbreitung der italienischen Mafia in Schottland und in den Niederlanden war das Thema der Präsentation von **Dr. Paolo Campana** vom Extra Legal Governance Institute an der Oxford Universität in Großbritannien. In seinem Vortrag **„The diversification of Mafia activities: Italian organised crime in Scotland and the Netherlands“** stellte Dr. Campana die Ergebnisse einer Studie aus dem Jahr 2011 vor, die die geographische Verbreitung und die kriminellen Aktivitäten eines italienischen Camorra Clans untersucht. Die Studie basiert hauptsächlich auf der Analyse von über 1.800 Telefonüberwachungsprotokollen. Die Forschungsergebnisse zeigen, dass die Mitglieder des Camorra „La Torre-Clans“ in den 1980er und 1990er Jahren ihre Heimatregion Mondragone verließen, um in Aberdeen, Schottland, ihr kriminell erwirtschaftetes Vermögen durch Investitionen in die legale Wirtschaft, z.B. in Restaurants, Baugewerbe und Immobilien zu „waschen“. Der „La Torre-Clan“ erweiterte seine Tätigkeit nach Amsterdam, wo er in den Drogenhandel und in die Herstellung von Falschgeld investiert. Allerdings erklärte Dr. Campana, dass der „La Torre-Clan“ sich eher lokal organisiert und auch bei seinen Auslandsaktivitäten vom Herkunftsland abhängig ist. Denn die Schutzgelderpressung im Heimatland ist immer noch das Kerngeschäft und Haupteinkommensquelle des Clans und diese Tätigkeit lässt sich nicht ohne Weiteres im Ausland umsetzen. Außerdem konnte Dr. Campana im Rahmen seiner Untersuchung keine Hinweise auf internationale Allianzen mit anderen kriminellen Gruppen feststellen. Stattdessen vernetzt sich der Clan über selbstaufgebaute Knotenpunkte („hubs“) ins Ausland. Interessanterweise werden laut Campana Gewalt und Drohungen nur in Mondragone, dem Herkunftsland des Clans angewandt.

Der Autor argumentierte gegen das Konzept der grenzüberschreitenden Organisierten Kriminalität, da wie dieses Beispiel zeigt, hat der „La Torre-Clan“ sein Kerngeschäft nicht ins Ausland übertragen (Transplantation), sondern sich neuen Kriminalitätsbereichen zugewandt (Diversifizierung) und fungiert somit wie jeder andere Akteur auf dem internationalen kriminellen Markt. In Schottland und den Niederlanden wurden Niederlassungen („hubs“) gegründet (funktionelle Diversifizierung), um bestimmte kriminelle Aktivitäten durchführen zu können, wobei keine großen internationalen kriminellen Allianzen gegründet worden sind. Die meisten Mitglieder wurden und werden noch immer im Herkunftsland rekrutiert.

Warner ten Kate von der Nationalen Niederländischen Staatsanwaltschaft in Zwolle stellte die Arbeit seiner Behörde im Bereich des Menschenhandels dar. Ausgangspunkt seiner Präsentation **„Investigating and prosecuting human trafficking“** war die Feststellung, dass obwohl die Prostitution seit dem Jahr 2000 in den Niederlanden verboten ist, der Menschenhandel nicht verhindert werden konnte. Im Gegenteil, das United Nations Office on Drugs and Crime (UNODC) zählt die Niederlande zu den beliebtesten Zielländern von Menschenhandel sowohl zum Zweck der sexuellen als auch der Arbeitsausbeutung. Ten Kate plädierte für den Einsatz des sogenannten „multiinstitutionellen Bekämpfungsansatzes“ („multi-institutional approach“) zur Bekämpfung nicht nur von Menschenhandel sondern von OK generell. Dieser Ansatz versucht, über die Grenzen der traditionellen strafrechtlichen Ermittlungen von Polizei und Justiz hinauszugehen. Dabei sollen sowohl Verwaltungs- als auch Strafverfolgungsbehörden auf lokaler und nationaler Ebene mit einschlägigem Fachwissen und Kompetenzen bei der Bekämpfung und Prävention zusammenarbeiten. Der „multiinstitutionelle Ansatz“ baut auf das sogenannte „Barrierenmodell“ auf, welches die Identifizierung geeigneter Stellen oder Bereiche umfasst, an denen Barrieren vor den Aktivitäten der Straftäter eingerichtet werden können. In den Niederlanden werden solche Barrieren in den folgenden Bereichen eingebaut: Zugang (Schleusung, Grenzübergang); Unterbringung (Prostitutionsbezirk, illegales Wohnen); Identität (falsche Papiere, falsche Sozialversicherung); Arbeit (Zuhälter, Ausbeuter, Gewalt, Ausbeutung) und Finanzen (Geldwäsche, Investitionen). Dieses „Barrierenmodell“ zielt darauf ab, illegale Dienstleister sowie illegale Aktivitäten auf allen fünf Stufen des Modells zu identifizieren. Gleichzeitig stellt das Modell auf die Schulung und den regen Informationsaustausch zwischen den Behörden, die in die Menschenhandelsbekämpfung involviert sind, ab. Finanzermittlungen sind auch ein integraler Part des Modells.

Das „Barrierenmodell“ wurde als Pilotprojekt 2006 bei der sogenannten „Sneep-Operation“ eingesetzt. Es ging dabei um Ermittlungen gegen türkische Menschenhändler, die hunderte von Frauen in die Prostitution gezwungen haben. Das Ziel der Operation war, im Rahmen einer breiten Kooperation zwischen Verwaltungs- und Strafverfolgungsbehörden ein möglichst detailliertes Bild über die Aktivitäten und Verbindungen der Straftäter untereinander zu erarbeiten. Die Umsetzung des Modells verlief erfolgreich: Nachdem alle einschlägigen Partnerinstitutionen über die Sneep-Ermittlungen informiert wurden, erklärten sie sich bereit, in enger Kooperation an diesem Fall zu arbeiten.

Die Errichtung einer Task Force zur Bekämpfung von Menschenhandel im Jahr 2008 ist eines der wichtigsten Ergebnisse der Entwicklung und Umsetzung des „Barrierenmodells“ in den Niederlanden. Die Task Force ist damit beauftragt, Schwachstellen in der Bekämpfung von Menschenhandel zu identifizieren und deren Behebung auf höchster Ebene durchzusetzen. Auch die internationale justizielle und polizeiliche Zusammenarbeit sind wichtige Elemente der Umsetzung des Modells, da die Mehrheit der Menschenhandelsfälle in den Niederlanden internationale Bezüge aufweist.

Dem Thema Menschenhandel war auch die Präsentation von **Prof. Dr. Toine Spapens „XTC-production and trafficking in women for sexual exploitation: Problems and approaches in the Netherlands“** von der Universität Tilburg, Niederlande gewidmet. Er stellte den Einsatz des multiinstitutionellen Ansatzes („multi-institutional approach“) zur Bekämpfung von Menschenhandel im Amsterdamer Rotlichtmilieu (Projekt „Emergo“) vor. Außerdem präsentierte Prof. Spapens Erkenntnisse und Erfahrungen von der Bekämpfung der XTC-Produktion in den Niederlanden. XTC wurde in den späten 1980er Jahren populär, und die Niederlande sind seit den 1990er Jahren einer der führenden Produzenten synthetischer Drogen. Wachsende internationale Kritik, vor allem aus Deutschland, Frankreich und den Vereinigten Staaten, zwang die niederländische Regierung, spezialisierte XTC-Teams aufzubauen und die Ermittlungen u. a. durch behördenübergreifende Zusammenarbeit zu intensivieren. Ähnlich wie das „Barrierenmodell“ fokussiert der behördenübergreifende Ansatz auf die Identifikation von zentralen Akteuren und eventuellen Schwachstellen („weak spots“) innerhalb der XTC-Netzwerke. Solche „weak spots“ stellen beispielsweise die Anbieter von legalen (z. B. Methylamin, Aceton) und illegalen (z. B. PMK) chemischen Stoffen sowie Lieferanten von notwendiger Hardware dar. Weiterhin stellt der behördenübergreifende Ansatz auf die Zusammenführung von Strafverfolgung (Polizei und Justiz), administrativen Maßnahmen (Gemeindeebene) und Finanzermittlungen (Finanzamt) ab. Voraussetzung für das gute Funktionieren dieses Ansatzes ist die Erarbeitung einer Rahmenvereinbarung zwischen den beteiligten Akteuren über den reibungslosen Informationsaustausch hinaus.

