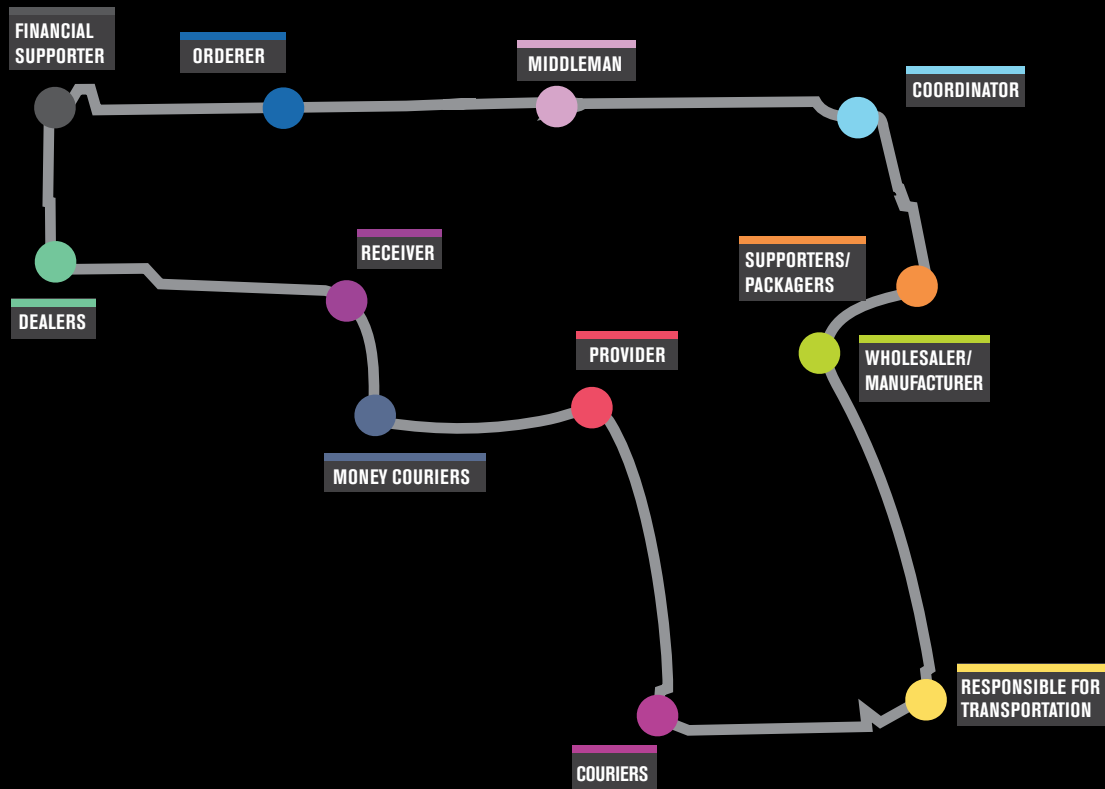


# ORGANISED CRIME

## THREAT ASSESSMENT IN ALBANIA

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TIRANA, 2015

## ACKNOWLEDGEMENTS

This study was made possible by the fruitful cooperation of civil society organizations and experts that are engaged in the fight against organized crime. It would not have been possible without the participation of our interviewees, along with the participants of the focused groups, whom we are unable to mention by name as we wish to maintain their anonymity due to the sensitive nature of both their involvement and our work. Therefore, the very first words of gratitude go to them. Furthermore, this study could not have been conducted without the support of the Open Society Foundation Albania (OSFA) and especially the Executive Director of the Foundation, Mr Andi Dobrush, who was and remains one of the main supporters of the idea and the importance of this study for society.

Special thanks go to those institutions that enabled contact with the officials we were able to interview: Mrs Elona Gjebrea, (Vice Minister of the Ministry of Interior); Mr Artan Didi (Director General, Directorate General of the Albanian State Police); Mr Sandër Simoni (President, Serious Crime Court, First Instance); Mr Shkëlqim Hajdari (Chair, Prosecutors' Association); Mr Ervin Metalla (Chair, Judges' Union); and Mr Saimir Visha (Chair, Association of Criminal Lawyers).

This study would have been incomplete were it not for the contribution of the investigative journalists whose details may not be found in official documents. The authors would like to thank the staff of the OSFA, in particular the project coordinator, Ms. Brunilda Bakshevani, for their help with the implementation of the project. The authors wish to thank Ms. Orjada Tare for having organized the meetings of the Focused Groups in Tirana, Korça, Shkodra and Vlora. This publication would not have reached the expected standard without the technical assistance of and graphs prepared by Mr. Henrik Lezi.

The authors would also like to thank the editors – Mr. Besnik Bakiu and Ms. Nita Shala – for their invaluable comments and constructive approach during the final stage of the draft. Special thanks also go to the Canadian Institute of Technology (CIT) for the technical contribution they gave to this study, and, in particular, to the CIT students that helped collect documents in various court houses throughout the country.