Prof. Spapens stellte weiterhin das Konzept und die Struktur des kriminellen „Makro-Netzwerks“ aus theoretischer Sicht vor. Es geht dabei um ein Netzwerk, welches aus Personen besteht, die bereit und in der Lage sind, bestimmte Arten von Straftaten zu begehen. Sie sind durch „kriminelle Beziehungen“, als eine Art sozialen Kontakts, verbunden. Das „kriminelle Makro-Netzwerk“ kann prinzipiell als ein weltweites kriminelles Geflecht betrachtet werden, aber in der Praxis geht es um eine Art „local cluster“. Die Dichte des Netzwerkes nimmt mit der Vergrößerung geographischer Distanzen generell ab. So ist die Dichte auf der lokalen bzw. regionalen Ebene höher als auf der internationalen. Eine erfolgreiche Verringerung der Größe des kriminellen Makro-Netzwerkes auf der lokalen, regionalen oder überregionalen Ebene könnte einerseits durch die Verhinderung des Zugangs neuer Mitglieder in das Netzwerk oder durch die Unterstützung des Abgangs bestehender Mitglieder erreicht werden.

Einen Einblick über die OK-Lage und die OK-Bekämpfungsstrategie in Großbritannien gab der für die Niederlande und Frankreich zuständige Regionalmanager der Abteilung für internationale Angelegenheiten der Agentur für Schwere und Organisierte Kriminalität (SOCA) in Großbritannien, **Miles Bonfield**. Er führte in seinem Vortrag **„Combating organised crime in Great Britain“** aus, dass die OK einen finanziellen Schaden in Höhe von 20 bis 40 Milliarden Pfund jährlich in Großbritannien anrichtet. 6.000 OK-Gruppen bzw. 38.000 Täter sind dort aktiv. Die neue Strategie der Regierung zur Bekämpfung von OK fokussiert auf einen Bekämpfungsansatz der an der Formel „Local to Global“

orientiert ist und darauf abzielt, die Risiken, die die OK für das Land und seine Interessen darstellt, zu reduzieren. Die Einbeziehung von Forschung in die Arbeit zur OK-Bekämpfung ist in der neuen Regierungsstrategie festgeschrieben. In diesem Sinne stellte Miles Bonfield ein gemeinsames Forschungsprojekt der Universität of Cambridge und SOCA vor. Das Projekt zielte darauf ab, Struktur und Verbreitung von OK-Gruppen in Großbritannien zu analysieren. Die theoretische Grundlage bildeten die Organisationstheorie sowie die Prämissen der Netzwerkforschung. Außer auf die Auswertung von OK-Statistiken stützt sich das Projekt auch auf Daten von mehreren SOCA-Fällen mit etwa 9.300 Personen und mehr als 1.500 Gruppen. Die Analyse zeigte im Ergebnis, dass das Durchschnittsalter der OK-Gruppenmitglieder bei 46 Jahren liegt, durchschnittlich besteht eine Gruppe aus 11,8 Mitgliedern, 15 % der Gruppen haben Verbindungen zu einer anderen Gruppe und 54 % der OK-Gruppierungen sind am illegalen Drogenhandel beteiligt.

Darüber hinaus stellte Miles Bonfield die Ergebnisse einer SWOT-Analyse vor, die die Auswirkungen der OK-Aktivitäten in den Niederlanden auf die OK-Lage in Großbritannien zeigt. Demnach bestehen folgende Gründe für das Übersiedeln von OK-Gruppen aus dem Vereinigten Königreich in die Niederlande:

- OK-Gruppen aus Großbritannien sind stark an der Aufstellung ihrer eigenen Vertreter in den Niederlanden interessiert.
- In den Niederlanden ist es einfacher, wegen der ausgebauten verkehrsmäßigen und logistischen Möglichkeiten für den Rauschgifthandel, unerkannt zu bleiben („operating under the radar“). Erleichternd kommt die Tatsache hinzu, dass Englisch in den Niederlanden weitverbreitet ist.
- Man kann auf gut organisierte kriminelle Vermittler in den großen Städten der Niederlande zählen.
- Alle relevanten Waren und Gruppen, die sie kontrollieren, stehen zur Verfügung.
- Die Niederlande werden als sicherer Ort für Flüchtlinge betrachtet.

Jedoch zeigte die SWOT-Analyse, dass sich die oben erwähnten Wahrnehmungen dahingehend verändern, dass Amsterdam nicht mehr so „sicher“ für Kriminelle ist, wie bisher angenommen. Außerdem profitieren die Sicherheitsbehörden der beiden Länder von einer engen Kooperation und einem guten Informationsaustausch, was die erfolgreiche grenzüberschreitende OK-Bekämpfung vorantreibt.

Mit dem Vortrag **„Organised economic crime in the UK – the challenges of harmonising public and private policing“** führte **Prof Dr. Michael Levi** von der Cardiff School of Social Science, Fakultät für Sozialwissenschaften in Großbritannien die Dimension der öffentlich-privaten Beziehungen und deren Potenzial zur Bekämpfung von OK ein. Prof. Levi stellte seine Ideen zur Inklusion der Geschäftswelt in die Prävention von Organisierter und Wirtschaftskriminalität vor. Denn Organisierte Kriminalität ist kein Phänomen, welches lediglich im Verborgenen stattfindet und sich in der sogenannten Schattenwirtschaft manifestiert. Vielmehr erfasst sie auch die legalen Märkte und weist Verbindun-

gen zu Institutionen und Unternehmen auf. Daher sind keinesfalls allein die Sicherheitsbehörden am Informationsfluss bezüglich OK beteiligt. Da sie eben alle gesellschaftspolitischen und ökonomischen Bereiche erfasst, wissen neben den öffentlichen und privaten Ermittlern, auch Journalisten, Finanzämter, Zollbeamte, Dienstleister (wie Buchhalter oder Anwälte), unterschiedliche Korruptionsbekämpfungsorganisationen, nationale und internationale Medien sowie die Bürger generell über verschiedene Ausprägungen der OK Bescheid. Daher sollte die Schaffung breiter öffentlich-privater Partnerschaften als ein integraler Teil der erfolgreichen Kriminalprävention gesehen und angestrebt werden. Was die Bekämpfung von Wirtschaftskriminalität und Schadensminimierung angeht, ist laut Prof. Levi ein Schub in Richtung privatwirtschaftlicher Verantwortung zu sehen. Zum Beispiel können die Datenabgleichung innerhalb des öffentlichen Sektors und der Informationsaustausch betrügerische Kredit-Erlangung reduzieren. Prof. Levi schilderte drei nicht-traditionelle OK-Präventionsansätze, die zur besseren Prävention und Bekämpfung genutzt werden können:

- Gemeinschaftliche Ansätze, die auf eine gemeinsame Kriminalprävention abstellen: Es handelt sich dabei einerseits um die passive Beteiligung der Bürger, indem sie Informationen über Schäden und Risiken liefern, und andererseits um die aktive Beteiligung der Bürger, z.B. durch die Einrichtung von Aktionsgruppen.
- Regulierende Ansätze, die die Schaffung und Umsetzung bestimmter Richtlinien, Programme oder auch Gremien bzw. Kommissionen umfassen, an denen nationale und internationale Organisationen, Steuerbehörden, Sicherheits- und Nachrichtendienste, außenpolitische und wirtschaftliche Hilfsprogramme beteiligt werden.
- Ansätze zur Beteiligung des Privatsektors, z. B. durch aktive Unterstützung bei der Fahndung von gestohlenem bzw. veruntreutem Kapital oder durch Schaffung von Vereinbarungen zur besseren Kooperation mit den Strafverfolgungsbehörden. Denn die Unternehmen weisen mittlerweile umfangreiche Erfahrungen in Selbstkontrolle und Compliancestrategien auf, womit sie die Aufklärung von Straftaten unterstützen können. Außerdem könnte die Entwicklung und der Einsatz von Software zur Aufdeckung von Geldwäscheaktivitäten vorangetrieben werden.