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## LIST OF ABBREVIATIONS

EU	European Union
GDP	General Directory of Police
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction
EUROPOL	European Police Office
SCC	Serious Crimes Court (first instance)
ICITAP	International Criminal Investigative Training Assistance Program
PHI	Public Health Institute
HCJ	High Council of Justice
MDMA	<i>3,4-methylenedioxy-methamphetamine</i> (Psychoactive type of drugs, e.g. Ecstasy)
Money Val	Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism
OSCE	Organization for Security and Cooperation in Europe
SCU	Sacra Corona Unita (Pugliese Mafia Organization)
SOCTA/OCTA	The EU Serious and Organized Crime Threat Assessment
THC	Tetrahydrocannabinol (main psychoactive element of cannabis)
UNDP	United Nations Development Program
UNODC	United Nations Office on Drugs and Crime
VoT	Victims of Trafficking

## EXECUTIVE SUMMARY

This study focuses on the organized crime activities in Albania, as well as those conducted by Albanian criminal networks in the region and beyond. The study analyses organized crime activities such as trafficking in persons, illicit drugs and arms, smuggling of migrants, extortion, contract killings, organized cybercrime and money laundering. In some cases, so as to be able to clearly identify them, comparisons were made between various criminal activities and groups, despite the difficulties encountered with resources and the method applied. Various sources are used (both primary and secondary), including national official reports, and European and international agencies fighting organized crime. In addition, 44 interviews were conducted with experts that have a direct or indirect relation with the fight against organized crime, for instance, serious crime judges, prosecutors, lawyers, investigative journalists, civil society representatives and experts of organized cyber-crime. The total duration of recorded interviews is 24 hours and 12 minutes.

Our findings and the opinions of the interviewees suggest that the elements that have stimulated organized crime in the country are of a social, economic and political nature:

- Transition from a totalitarian regime with a stringent policy on crime, to a fragile democracy with weak and unconsolidated institutions, and staff without sufficient education and/or experience;
- Chaotic situation post-1997 with the collapse of the pyramid schemes;
- Institutions that are subject to reform, with staff turnover due to changes in government;
- Lack of institutional independence, and endemic corruption in the police and law-enforcement agencies;
- Albania's favorable geographical position – with drug-producing and supplier countries such as Afghanistan and Turkey in the East, and high-consumption countries in the West;
- International nature of organized crime and the impact of globalization;
- Lack of political stability in the country for more than two decades;
- Weak economy with high levels of unemployment and insufficient earnings per capita (one of the lowest in the continent);
- Dismantling of social structures, adversely affecting the family as the nucleus;
- Continuous immigration waves, importing experiences and criminal connections obtained abroad;
- Support from members of the Albanian diaspora;
- Conflicts in the region, with 'golden opportunities' to obtain money from the trafficking of arms, smuggling activities, etc;
- Use of technology and advanced communication tools.

The reasons behind the weaknesses of law enforcement agencies in the fight against organized crime are various and include weak cooperation and lack of coordination among various agencies, unconsolidated institutions and lack of institutional independence, continuous changes of qualified staff with every change of government, problems with professional capability, problems relating to low remuneration and weak logistics, as well as lack of will, incrimination and corruption of individuals inside law enforcement agencies (the most mentioned are the state police, border police and judicial police, the later being under double dependency: administrative dependence the police and procedural dependence on the prosecution office).

Also, the reasons behind the reluctance of the Albanian society to report organized-crime activities are deemed to be closely linked with lack of trust in institutions, fear of repercussion/s (the most referred to among interviewees, although it was ranked second in importance). Important reasons include also corruption, “Leak of secrets”, lack of effective witness protection, and lack of a crime-reporting culture. The least mentioned reason was the direct link to individuals involved in organised crime (i.e. friends and family, relations/cousins).

## Typology of Albanian organized Crime

Between 1990 and 1997 Albania witnessed the emergence of hierarchical criminal structures such as armed bands,<sup>1</sup> criminal organizations<sup>2</sup> and structured criminal groups.<sup>3</sup> At first, the armed gangs appeared in various parts of the country, bands that were involved in human trafficking, the smuggling of migrants (accentuated by the self-imposed isolation of the country in the previous decades), kidnappings, extortion, and continuous rivalry due to the control of groups over particular territories. Between 1998 and 2004, the scope of their activities expanded, along with the way these groups were organized. As time went by, the trafficking of Albanian women for the purposes of prostitution decreased, and Albania transformed itself from a country of origin to a transit country for women solicited in various countries of Eastern Europe. Meanwhile, the trafficking of drugs and weapons flourished and became the number one profitable activity for these criminal organizations. In 2004-2005, a period which coincided with the end of the second stage of the evaluation and adaption of Albanian criminal groups, new forms of criminal organizations appeared. Certain criminal groups within and outside Albania start interacting in an active and constant manner in this network of criminals while maintaining the autonomy of the group.<sup>4</sup> From 2005 onwards, the criminal network was seen as the most widespread and suitable form for criminal groups to undertake various criminal activities, including the trafficking of various types of drugs, the smuggling of migrants and organised cybercrime. However, illegal activities such as the trafficking of human beings and extortion do not seem to be carried out as a criminal network.