In seinem Vortrag **”The impact of drug interdiction on the local availability of illicit drugs“** präsentierte **Dr. Joseph McGallagly** von der University of Glasgow, Großbritannien, die Ergebnisse einer Studie, die 2011 in Zusammenarbeit mit SOCA durchgeführt wurde. In dieser Studie wurde der Drogenkonsum an drei verschiedenen Standorten für einen 30-tägigen Zeitraum analysiert. Ein detaillierter Fragebogen zum Drogenkonsum wurde an Drogenkonsumenten verteilt. An allen drei Standorten gaben die Befragten an, dass illegale Drogen ”normalerweise” sehr einfach zu erwerben sind. Mehr als die Hälfte aller Befragten gab an, dass sie innerhalb von fünf Minuten Heroin kaufen können. Jedoch änderten sich diese Aussagen an allen drei Standorten, sobald die Polizei präsent war. Ein Drittel der Befragten gab dann an, dass es in den letzten 30 Tagen immer schwieriger wurde, Drogen zu kaufen. Je nach untersuchtem Standort nahmen 50 % bis 90 % der Menschen die polizeiliche Anti-Drogen-

Operation wahr. Dennoch gaben nur ein Viertel aller Befragten an, einen Rückgang des Drogenhandels wahrzunehmen. Im Ergebnis zeigte die Studie, dass die Maximierung von Polizeipräsenz positive Auswirkungen auf den Rauschgifthandel und Drogenkonsum hat. Dr. McGallagly vertrat dementsprechend die Auffassung, dass die erfolgreiche Bekämpfung bzw. Reduzierung der Verfügbarkeit von Rauschgiftmitteln nicht nur mehr Polizeipräsenz in den bekannten und etablierten „Drogen-hot-spots“ sondern auch in kleineren Gemeinden – und zwar langfristig – voraussetzt. Es zeigt sich, dass die Polizeipräsenz sich nicht nur als den Drogenkauf erschwerende Maßnahme auswirkt, sondern auch die Bereitschaft der Konsumenten, sich in Therapien zu begeben, steigert.

Überblick über die Konferenz mit Zusammenfassung der Einzelbeiträge

Vom 26. bis 27. September 2012 führte das Bundeskriminalamt Wiesbaden seine fünfte internationale Forschungskonferenz mit dem Thema, „Organised Crime Research in Northern European States“ durch. Der Schwerpunkt dieser Tagung lag auf der OK-Forschung und -Lage in nordeuropäischen Staaten. Es referierten Wissenschaftler und Polizeipraktiker aus Dänemark, Estland, Finnland, Norwegen und Schweden. Das Themenspektrum deckte die Deliktsbereiche Menschenhandel, Prostitution, Arbeitsausbeutung, Cannabishandel, Alkoholschmuggel und Korruption ab. Die Besonderheiten der OK in den Baltischen Staaten und in Skandinavien wurden beschrieben und die lokale Bekämpfung der OK wurde vorgestellt. Die Historie und die aktuelle Lage der OK in den Nordischen Staaten lieferten den roten Faden für die Vorstellung von Forschungsprojekten, die folgende inhaltlichen Schwerpunkte haben: Menschenhandel zum Zweck der sexuellen - bzw. Arbeitsausbeutung, Cannabishandel kriminelle Gruppierungen und internationale OK-Gruppen. Der folgende Überblick vermittelt Eindrücke zu den Einzelvorträgen:

„Organised crime the Nordic way. Past and present.“ war das Thema von **Prof. Dr. Paul Larsson**, Professor für Kriminologie an der Polizeihochschule in Oslo und Visiting-Professor für Polizeiwissenschaften an der Linnéus Universität in Norwegen. Er stellte die Entwicklung der OK in Skandinavien dar. Larsson erklärte, dass zu Zeiten der Prohibition in Skandinavien ein dramatischer Anstieg des Alkoholschmuggels und der illegalen Alkoholproduktion zu verzeichnen war. Die skandinavischen Gesetzgeber erließen bis Mitte des 20. Jahrhunderts Prohibitionsgesetze, die in Reichweite und Zeitraum voneinander abwichen: Norwegen hatte von 1917 bis 1927, Schweden von 1916 bis 1955 eine abgeschwächte Prohibition verhängt, Finnland erließ von 1919 bis 1931 ein totales Alkoholverbot. In den 1980er und 1990er Jahren bildeten sich in den Nordischen Staaten OK-Gruppen im Rauschgift-, Alkohol- und Zigaretten-schmuggel. Ab dem Jahr 2000 machten in Schweden räuberische Banden mit einigen spektakulären Fällen auf sich aufmerksam. Prof. Larsson führte weiter aus, dass sich in schwedischen Gefängnissen gewalttätige Gruppen bildeten. Kriminelle Gruppierungen kamen vor allem aus dem Osten: Es handelte sich um mobile kriminelle Gruppen aus Litauen und auch finnisch-estnische sowie russische kriminelle Vereinigungen.

Die gegenwärtige Situation beschrieb Prof. Larsson wie folgt: In Norwegen treten Biker Gangs, vor allem Hells Angels und Bandidos und mobile kriminelle Gruppen aus Osteuropa in Erscheinung. Deren hauptsächliches Betätigungsfeld, ist der Menschenhandel zur sexuellen Ausbeutung. Ein weiteres Problem bilden ethnische Gruppierungen, vor allem organisierte Bettlerbanden aus Ru-

mänien. In Dänemark stellt sich die Kriminalitätssituation ähnlich dar wie in Norwegen, jedoch gibt es dort noch häufiger Verstöße durch kriminelle (Rocker-)Gangs. Auch Schweden registriert Kriminalität durch Biker Gangs, allerdings treten hier mehr kriminelle ethnische, multi-ethnische und gewalttätige Gruppen in Erscheinung als in den anderen Staaten Skandinaviens. Hauptdeliktsfeld aller kriminellen Gruppierungen in Schweden ist der Rauschgifthandel, aber auch Fälle von Menschenhandel zum Zweck der sexuellen – bzw. Arbeitsausbeutung, Betrug und Wirtschaftskriminalität, insbesondere die betrügerische Erlangung von staatlichen Subventionen und Sozialleistungen sowie Steuerhinterziehung, sind von Bedeutung. In Skandinavien schließen sich im Vergleich zu den anderen europäischen Ländern Tätergruppierungen oft in kriminellen Netzwerken zusammen und bilden kleinere Gruppen, die anlassbezogen miteinander in Kontakt stehen. Die gesellschaftlichen Schäden durch schwere Kriminalität und auch der Korruptionslevel sind in Skandinavien vergleichsweise gering. Noch gibt es insgesamt ein niedriges Gewaltniveau, allerdings mit einigen medienträchtigen Ausnahmen.