## Geographical distribution of organized criminal activities

Experts admit that organized crime extends throughout the territory of the country, thus having a direct or indirect impact on Albanian society. Certain regional characteristics are noted, with a clear concentration in border areas. The most developed areas, such as Tirana, Durrës and Fier have a higher rate of criminal activity and a higher concentration of perpetrators due to the concentration of capital and demographic movements (drugs, light weapons and explosives, prostitution running rings, internal trafficking, extortion, etc.). The regional distribution of each

- 
1. The armed gang is a special form of cooperation that, with the possession of weapons, combat munitions and other necessary tools, seeks to commit criminal offenses. (Criminal Code, article 28/3).
  2. The criminal organization is the highest form of cooperation, which consists of three or more persons and stands out for the special degree of organization, structuring, sustainability, longevity, and the intent to commit one or more criminal offenses in order to realize material and non-material profits. (Criminal Code, article 28/1).
  3. The structured criminal group is a special form of cooperation, which consists of three or more persons for the commission of one or more criminal offenses, in order to realize material and non-material profits. The structured criminal group for the commission of a criminal offense is not formed accidentally and does not necessarily stand out for sustainable membership, division of duties, organization and developed structuring (Criminal Code, article 28/4).
  4. A criminal network shall mean a connecting system between criminals, such as any member may directly or indirectly contact another criminal and thus the network turns into a fluid structure relying on illegal standards whereby members/collaborators exchange information and services among them. For more information, see Lemieux, V (2003) “Criminal Networks”, Royal Canadian Mounted Police, 19/11/2014 <http://cpc.phippssinc.com/cplib/pdf/56312e.pdf>



activity: arms trafficking in Shkodër, Kukës and Burrel (Fushë Kruja for explosives) due to their proximity to Montenegro and Kosovo. Drug trafficking in Tirana, Durrës, Elbasan, Vlorë, Korçë, and Fier (fiscal evasion, organized stealing of oil). Smuggling of migrants in Gjirokastrë and southern areas close to Greece, such as Korçë, Pogradec and Konispol.

## **Threat assessment of organized crime in Albania**

Albanian criminal groups active in the territory of the Republic of Albania are generally made up of 3-4 members and include, mostly, the trafficking of narcotics, mainly cannabis. They also traffic other kinds of drugs such as cocaine and heroin to neighboring countries, with EU countries being the final destination. Sporadic groups are involved in arms trafficking across the borders with Montenegro and Kosovo. Extortion cases are of concern as they are not reported. Neither is the use of explosives, murders by paid assassins or murders for which the perpetrator is not found, with the aim of eliminating rivals, rebalancing the market, and control of territory. There has been an increase in conflicts between businesses which in itself has brought about the proliferation of assassinations, i.e. murders for which paid assassins are used. In addition, the number of murders using remote-controlled devices and ordinary explosives are on the rise. The majority of these murders are believed to take place over territory and competition. Extortion of businessmen is considered a real concern. Sources confirm that these cases are never reported to the Police or Prosecution Service due to the lack of trust in the justice system and the potential of repercussions/consequences. Furthermore, it is believed that organized crime invests in corrupting police officers and prosecutors. It is notable that the majority of cases that end up in court in the past few years have either been committed by single individuals, or as mere cooperation. This is a clear indicator of the low number/level of investigations. The increase in the number of extortion cases (and the fact that most businesses pay up) along with other powerful criminal organizations and assassins has brought about their sophistication. Experts warn that harsh confrontations over control of territory and businesses may be allowed to return. In certain cases, this has already been seen in the form of violent public clashes on the part of criminal organized crime, in particular in Tirana. In this context, we note efforts to rebalance markets and rivalry in the criminal world. Cooperation with criminal groups in neighboring countries, in particular Albanian groups in the EU, has strengthened them financially and made them more dangerous. The work of law-enforcement agencies is made increasingly difficult due to the application of the so-called 'code of silence', and the use of psychological rather than physical violence, or 'partnership with the victims'.

## **Threat assessment for each organized criminal activity**

### ***Hard drugs (heroin and cocaine)***

The way heroin and cocaine are trafficked in Albania is very similar. It is done by sea, road or air, primarily through conventional means of transport. There are at least three types of groups involved in trafficking hard drugs. The first group includes those that were involved from the outset in the trafficking of human beings and, as such, already have contacts with organized crime in the EU. The second group is made up of Albanian criminals recruited by organized crime in Eastern Europe (some of whom they got to know during their spell/s in prison), who subsequently made contacts locally or regionally through 'The Balkan Route'. The third group is made up of local groups led primarily by Albanians who have been involved in crime and have established contacts there. Organized crime groups dealing with the trafficking of hard drugs are more sophisticated and are thought to have established strong links with individuals within law enforcement agencies, the political elite and the judiciary.

### ***Cannabis and synthetic drugs***

Cannabis is primarily trafficked to Greece via the green border or by hiding it in trucks going through the Kapshtica or Kakavija Border Crossing points. Amounts of cannabis are also hidden in private vehicles or international transport lorries and trafficked to Italy either via ferry boat or the road system through Montenegro. There is an increasing trend of trafficking cannabis through Montenegro and Kosovo to Central and Western European countries. Other types of drugs are also produced and trafficked, such as marijuana, hashish oil, 'chocolate' and 'skunk', which is a hybrid between Cannabis Indica and Cannabis Sativa. These are used for sale but also in exchange for strong drugs. Although official statistics on the number of cannabis users are lacking in Albania, the number is believed to be high. The use of this drug is considered to be the first step towards the use of stronger drugs. Albania has reported the presence of synthetic drugs, although not in considerable amounts. Despite the lack of an internal market, amounts of amphetamine and ecstasy have been brought into the country from Serbia and Bulgaria. According to some reports, 15-18-year-olds have experimented with ecstasy secured in Tirana.

### ***Trafficking in human beings***

At the end of the 1990s, Albania was considered a 'hot spot' for the trafficking of human beings. Although there are no accurate figures as to the exact number of Albanian victims trafficked abroad, it is reported that many women and children were trafficked to Italy, Greece and other EU Member States. In addition, the country was used as a transit location for females of other nationalities who were sold, exchanged and trafficked by sea to Italy. The present situation with trafficking is different. Albania is no longer a transit country but remains a country of origin, albeit not at the levels of the past. When compared to the total population numbers in the country, the number of victims exploited within the country is a cause for concern. Females from various parts of the country are exploited sexually in premises such as villas, apartments, hotels, motels, etc. There are also reports of exploitation for prostitution of young girls known as 'luxury prostitutes'. The sexual exploitation and forced labor of women and minors rises during the summer season in coastal areas. The situation of street children who are exploited for begging purposes, and are considered potential victims of trafficking, is of great concern.

### ***Smuggling of migrants***

The preferred destinations of clandestine migrants from Albania at present are the United Kingdom (UK) and the United States (US). Unfortunately, there has been loss of life in the past year during migrants' attempts to reach the UK. Albania is being used by international smuggling networks as a transit country for nationals from Syria, Sudan, Congo and other countries. Entry into the territory of Albania is done mainly through the southern border of the country but also through Rinas International Airport. In some cases, this illicit activity has been facilitated by corrupt officials at border crossing points.

### ***Trafficking of arms***

At present, the trafficking of weapons from, through and into Albania is rendered by criminal groups of 4 to 6 members each. Albania is a country of origin for Kalashnikovs, munitions and explosives. Machine guns, Kalashnikovs, composite parts and munitions go to Montenegro, Kosovo and Italy. They also reach Austria, Germany and Nordic countries, etc. through the various bus routes between Albania, Kosovo and Montenegro. Weapons and parts of weapons are concealed in private vehicles on board ferries to Italy. Kalashnikovs and handguns (pistols) which pass in transit through Albania are trafficked to Greece through the green border and border crossing points. Arms traf-

fickers use haulage/transport companies for their own purposes by bribing and/or coercing the drivers. Handguns (pistols) and semi-automatic guns are trafficked into the country from Montenegro and Kosovo. The postal service is used for the trafficking of weapons and their parts from far-off lands. The regions that are most affected by trafficking and the illicit trade of weapons are border areas such as Shkodra, Kukës and the port city of Durrës, along with the capital. The area of Fushë-Kruja also seems to be problematic in the illicit trading of explosives.

### ***Extortion***

Extortion is not widespread in terms of numbers but it is nonetheless highly advanced. The forms used seem to be ever more sophisticated. There are two categories of criminal groups using extortion in Albania – unorganized small groups and well-organized groups. The most widespread is the predator scheme, although there are criminal groups that go for the more sophisticated form of extortion which is the ‘symbiotic’ form in some of the main cities in the country, Tirana in particular. There is an increasing trend towards extortion on the part of criminal groups against businesses, but these are not so evident as they are not reported to the authorities. Links have been noted between criminal groups and powerful businesses for the purposes of illicit gain. Businesses blackmail their competitors in exchange for money or the involvement of criminal organizations in their businesses. There has been an increase in extortion by groups of minors who copycat similar forms used by adult criminal groups. An increase in online extortion has been noted, in particular among youngsters.