Anniina Jokinen, M.Soc.Sc. und **Minna Viuhko**, M.Soc.Sc., beide Forscherinnen des an die Vereinten Nationen angegliederten **European Institute for Crime Prevention and Control (HEUNI)**, stellten ihr Institut HEUNI vor, das sich an verschiedenen internationalen Projekten zu den Themen Kriminalstatistik, Opfer-Surveys, Gewalt gegen Frauen, Strafvollzug, Korruption und Menschenhandel beteiligt. Sie legten in ihrem Vortrag „**The extend of organised crime involvement in Finnish human trafficking cases**“ dar, dass Finnland ein Zielland für Opfer von Menschenhandel sei und präsentierten die aktuelle finnische Rechtsprechung im Deliktsbereich Menschenhandel. Die Anzahl der Ermittlungsverfahren und der Opfer hat sich in den letzten Jahren erhöht, die Anzahl der Verurteilungen blieb jedoch unverändert und ist im Vergleich immer noch niedrig.

Weiterhin präsentierten die beiden Forscherinnen Ergebnisse aus zwei empirischen Studien zum Menschenhandel. Die erste Studie befasste sich mit den Deliktsbereichen Menschenhandel zum Zweck der sexuellen Ausbeutung und der „organisierten Zuhälterei“ in Finnland (2007–2009). Im Rahmen des Projekts wurden im Rahmen einer Aktenauswertung die Rollen der verschiedenen Akteure in organisierten kriminellen Gruppen und die Strukturen dieser Organisationen analysiert. Ergänzend wurden Experteninterviews durchgeführt sowie Gerichtsurteile und Medienberichte ausgewertet. In den Menschenhandelsnetzwerken sind vor allem Esten, Russen und Finnen als Täter vertreten. Einige Prostituierte haben in den Verfahren eine Doppelrolle, d. h. sie sind Opfer und Täter zugleich. Die Größe der Gruppen und die Arbeitsaufteilung variieren, sie sind jedoch nicht allzu sehr spezialisiert. Die kriminellen Netzwerke im Bereich Menschenhandel in Finnland sind kleiner als andere internationale Gruppen in Europa und haben keine hierarchische Struktur. Ihre kriminelle Vorgehensweise ist dennoch meist gut geplant und organisiert. Menschenhandel wird in Finnland meist von Russen und Esten durchgeführt, aber auch Rumänen, Bulgaren und Nigerianer treten als Täter zunehmend in Erscheinung. Anhand von konkreten Fallbeispielen ab dem Jahr 2004 wurden mehrere kriminelle

Netzwerke aus Finnland, ihre Strukturen und weiteren Beteiligten aus dem Bereich Menschenhandel dargestellt.

Die zweite vorgestellte Studie befasste sich mit dem Thema Menschenhandel zum Zweck der Ausbeutung der Arbeitskraft, die 2011 von HEUNI in Finnland, Estland und Polen durchgeführt wurde. Anniina Jokinen und Minna Viuhko stellten die Ergebnisse für Finnland dar. Dort wurden 2012 die ersten zwei Verurteilungen wegen „Menschenhandels zum Zweck der Zwangsarbeit“ gefällt. Basierend auf Fallbeispielen wurden die Art der Ausbeutung und die Methoden der kriminellen Arbeitgeber analysiert. Datenquellen waren Ermittlungsakten, Experten- und Opferinterviews, Gerichtsurteile und Medienberichte. Viele der Fälle wurden in der Gastronomie, dem Baugewerbe, dem Reinigungsgewerbe und dem Agrarsektor aufgedeckt. Obwohl die Opfer auf unterschiedliche Art und Weise ausgebeutet werden, erstatten sie nur selten Anzeige. Jokinen und Viuhko zählten Estland, Russland, Polen (Baugewerbe), China, Vietnam und Thailand (Reinigungsgewerbe, Gastronomie, Landwirtschaft) als wichtigste Herkunftsländer für Opfer des Menschenhandels auf. Auch Opfer aus Indien, Lateinamerika, dem Nahen Osten und Afrika wurden registriert. Meist haben die Täter dieselbe Nationalität wie ihre Opfer, wodurch die Rekrutierung der Opfer und die Kommunikation erleichtert werden. Die beiden Forscherinnen schilderten einige Beispiele von physischer und psychischer Gewalt sowie Fälle, in denen Arbeitsverträge nicht verlängert, der Lohn nicht ausgezahlt, Kontakte zur Außenwelt untersagt und die Familien im Herkunftsland bedroht wurden oder Anzeigen bei finnischen Behörden erfolgten. Der Lohn liegt weit unter dem allgemein bezahlten Mindestlohn. Oft werden die Opfer gezwungen, einen unbegründet hohen Betrag des Lohns für Nahrung, Unterbringung und Reisekosten in bar an den Arbeitgeber zurückzuzahlen. In der Regel erhalten die Arbeiter zwei getrennte Arbeitsverträge: Einen in ihrer eigenen Landessprache mit dem tatsächlichen Lohn und einen anderen mit einem viel höheren Arbeitseinkommen, der den finnischen Behörden im Falle einer Kontrolle vorgelegt wird. Schließlich führten Anniina Jokinen und Minna Viuhko aus, dass es sich bei den Organisatoren des Menschenhandels zur Ausbeutung der Arbeitskraft meist um kriminelle Netzwerke und weniger um OK-Gruppen handelt. Die Vorgehensweise ist jedoch gut organisiert, und es werden teils schwere Straftaten begangen. Der Menschenhandel zur sexuellen Ausbeutung weist in Finnland im Vergleich zu den Fällen von Menschenhandel zur Ausbeutung der Arbeitskraft einen höheren Organisationsgrad auf.

Dr. Risto Pullat, leitender Polizeibeamter am Police and Border Guard Board in Estland, gab in seiner Präsentation **„Constellations of organised crime in the Baltic Sea region“** einen Überblick über die OK in den baltischen Staaten. Er beleuchtete hauptsächlich die russische OK, insbesondere die Subkultur „Diebe im Gesetz“, die die Kriminalität im Ostseeraum maßgeblich beeinflusst hat. Er gab einen Einblick in die Historie der „Vory y zakone“ (Diebe im Gesetz), deren Ursprünge in das 15. bis 16. Jahrhundert in Russland zurückreichen. Sie formierten sich in den Gulags während der Stalin-Ära. Als 2006 die Mitgliedschaft in der kriminellen Organisation „Diebe im Gesetz“ in Georgien unter Strafe gestellt wurde, haben eine Reihe von Mitgliedern Georgien verlas-

sen und sich u. a. in den nordischen Ländern, vor allem in Schweden, aber auch in Estland und Lettland niedergelassen. Es handelt sich um Gruppen, die als ethnische russische Minderheit in den baltischen Staaten und auch in Finnland, Schweden und Norwegen in relativer Isolation leben, aber dennoch auf eine kriminelle Infrastruktur zurückgreifen können. Ihre Mitglieder werden in Gefängnissen und ländlichen Gegenden rekrutiert und treten nach ihrer Entlassung häufig als Mitglieder von Einbruchsbanden in Erscheinung. In den Gefängnissen in Estland haben die „Diebe im Gesetz“ ihre eigenen Kontaktpersonen. Ihre Mitglieder sind in hierarchischen Strukturen organisiert und kontrollieren einen großen Teil der estnischen OK. Dies ist einzigartig in den baltischen Staaten. Estnische Kriminelle arbeiten eng mit den „Dieben im Gesetz“ zusammen. Teilweise haben sich estnisch-russische Gruppen gebildet, die häufig beim Rauschgifthandel in Erscheinung treten. Nach Auffassung Pullats werden die „Diebe im Gesetz“ jedoch langfristig ihren Einfluss in Estland verlieren. Er stellte dar, dass die Ostseestaaten Herkunfts-, Ziel- und Transitländer für verschiedene Phänomenbereiche der OK sind.