### ***Contract killings***

Since 2011, there has been a sophistication of paid assassins. The most problematic category is that of ‘professional killers’. This category of assassins is gradually taking on the organized form of criminal networks, in which the role of middleman seem to be the most organized. There has been an increase in cooperation between businesses and paid assassins who are used for security by businesses or in order to eliminate their competitors. There are two types of professional killers: mobile ones, in other words individuals who are resident in an EU country, and resident killers, those who have returned to Albania. What has been noted recently is that criminal groups are recruiting teenagers whom they are grooming to commit murder, and this seems to be a new approach. The youngsters recruited come from families with a criminal past, or young offenders serving a term for offences such as stealing or pick-pocketing/burglary. The latter make contact with known criminals in prison, who are then used for threats and killings.

### ***Organized cybercrime***

Cyber organized crime is becoming increasingly sophisticated, although organized structures are not very clear. Albanian criminal groups are flexible and they can move from one type of crime to another with ease depending on the criminal activity. There is a trend towards small groups getting together based on contacts made primarily online but also through friends. They are made up of members coming from large and small cities with a mix of online and offline activities. Members of these groups are aged 18-35. A characteristic of the groups is that they set up close contacts with hackers in the region, in particular Kosovan ones. Albanian hackers have become members of forums/blogs, administered by international criminal groups, and may be subcontracted for criminal activities against banks or public institutions. There is a risk that international criminal groups that distribute pornographic material of minors online may contract pedophiles resident in Albania to produce pornographic material with Albanian minors.

## **Money laundering**

Money laundering is closely linked to organized crime. It has infiltrated and influenced the economic, political and social life of the country. The main areas where money of criminal origin is invested are the construction industry, modern processing plants, the gaming industry, mines, energy production, the oil industry (fuels), and tourist/ travel agencies, as well as in licenses and concessions from the state. The most typical ways of presenting 'dirty money' in the legal economy are through multiple transactions in secondary-level or high street banks, loans from these institutions, transfers through money transfer agencies and through the use of the identity of family members and friends. In 2014, the value of seized assets from organized crime groups and criminals was over 10 million euros. The main concern is the low number of confiscations and the revocation by higher courts of decisions in favor of confiscation, along with the low number of sanctions for this offence. The more powerful organized crime groups become through money laundering, the more crime is generated, with more illicit earnings, corruption and impunity.

### **Recommendations for a more efficient fight against organised crime**

- *Undertake a comprehensive reform – not a partial one – of the institutions that have a direct bearing on the fight against organized crime, including the Judicial Police Service;*
- *Enhance cooperation among various institutions: State Police, State Intelligence Service, the General Directorate for the Prevention of Money Laundering, and DGs Customs and Tax;*
- *Enhance professional capability through training sessions, guaranteeing stability of employment for specialists/experts, selecting individuals free of any conflict of interest and on the basis of their own merits, as well as on their moral and social integrity;*
- *Fight corruption in all segments of the justice system (Prosecution, the courts) and the Police;*
- *Provide financial support and preferential legal status to bodies fighting organized crime;*
- *Increase the number of confiscations of illicit assets seized.*
- *Establish an Investigation Directorate that would be responsible for the quality, depth and procedural side of investigations, which the experts themselves believe are weak;*
- *Limit abbreviated trial procedures/adjudications for some serious criminal offences;*
- *Revise and develop curricula on the fight against organized crime in universities so that the study of this phenomenon is not simply the prerogative of the Faculty of Law but is included in the studies of social sciences, economics and IT;*
- *Improve those parts of the curricula of the School of Magistrates, Police Academy and Military Academy that cover the fight against organized crime;*
- *Recruit to the law-enforcement agencies the most capable experts in the areas of criminology, law, psychology, statistics, IT and forensic science, etc.*
- *Increase public awareness about the risks of organized crime and the role and responsibility of each individual in the fight against this phenomenon.*

## METHODOLOGY OF THE STUDY

This research explores the phenomenon of organized crime in Albania in order to achieve a better understanding of its nature and an assessment of the threat it poses. This information may be useful for improving policies that address the problem, the work of law enforcement agencies, and efforts of other researchers in this area. From a structural standpoint, this study was organized by referring to the analysis of criminal activities in particular.

From a structural standpoint, the research study was organized by referring to the analysis of criminal activities in particular.

The format of the study is similar, structurally speaking, to Europol's periodical reports "*EU Serious and Organized Crime Threat Assessment*" (SOCTA). This form was pursued to preserve the features that characterize research studies on organized crime threat assessment in almost all countries. On the other hand, state institutions responsible for organized crime threat assessment are more familiar to this type of analytical structure. Referring to international and national reports, only the most serious and problematic illegal activities of Albanian organized crime have been reviewed.