Grenzüberschreitend treten die estnische und russische OK vor allem bei der Rauschgift- und Kfz-Kriminalität in Erscheinung. Ein Großteil der synthetischen Drogen, die nach Finnland eingeschmuggelt werden, stammt aus Estland. Litauische OK-Netzwerke im Bereich des Rauschgifthandels schmuggeln ihre Waren hauptsächlich nach Schweden, aber auch über Finnland nach Westeuropa. Erfolgreiche Anstrengungen der Strafverfolgungsbehörden sorgen dafür, dass die Preise für Betäubungsmittel in den nordischen Ländern kontinuierlich hoch bleiben. Auch Russland ist ein attraktiver Markt sowohl für den nationalen als auch internationalen Rauschgifthandel. St. Petersburg gilt als Einfallstor für Rauschgift aus dem Osten nach Europa. Die Erweiterung des Schengenraums hat die grenzüberschreitende Kriminalität in den baltischen Staaten verstärkt. Pullat beschrieb den Nordosten Europas als kriminelle Drehscheibe, über die illegale Waren und Dienstleistungen von Ost nach West und umgekehrt geschmuggelt werden.

Dr. Lars Korsell vom Swedish National Council for Crime Prevention (Brå), Stockholm, Direktor der Forschungsstelle für Wirtschafts- und Organisierte Kriminalität, referierte in seinem Vortrag **„The local dimension on organised crime“** über die Bedeutung der lokalen Verwurzelung der OK. Obwohl OK-Gruppen oft internationale Verbindungen aufweisen, haben die Straftaten meist Bezug zum lokalen Markt. Daher wird die Notwendigkeit gesehen, OK ebenso auf lokaler Ebene zu bekämpfen. Korsell ist der Meinung, dass die lokale Dimension der OK insgesamt zu wenig Beachtung findet. Die OK versorgt den Markt mit verbotenen und steuerfreien Dienstleistungen und Gütern. Schwerpunkte in den skandinavischen Ländern sind der Handel mit Alkohol, Zigaretten und Rauschgift sowie der Menschenhandel zum Zweck der sexuellen Ausbeutung und zur Ausbeutung der Arbeitskraft. In Schweden hat sich laut Korsell eine „neue Mafia“ gebildet, die aus Mitgliedern der Rockerbanden Hells Angels und Bandidos besteht. Diese „neue Mafia“ ist in Skandinavien von 1994 bis 1997 im so genannten „Nordic Biker War“ ins Licht der Öffentlichkeit gerückt.

Auf lokaler Ebene agieren ausländische Diebesbanden, dort erfolgt auch der Kontakt zu den Abnehmern der illegalen Waren. Ausnahmen bilden lediglich ausländische Netzwerke mit ausländischen Mitgliedern. Im Gegensatz zu den Aktivitäten der „neuen Mafia“ finden die Delikte der Wirtschaftskriminalität, die Versorgung mit illegalen Waren und die Aktivitäten der „Russenmafia“ im Verborgenen statt und werden häufig nicht von der Bevölkerung als Bedrohung bzw. als OK wahrgenommen.

Zur Bekämpfung der OK auf lokaler Ebene hat man etliche Maßnahmen ergriffen. So wurde 2008 z.B. in Göteborg ein „Knowledge Centre“ gegen die OK gegründet. Mitglieder in diesem Kompetenzzentrum sind neben mehreren Strafverfolgungsbehörden u.a. die nationale schwedische Steuerbehörde, das Amt für Versicherungswesen und das Amt für Gefängnis- und Bewährungswesen. Das Zentrum wird auf der Grundlage eines Auftrages der schwedischen Regierung vom „Nationalen Rat für Kriminalitätsprävention“ (Brå) koordiniert. Alle beteiligten Stellen arbeiten in gemeinsamen Projekten zusammen und führen Informationen und Erkenntnisse zur OK zusammen. Ziel ist, die Bekämpfung der OK effizienter zu gestalten. Laut Korsell wird der Fokus in der Zukunft auf der Bekämpfung der lokalen Basis der OK in den großen Städten liegen. Wirtschaftsdelikte und Betrugereien werden in Skandinavien voraussichtlich anwachsen. Der multidisziplinäre Ansatz zur Bekämpfung der OK und – darin inbegriffen – die gleichzeitige Durchführung administrativer Maßnahmen sind erfolgsversprechend. Dieser Ansatz wird bereits in anderen europäischen Ländern erfolgreich praktiziert.

Dr. Mika Junninen, Senior Planning Officer am „European Crime Prevention Network (EUCPN) im finnischen Justizministerium und Assistenzprofessor in Kriminologie, präsentierte in seinem Vortrag **“Criminal entrepreneurs or the influence from the East“** eine Studie zu finnischen kriminellen Vereinigungen. Dr. Junninen verglich die Eigenschaften von OK-Tätern und Berufsverbrechern. Er verwendete seine Forschungsergebnisse aus 2001 und verglich diese mit Ergebnissen von Dick Hobb aus dem Jahr 1995 und denjenigen Edwin H. Sutherlands aus dem Jahr 1937. Die Studie zu den kriminellen finnischen Gruppierungen basierte auf Experten- und Täterinterviews in Finnland und Estland und auf einer anschließenden Auswertung empirischer Daten zu Tätern und deren Gruppenaktivitäten. Der Schwerpunkt lag auf finnischen Straftätern auf beiden Seiten der finnisch-estnischen Grenze. Die Täterinterviews befassten sich mit vierzehn finnischen Gruppen, die in den 1990er Jahren in Finnland im Alkohol-, Tabak- und Rauschgiftschmuggel, im Bereich des Menschenhandels, der Prostitution oder der Hehlerei in Erscheinung getreten sind. Einbezogen wurde auch eine Tätergruppierung der Hells Angels. Die untersuchten Gruppen waren auch im legalen Bereich, meist im Baugewerbe, in Restaurants und Bars, in Sicherheitsbranchen, im Motorrad- und PKW-Geschäft tätig. Für die finnischen kriminellen Gruppierungen wurde festgestellt, dass es sich überwiegend um so genannte „semi-organised crime groups“ handelt, deren Organisationsgrad zwischen dem von kriminellen Gruppierungen und OK-Gruppen anzusiedeln ist.

Dr. Junninen gab anschließend einen Überblick zu den Phänomenbereichen der schweren Kriminalität in Finnland, zu den Tätergruppierungen und den Schmuggelrouten. Finnische Gruppierungen schmuggeln Alkohol, Rauschgift, Hormone, Zigaretten, Prostituierte und alle Arten von gestohlenen Gütern. Alkohol wird vor allem auf zwei Hauptrouten, westlich und östlich der Ostsee, von Westeuropa nach Finnland geschmuggelt. Die Hauptrouten für Rauschgifttransporte verlaufen über Spanien in die Niederlande und dann westlich der Ostsee über Dänemark und von den Niederlanden über die östlichen Ostseeanrainerstaaten nach Finnland. Finnisches Geld aus illegalen Geschäften wird hauptsächlich in Deutschland, Estland, Russland, Schweden und Spanien gewaschen. Finnland ist stark vom Menschenhandel betroffen, sowohl als Ziel- als auch als Transitland. Mitglieder der Tätergruppierungen im Menschenhandel sind Chinesen, Asiaten, Afrikaner, Südamerikaner, Türken und Personen aus den GUS-Staaten. Zielländer des Menschenhandels sind andere nordische Länder, Deutschland, Frankreich, Spanien und Großbritannien. Die Hauptroute aus dem Osten führt über Russland nach Finnland. Die Menschenhändler nutzen unterschiedliche Transportmöglichkeiten und legen oft einen Zwischenstopp in Moskau, St. Petersburg, Murmansk usw. ein. Junninen erklärte, dass es derzeit keine zentrale Dienststelle zur OK-Prävention und -Bekämpfung in Finnland gibt. Daher fordert er die Einrichtung einer übergeordneten Behörde in Finnland, in der Daten zusammengeführt und analysiert werden. Die Politik müsse endlich die Notwendigkeit erkennen, die schwere und Organisierte Kriminalität sowie die Schattenwirtschaft zu bekämpfen und darauf ihren Schwerpunkt setzen.