However, compared to the SOCTA format, which is more schematic, this research study has an exploring, descriptive and analytical approach to the phenomenon of organized crime. This approach was followed in order to make the study more user friendly not only for law enforcement agencies, but also for the broader public and particularly civil society, academics researchers, students of law and social sciences as well as investigative journalists. In this context, the study uses a standard language that can be understood easily by all groups of interest. Previous studies of organized crime note the methodological difficulties and challenges related to the study of this phenomenon.<sup>5</sup> First of all, organized crime is an informal activity that minimizes the possibility for official resources and secondly, organized crime is run by individuals who are violent or financially powerful. Fear from the power of such criminal organizations limits the number of participants in the research study (interviewees), their freedom of expression, but at the same time also seriously jeopardizes the researchers of this phenomenon.<sup>6</sup> Research related to a general overview of organized crime, as this report, rely on the triangulation of all resources, relying mainly on qualitative research methods. These methods enable a direct and enhanced approach to issues with high sensitivity and scarcely researched. On the other hand, these methods have an exploring nature, thus allowing for analysis to consider social or cultural factors. Nevertheless, one of the limitations of these methods, in the context of this research, is that the limited number of interviews does not allow for predictions to rely on an extended sample of participants, as would be the case with quantitative data.<sup>7</sup>

One of the main instruments for data collection used in this research study is the use of semi-structured interview.<sup>8</sup> This instrument for data collection, because of its very nature (flexible and non-protocol), may highlight

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5. ECPR Standing Group on Organized Crime 'Methodical Challenges in Researching Organized Crime', eNews Letter vol.6, issue 1, January 2007, [http://sgocnet.org/site/wp-content/uploads/2014/05/SGOC\\_Vol6\\_1.pdf](http://sgocnet.org/site/wp-content/uploads/2014/05/SGOC_Vol6_1.pdf)

6. Read introduction by Paoli, L. and Fijnaut C (2007) në "Concepts, Patterns and Control Policies in the European Union and Beyond Series: Studies of Organized Crime, Vol. 4 Fijnaut, Cyrille, Paoli, Letizia (Eds.), p. 8-10.

7. Creswell, J (2014) 'Research Design Qualitative, Quantitative, and Mixed Methods Approaches' 4th ed. Sage.

8. See Requena Espada, Giménezsalinas Framis, A.& De La Corte Ibáñez, L. 'New Methodology For The Research On Organized Crime: The Spanish Experience' tek ECPR SGOC Newsletter volume 9, issue 3, December 2011, accessed [http://sgocnet.org/site/wp-content/uploads/2014/05/SGOC\\_Vol9\\_3.pdf](http://sgocnet.org/site/wp-content/uploads/2014/05/SGOC_Vol9_3.pdf), p. 5-7.

facts that are difficult to display through methods other than by direct contact with persons knowledgeable of this area (e.g., a legal file may only include only data that is considered evidence; for researchers, one piece of data is not necessarily classified as evidence). Based on the literature review, the questions directed at interviewees were divided into three groups: 1) general questions about the nature, factors and features that characterize Albanian organized crime; 2) specific questions related to every criminal activity; and 3) questions about recommendations that interviewees offer for a more effective fight against organized crime. One of the issues related to the use of semi-structured interviews in studying sensitive issues, such as organized crime, is the guarantee that is provided to interviewees in order for information as well as their identity remain confidential.<sup>9</sup> This fact affects the number of participants as many choose to not collaborate. This was also noticed in this study. In order to protect the integrity of interviewees and researchers, participants in the study were asked that during the interview to not mention names of persons who have not been made public by the media, who are not sentenced by court ruling and who are still under investigation.

In order to fill the void created by ethical definition as well as the very features that characterize semi-structured interviews in issues of high sensitivity, this study relied also on two primary resources such as the court's decisions of the Serious Crimes Court of First Instance and on focus groups with civil society members. The decisions of this court were selected because criminological data needed for this report are more evident in the Court of First Instance rather than that of the Appeal, which mainly focuses on the interpretation of the law.

From a methodological standpoint (research design), the study was divided into two phases: 1) preliminary research phase and 2) the phase of analyzing organized crime by focusing on specific criminal activities.

Initially, during the preliminary phase, we reviewed the literature, and national and international reports on Albanian organized crime. The literature review helped provide a general outline of the phenomenon, establish the main research question and its sub-questions, as well as the theoretical framework related to explanations as well as definition of terms (e.g. definition of a professional killer). The literature review helped to have a general overview also about forms of Albanian organized crime, the criminal activities they are most involved in and their *modus operandi*. However, it should be noted that there is very little research about the activity of Albanian organized crime in Albania and most of literature relies on data about the criminal activity of Albanian groups in the EU. Therefore, upon literature review, at this phase, a pilot focus group was conducted with experts in the area, such as serious crimes prosecutors and judges, investigative reporters, as well as experienced criminal defense layers.

This focus group guided the study toward a general geography of the criminal activities of organized crime in Albania. This focus group also helped to outline the contours of organized group structures, thus providing a general idea of every criminal activity in particular, the definitions of this research study.

During the second phase (analytical phase), we probed both criminal activities and organizational structures of criminal groups, along which these activities are conducted. Then, factors and tendencies of operational forms of criminal groups for each criminal activity were also analyzed. As mentioned above, three primary resources were used. The first source was semi-structured expert interviews. The sample selected for interviews was diverse and this selection was done in order to cover as broader overview of the issues, subject of this research, as possible. In order to avoid bias in the selection of the sample, interviewees were selected relying on referrals made by colleagues, based on their experience in the fight against organized crime (*snowballing*

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9. Creswell, J (2014) 'Research Design Qualitative, Quantitative, and Mixed Methods Approaches' 4th ed. Sage.

method). This sample included judges, defense lawyers, prosecutors, police experts, researchers, civil society representatives, investigative journalists and experts of cybercrime in Tiranë, Durrës, Lushnjë, Fier, Vlorë, Gjirokastër, Korçë and Shkodër. Based on the data of the preliminary phase, interviews were organized in such a way as to touch all of the country's main regions – North, South, Center and Southeast. This provided an overview of the phenomenon on national scale. The collection of primary data began in May 2014 through the conduct of semi-structured interviews and focus group discussions and continued until November 2014. We conducted a total of 44 interviews. Of all interviewees, 9 were female. Most of the interviews were recorded in an audio format, upon prior consent of the interviewees. As 10 interviewees chose to not be recorded, we decided to take down notes for these cases. The length of audio recordings is 24 hours and 12 minutes.

Only the researchers had the right to make use of the audio recordings, the transcripts of those and the coded list of resources. In order to guarantee the confidentiality of resources, each of the participants was assigned a special code, used to make reference to or quote their responses. Discussions with colleagues who were not directly involved in the research were also part of the research work.

The second primary resources were focused groups, which sought to solicit and include community views in the analysis of this research study. Four focus group discussions were conducted in the cities of Tiranë, Shkodër, Korçë and Vlorë, with participants from civil society, students of social sciences, journalism and law. Focus groups mainly helped to understand the social-political factors that enable organized crime to develop in the society and the reasons for the failure to report crime in the community.

The third and very important primary resources were court decisions. For this study, we analyzed 84 decisions of the Serious Crimes Court of First Instance on activities of organized crime. The decisions were selected on the basis of the nature of illegal activities of interest for the research, the frequency of criminal episodes, the number of defendants and the threat posed. The analyzed judicial decisions belong to the period 2006 – 2014, for illegal activities of drug trafficking (42 %), weapons trafficking (18 %), trafficking in human beings (17 %), smuggling of migrants (9 %), extortion (8 %) and adjudicated cases for creation of and participation in criminal organizations (6%). In total, the decisions had 3,793 pages.

Another important resource in the study of organized crime consisted of media sources. These sources helped not only with data lacking in court rulings, but also with updating information. To this end, we conducted the control, preservation and analysis of broadcast and print media reports on events related to the object of the study and that took place mainly during the period 2005 – 2014.

In the end, prior to publication, the study was subjected to the academic and technical recension of Mr. Besnik Bakiu<sup>10</sup> and Ms. Nita Shala.<sup>11</sup> The document was disseminated for feedback also to OSFA staff (not experts of the field) with experience in similar reports.

The study suffers from the lack of research about organized crime in Albania. Furthermore, the sensitive character of the subject of this study at times harmed the completeness of information provided and in certain

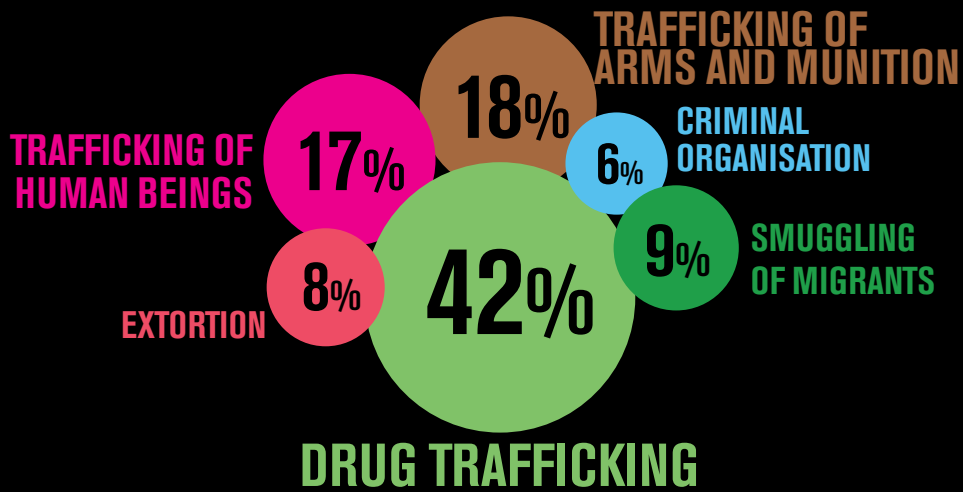
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10. Besnik Bakiu is an expert in the area of security. He has held senior positions and conducted different duties in law enforcement agencies. He is the author of several research studies in the area of security and the fight against criminality, as well as a co-author in 4 publications on different aspects of security. He was the Executive Director of the Organization of Retired Police Officers. At present, he is a lecturer in the Police Academy and the Executive Director of the Regional Center for Crime Prevention. He holds a PhD in law.