Dr. Kim Møller, ist Assistenzprofessor am Zentrum für Alkohol und Drogenforschung an der Aarhus Universität in Dänemark. Er gab in seiner Präsentation „**Illicit drug sales and organised crime in Denmark – Recent history & current conflicts**“ einen Überblick über den Cannabismarkt in Dänemark, die involvierten kriminellen Gruppierungen und die Bekämpfungsmaßnahmen der Strafverfolgungsbehörden. Für die von ihm präsentierte Studie wurden Daten einer 2012 abgeschlossenen neunmonatigen Videoüberwachung an relevanten Örtlichkeiten für den Cannabis-Straßenverkauf ausgewertet. Weitere Informationen stammen aus Gerichtsakten, polizeilichen Ermittlungen zu Preisen und Erträgen im Cannabismarkt und statistischem Material. Møller stellte dar, dass die dänische Polizei in der Vergangenheit ihr Augenmerk mehr auf die Kontrolle als auf die Abschreckung im Cannabismarkt gelegt habe. Erklärtes Ziel war, mehr Ressourcen für die Bekämpfung harter Drogen und die Verfolgung von Cannabisgroßhändlern zu haben. Diese Politik hat den Cannabisstraßenmarkt in der alternativen Kopenhagener Wohnsiedlung „Christiania“ anwachsen lassen. „Christiania“ galt lange als relativ straffreies Verteilungszentrum von Cannabisprodukten. Nach einer Razzia auf dem Straßenmarkt Anfang 2000 wurden mehrere Tötungsdelikte im Rauschgiftmilieu verübt. Im April 2004 führte die Polizei einen Großeinsatz mit Razzien und Festnahmen durch. Der Gesetzgeber reagierte in den Jahren von 2000 bis 2007 mit insgesamt sieben Gesetzesänderungen zur Verschärfung des dänischen Betäubungsmittelgesetzes. Laut Møller besteht in Dänemark die höchste Lebenszeitprävalenz des Cannabiskonsums in

Europa. Dort leben ca. 175.000 Cannabis-Konsumenten. Der Konsum ist nahezu straffrei. Die Polizei unterliegt beim Cannabis-Kleinhandel dem Opportunitätsprinzip, d. h. es besteht kein Strafverfolgungszwang. Schätzungsweise werden jährlich 20 Tonnen von Cannabisprodukten in Dänemark gehandelt und 1250 Millionen Euro umgesetzt. Begünstigt wird die Situation durch die geografische Lage des Landes zwischen Skandinavien und dem übrigen Europa. Der Cannabismarkt in Dänemark wird von Rocker- und Straßenbanden und kriminellen Immigrantengruppierungen beherrscht. Im Bereich der Rockergangs treten die Hells Angels, Hells Angels-Support, AK 81-Hells Angels Youth Division, Bandidos und Bandidos-Support in Erscheinung.

Im Rahmen seiner Forschung verglich Møller die Gruppengröße sieben krimineller Vereinigungen aus dem Milieu der Rocker- und Straßengangs in Dänemark. Die Gruppierung der Bandidos ist mit einer registrierten Mitgliederanzahl von 208 am größten. Die Hells Angels Jugenddivision AK 81 hat immerhin noch 127 Mitglieder. Die Rockergruppen in Dänemark sind hierarchisch strukturiert und die Zuständigkeiten sind spezialisiert. Es bestehen häufig Verbindungen zu Mitgliedern anderer Rockergruppierungen. Die Rocker beherrschen den relativ stabilen Cannabismarkt in „Christiania“, wo der höchste Umsatz innerhalb von Kopenhagen erzielt wird. Dies wurde durch einen Vergleich der Kosten und Gewinne auf zwei verschiedenen Cannabismärkten in Kopenhagen bestätigt. Die kriminellen Immigrantennetzwerke bestehen aus kleineren autonomen Zusammenschlüssen. Die Immigrantengruppen beherrschen die kurzlebigen „Hasch-Clubs“ und die kleineren Cannabis-Straßenmärkte in und um Kopenhagen.

Gunnar Appelgren, Leitender Polizeibeamter bei der Stockholm County Police und Leiter der nationalen Taskforce gegen schwere und organisierte Kriminalität und **Per Brodin**, Wissenschaftler bei der Crime Intelligence Unit der Stockholmer County Police, stellten in ihrem Vortrag „**A joint-agency initiative against organised crime in the municipality of Södertälje**“ die OK von Assyren im Stockholmer Stadtteil Södertälje vor und erläuterten die behördenübergreifenden Initiativen gegen die von dieser Gruppierung ausgehende Kriminalität. Die Probleme mit diesem kriminellen Netzwerk im Stadtteil Södertälje bestehen bereits seit über zwanzig Jahren. Mitglieder der assyrischen kriminellen Vereinigungen treten mit Tötungsdelikten, Körperverletzungen, illegalem Glückspiel, Menschenhandel und anderen Delikten in Erscheinung. Appelgreen und Brodin geben zunächst einen Überblick über Herkunft und Geschichte der ethnische Volksgruppe: Sie lebt als Minderheit syrisch-christlicher Tradition vor allem im Mittleren Osten und stammt aus der Türkei, Syrien, dem Libanon und dem Irak. Assyrier sind staatenlos und über die ganze Welt verbreitet und wurden immer wieder Opfer von Völkermordattacken. Seit 1967 wandern sie aus dem Libanon in Schweden ein und lassen sich vor allem in dem 80.000 Einwohner zählenden Stockholmer Stadtbezirk Södertälje nieder, wo sie mittlerweile eine Bevölkerungszahl von 15.000 bis 20.000 Personen haben.

Gunnar Appelgren und Per Brodin führten aus, dass die christliche Volksgruppe eine "Gemeinschaft in der Gemeinschaft" in Stockholm darstellt. Die Loyalität gegenüber der Familie und die Überzeugung, dass individueller Erfolg und Sicherheit von den Stärken und Schwächen der Gruppe abhängen, gehören zu den gemeinschaftlichen Werten dieser Gruppe. Aufgrund ihrer hohen Repräsentanz in Södertälje und in Schweden insgesamt – die Minderheit umfasst 50.000 bis 70.000 Mitglieder –, hat sie ihre eigenen sozialen Netzwerke, eigene Kirchen, eigene Fußball-Teams, etc. Illegal erworbene Gewinne aus Straftaten werden legal reinvestiert, z.B. in städtische Projekte. Die Vortragenden kamen zum Schluss, dass ihre Struktur Gemeinsamkeiten mit Mafia-Organisationen aufweist.

Nach einigen spektakulären Tötungsdelikten entschieden die zuständigen Behörden das Projekt „TORE 2“, eine „Joint-Agency-Initiative“ mit operativer polizeilicher Unterstützung zu etablieren. Es beruht auf der These, dass bei einer enger vernetzten Gemeinschaft eher das Risiko besteht, dass Personen sich für kriminelle Aktivitäten anwerben lassen. Das Beispiel Södertälje zeigt, dass ethnische Zugehörigkeit und eine nach außen abgeschottete Gemeinschaft den Nährboden für ein kriminelles Netzwerk bilden können. Das Projekt „TORE 2“ verfolgt das Ziel die kriminellen Hauptverantwortlichen zu identifizieren, ihre Netzwerke zu zerschlagen und rechtliche Schritte einzuleiten. Maßnahmen sind u. a. die Erstellung eines „Joint problem scenario“ oder die Durchführung einer Medien-Kampagne. Bisher erweist sich die Zusammenarbeit als Erfolgsmodell. Die aus der behördenübergreifenden Initiative gewonnenen Erkenntnisse werden voraussichtlich im Herbst 2013 ausgewertet.

Ausblick

Dank der fortgesetzten Förderung durch die EU ist die Durchführung der OK-Forschungskonferenzen auch für die kommenden drei Jahre sichergestellt. Die geographische Ausrichtung der Forschungskonferenzen, die bisher zu den Themen OK-Forschung und Bekämpfung in den Anrainerstaaten Deutschlands (2008), Südosteuropas (2009), Süd- und Südwesteuropas (2010), Westeuropas (2011) und Nordeuropas (2012) durchgeführt wurden, ist nun abgeschlossen. Künftig werden die Veranstaltungen zu ausgewählten phänomenologischen Schwerpunkten durchgeführt und der Fokus stärker auf den grenzüberschreitenden Aspekt der Organisierten Kriminalität gelegt. Das Motto der Konferenzen ab 2013 wird „Transnationale Organisierte Kriminalität“ sein. Für September 2013 ist die 6. Internationale Forschungskonferenz zur Organisierten Kriminalität in Wiesbaden geplant. Ergebnisse zu dieser Veranstaltungsreihe werden den interessierten Lesern in einer dritten Publikation im Jahr 2016 präsentiert.

Part V

List of contributors

2011

Dr. Gianni Baldi

Executive Director of Directorate for Specialized Crime and Analysis, Interpol
Lyon

M. Vere van Koppen and Prof. Edward R. Kleemans

VU University Amsterdam /

VU University Amsterdam and Head of Crime, Law Enforcement and Sanctions Research Division, Research and Documentation Centre (WODC), Ministry of Security and Justice, The Hague, The Netherlands

Dr. Paolo Campana

Extra Legal Governance Institute, Oxford University, United Kingdom

Warner ten Kate

Dutch National Public Prosecutor for Trafficking in Human Beings, Zwolle, The Netherlands

Prof. Toine Spapens

Tilburg University/NL und National Dutch Police Academy

Dr. Joseph McGallagly and Prof. Neil McKeganey

Centre for Drug Misuse Research, Unit for the Study of Serious Organised Crime (CDMR), University Glasgow, United Kingdom

2012

Prof. Paul Larsson

Professor of Criminology at the Police University College of Oslo, Norway

Minna Viuhko and Anniina Jokinen

European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), Finland

Dr. Risto Pullat

Police Lieutenant Colonel, Police and Border Guard Board, Estonia

Dr. Lars Korsell

Head of Research into Economic and Organised Crime Division, Swedish National Council for Crime Prevention (Brå), Sweden

Dr. Kim Møller

Assistant Professor, Business and Social Sciences, Centre for Alcohol and Drug Research, Aarhus University, Denmark

Gunnar Appelgren and Per Brodin

Head of a National Taskforce against Serious Organised Crime, Regional CID, Stockholm County Police, Sweden /

Analyst at Crime Intelligence Unit, Regional CID, Stockholm County Police, Sweden

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About the editors and the authors

Editors

Ursula Töttel is a CID officer (Kriminalhauptkommissarin) at the Bundeskriminalamt Wiesbaden. She worked as a police officer in the area of terrorism, especially fugitive searches, in the surveillance group and overseas contacts and participated in several special inquiry teams following terrorist attacks. For eight years she worked in the field of analysis and evaluation in organised drug crime. Since 2007, she has been part of the Research and Advisory Unit for Organised and Economic Crime and Crime Prevention and project leader of the EU project Research Network on Organised Crime.

Dr. Gergana Bulanova-Hristova is a political scientist, working since 2011 as researcher at the Research and Advisory Unit for Organised and Economic Crime and Crime Prevention of the Bundeskriminalamt, Wiesbaden. After finishing her studies in international relations at the University for National and World Economy in Sofia 2002 and in political science at the Free University in Berlin 2006, she was a doctoral fellow at the Free University in Berlin and a doctoral grant-holder from the Friedrich-Ebert-Foundation. Before joining the Bundeskriminalamt she was a research assistant at the Free University in Berlin and worked as process optimizing advisor at T- Systems-International Ltd. Her research interest and expertise include countering of corruption, organised crime and good governance.

Dr. Heinz Büchler is head of the Research and Advisory Unit for Organised and Economic Crime and Crime Prevention at the Bundeskriminalamt Wiesbaden. Since 1992 he has been working as a researcher (economist) in the Institute of Law Enforcement, Studies and Training at the Bundeskriminalamt, i.a. he is responsible for the planning and implementation of research projects on the subjects of organised crime, trafficking in human beings, drugs crime and police working methods. He has published numerous reports on police research projects.

Authors

Anniina Jokinen (M. Soc. Sc. Sociology, University of Helsinki) works as a researcher at the European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI). She has five years of research experience in using both qualitative and quantitative methods on a number of criminological topics. Jokinen currently works as a project officer and a researcher in the EC-funded project "ADSTRINGO – Addressing trafficking in human beings for labour exploitation through improved partnerships, enhanced diagnostics and intensified organisational approaches".

Prof. Edward Kleemans is a full professor at the Department of Criminal Law and Criminology, Faculty of Law, VU University of Amsterdam, the Netherlands, and Head of the Crime, Law Enforcement and Sanctions Research Divi-

sion, Research and Documentation Centre (WODC) at the Dutch Ministry of Security and Justice. Since 1996 he has coordinated the “Dutch Organized Crime Monitor”, an ongoing research project on the nature of organised crime in the Netherlands. He is a partner of the “International Research Network on Organised Crime”, the current EU project conducted together with research institutions from the United Kingdom, Germany, the Netherlands and Sweden.

Dr. Gianni Baldi was holding various positions at the Police Headquarters of Rome. In 1999 he joined the International Police Cooperation Service at the Ministry of the Interior in Rome. Subsequently, he was deployed to the Balkans for ten years; there he operated as Italian police liaison officer initially covering Montenegro, then Slovenia, Croatia and Bosnia Herzegovina. Since July 2010 he has worked at Interpol’s General Secretariat in Lyon as Acting Director in the Specialized Crime and Analysis Directorate, where he holds the position of Head of the Sub-Directorate for Drugs and Criminal Organisations (DCO).

Gunnar Appelgren is a police officer, head of the National taskforce against serious organized crime at the Stockholm County Police, Regional CID. Previously he headed a National team for Witness protection at the Stockholm County police, was the operational head for Regional CID and head for Eskilstuna district of Community policing in Södermanland County.

Dr. Joseph McGallagly is a former police officer who retired from law enforcement after completing 30 years police service. While working within the police he graduated with a BA (hons) from the Open University and a MSc Psychology from the University of Stirling. He completed his PhD at Glasgow University where he explored the Law Enforcement Perceptions of Organised Crime Groups. Dr. McGallagly is currently affiliated to the School of Social and Political Sciences at the University of Glasgow.”

Dr. Kim Møller is working as assistant Professor at the Centre for Alcohol and Drug Research at the Aarhus University since 2011, where he worked on his PhD in Business and Social Science from 2007 to 2010. In 2010 he was external associate Professor for Criminology at the Copenhagen University and Subject teacher of Criminology at Police Academy in Copenhagen.

Dr. Lars Korsell is head of the Economic and Organised Crime Research Division at the Swedish National Council for Crime Prevention in Stockholm. He is doctor in criminology and has a background as a judge and legal advisor at different ministries. His research is mainly in the fields of white-collar crime and organised crime. He has published many reports, for example “Organised crime in Sweden”, together with Johanna Skinnari and Daniel Vesterhav, “Organised crime the Northern Style”, together with Paul Larsson, and “False Accounts”.

Minna Viuhko (M.Soc.Sc, Sociology, University of Helsinki) is a researcher at the European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI). She has worked at HEUNI since 2006 and she has altogether over ten years of research experience. Viuhko has expertise i.a. in

human trafficking, cross-border corruption, prisoners and crime victims. Viuhko has been a member of the Finnish National Anti-trafficking Action Plan Task Force (2009–2010) and national anti-trafficking network (from 2008 onwards). Viuhko is a postgraduate student at the University of Helsinki (Department of Social Research/Sociology) and a member of Russia in Europe – Doctoral Programme in Border Studies. Her ongoing PhD study analyses transnational human trafficking and exploitation processes, and how these processes are build up and how the activity is organised; as well as the means of control that are used against the victims by the traffickers.

Prof. Neil McKeganey is a sociologist by training and has conducted research in the area of drugs misuse for the last twenty years. In 1994 he set up the Centre for Drug Misuse Research at the University of Glasgow which now operates as an independent research centre with links to a number of UK universities. Neil McKeganey is the author of over 150 peer reviewed publications on such topics as drug and crime, the effectiveness of drug treatment services, the link between prostitution and drug use, preteen drug use and the influence of drugs policy. His most recent book is *Controversies in Drugs Policy and Practice* (Macmillan 2011) and he is current preparing an A to Z of Addiction for Macmillan publishers.”

Dr. Paolo Campana is a Research Fellow at the Extra Legal Governance Institute (ExLEGI), Department of Sociology, University of Oxford. He joined ExLEGI in September 2010. Previously, he was Research Officer at the Centre for Criminology (University of Oxford: 2007), and then Research Associate at the same centre (2008–2010). His work is focused on the fields of organised crime and forms of extra legal governance of markets. Other areas of interests include corporate crime, terrorism, crime trends, public opinion and quantitative research methods. He is currently working on the Neapolitan Camorra, on issues of trafficking / smuggling of drugs and human beings into Europe, on the application of network techniques to the study of organised crime as well as issues of trust within criminal groups. His recent work appeared in *European Journal of Criminology*, *Trends in Organised Crime* and *Global Crime*. He also worked as a consultant for Public Safety Canada, writing on issues related to the mobility of criminal groups.

Dr. Paul Larsson is Professor in Criminology at the Police University College of Oslo, Norway and guest professor in Police Science at the Linnéus University in Växjö, Sweden. For the last 20 years he has done research in many fields. Among the most central is research on alternative punishments and reactions, economic crime, organised crime and police science. For example, he has collaborated with Professor Dan Magnusson at the University of Jönköping on research on money laundering with a grant from Scandinavian Research Council for Criminology (2008). Since 2004 he collaborated closely with BRÅ (Brottsförebyggande rådet) in Stockholm on research on organised and economic crime, but also police studies. His main role has been as scientific adviser and supervisor in relation to reports and publications.

Per Brodin is working since 2006 as analyst at the Stockholm County Police, Regional Criminal Investigation Department (CID), Crime Intelligence Unit. He is providing the management group of regional CID with analytical reports on organized crime networks and elaborates analyses of networks concerning organized crime in order to point out key players/centres of gravity. Before joining the Stockholm County Police he was working as research assistant in several research projects and publications at the municipality of Örebro and at the Örebro University, Centre for Urban Environmental Research and NOVEMUS.

Dr. Risto Pullat has 15 years of experience in law enforcement. He has a diploma degree in policing from the Estonian National Defence Academy and master degree in sociology from the Tallinn Pedagogical University (predecessor of the Tallinn University). In 2009 he received a doctoral degree in Law from the Latvian Police Academy. Dr. Pullat is a Police Lt. Col. working at the Estonian Police and Border Guard Board. Furthermore, he is a member of the editorial board of journal *Trends in Organized Crime*. He is lecturing on organised crime at Tallinn Law School of the Tallinn University of Technology.

Prof. Toine Spapens is a full professor of criminology at the Department of Criminal Law at Tilburg University. Since January 2011, he has been appointed (part-time) professor of environmental crime at the Police Academy of the Netherlands. Since the end of the 1990 s, Prof. Spapens has done extensive empirical research on organised crime phenomenon, such as illegal firearms trafficking, ecstasy production, cannabis cultivation and illegal gambling, as well as on the containment of organised crime. He also focuses on cross-border organised crime and international law enforcement cooperation.

Vere van Koppen is finishing a PhD thesis on pathways into organized crime, studying opportunity structures and involvement mechanisms for organized crime. She worked as a PhD student at the Netherlands Institute for the Study of Crime and Law Enforcement and at the Research and Documentation Centre, Dutch Ministry of Security and Justice for four years. As of 2012 she is a Lecturer at VU University Amsterdam. Her research interests include organized crime offenders, criminal careers and adult onset offending.

Warner ten Kate has worked at the Public Prosecutor's Office in Zwolle, the Netherlands, since 1991. He now is national public prosecutor for trafficking in human beings and people smuggling. As leader of a team of public prosecutors and staff within the national prosecution service he is responsible for combating internationally organised crime, especially in the field of human trafficking and people smuggling.

Content

Hardly any other crime phenomenon is as diverse and dynamic as organised crime (OC). This book is the result of several years of research into the complexity of OC and development of successful counter strategies carried out by the Bundeskriminalamt and its European partners. The publication contains a selection of contributions from the OC research conferences held in 2011 and 2012. These international expert conferences, which have been held since 2008, are hosted each year by the Bundeskriminalamt together with its research partners from the United Kingdom, Sweden and the Netherlands. The OC research conferences and the work of the OC research network are supported by the EU programme, "Prevention of and Fight against Crime".

The objective of the conferences is to give researchers and police officers the opportunity to present the latest research results and practical experience gained in the field on a regular basis. It also provides a forum where security-relevant questions from the area of organised crime can be discussed with professionals. This promotes the exchange of experience between criminalistic-criminological research and police practice in a targeted manner. In order to give a broad spectrum of international professionals an insight into the most interesting issues dealt with at the OC research conferences, the Bundeskriminalamt has published this book for the second time.

Zum Inhalt

Es gibt kaum ein facettenreicheres und dynamischeres Kriminalitätsphänomen als die Organisierte Kriminalität (OK). Dieses Buch stellt ein Ergebnis der jahrelangen Aktivitäten des Bundeskriminalamtes und seiner europäischen Partner dar, die OK in ihrer Komplexität zu erforschen und erfolgreiche Bekämpfungsstrategien zu entwickeln. Der Sammelband enthält ausgewählte Beiträge der OK-Forschungskonferenzen aus den Jahren 2011 und 2012. Diese internationalen Fachtagungen werden seit 2008 durch das BKA in Zusammenarbeit mit seinen Forschungsnetzwerkpartnern aus Großbritannien, Schweden und den Niederlanden jährlich ausgerichtet. Die OK-Forschungskonferenzen sowie die Arbeit des OK-Forschungsnetzwerkes werden durch das EU-Programm „Prevention of and Fight against Crime“ unterstützt.

Ziel der Tagungen ist es, Wissenschaftlern und Polizeipraktikern die Möglichkeit zu geben, regelmäßig aktuelle Forschungsergebnisse und Erkenntnisse aus der Praxis zu präsentieren sowie sicherheitsrelevante Fragestellungen aus dem Kriminalitätsbereich Organisierte Kriminalität mit einem Fachpublikum zu diskutieren. Dadurch wird der Erfahrungsaustausch zwischen kriminalistisch-kriminologischer Forschung und Polizeipraxis gezielt gefördert. Um einem breiteren internationalen Fachpublikum Einblicke in die interessantesten Themen der OK-Forschungskonferenzen zu ermöglichen, gibt das BKA diesen Sammelband nun zum zweiten Mal heraus.

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