11. Nita Shala is a candidate for PhD in International law at the Graduate Institute for International and Development Studies (IHEID) in Geneva, funded by the Swiss Government. Her research interests cover guarantees for non-recurrence of serious human rights violations. She is a consultant on human rights at Albania's Permanent Mission in Geneva. She worked as a legal expert for USAID, the Anti-Corruption Office KEK in Kosovo, and the Office of the Prosecutor at the Hague Tribunal for Crimes in the Former Yugoslavia.

## DISTRIBUTION OF EXAMINED JUDICIAL DECISIONS

ACCORDING TO NATURE OF ACTIVITIES (2006-2014)



moments, as mentioned above, the will of participants to participate in the research study. Nevertheless, other studies about organized crime will be conducted in Albania in the coming years, in the context of the four-year strategy (2014-2017) of the Open Society Foundation and the concept “Challenging the culture of impunity.”



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## CHAPTER 1

# INTRODUCTION

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In the Albanian literature of the study of criminal law, organized crime has been considered *the highest level of organization of professional criminality*, and it means *the creation of different organized groups and gangs that collaborate in a regular manner for carrying out criminal offences*.<sup>12</sup> Considering the lack of a final definition of Albanian organized crime, Zhilla (2012) provides his own definition, based on the nature of organized crime ties with the world of crime and both public and private institutions. In his opinion, Albanian organized crime falls under two profiles: 1) organized crime with a low criminal profile (which includes criminal groups that deal only with genuine criminal activities) and 2) high profile organized crime. The latter has managed to create ties not only with the criminal world, but also with the country's political and economic elite. It should be noted that today, Albanian organized crime falls between these two profiles.<sup>13</sup> In terms of organization, organized crime in Albania appears increasingly more complicated and dynamic.<sup>14</sup> Under the powerful influence of various local, regional, and global factors, regional and international forms of drug trafficking, human trafficking and arms, cybercrime, as well as money laundering have developed and been perfected.<sup>15</sup> Currently, international organized crime represents a serious threat to national and international security and poses harmful repercussions to public health and security, democratic institutions and economic stability.<sup>16</sup> In Albania, in spite of different reports and debates with regard to the nature and level of spread of organized crime in the social, political and economic life, interviewed experts for this research admit the difficulty to describe this phenomenon according to a certain typology. Although not in a written form, they often refer informally to Albanian organized crime as *“organized disorganization.”*<sup>17</sup> An accurate assessment of the nature and level of organized crime in the country seems difficult, first due to the hidden nature of this phenomenon, and, moreover, due to the noticeable absence of official

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12. Elezi I, “Overview of developments in Albanian criminal legislation against organized crime in “Situation of organized crime in Albania, Kosovo, Montenegro, Macedonia and related problems,” Tirana, December 2002, p. 9

13. Zhilla F, “Judicial Corruption and Organized crime: Democratic Transformation and Prospects for Justice in the Western Balkans with case study Albania,” PhD thesis at King’s College London, unpublished, December 2012

14. The EU Serious and Organized Crime Threat Assessment, <https://www.europol.europa.eu/sites/default/files/publications/socta2013.pdf>

15. Cross-sector strategy of the fight against organized crime, illegal trafficking and terrorism, 2013-2020 and the Action Plan for 2013-2016, approved by CMD No. 663, dated 17.7.2013

16. Transnational Organized Crime: A Growing Threat to National and International Security, retrieved from <http://m.whitehouse.gov/administration/eop/nsc/transnational-crime/threat>.

17. Focus group with experts, (code 38/2), May 2014.

statistics for a long time. As a result, various assessments of the degree and nature of this highly dangerous sort of criminality have been based on personal perceptions and opinions. Nevertheless, relying on various and serious sources of information, this research study provides reliable data that enable the outline of a general overview of organized crime in the country, the conduct of constructive debate about it, and the improvement and drafting of fruitful policies for preventing and fighting it. This research aims also to encourage other researchers to elaborate further this much debated topic, in spite of the marked absence of empirical research. The research study comes in the context of the initiative of the Open Society Foundation for Albania for “Challenging the culture of Impunity” and will be followed by similar research studies in ensuing years.

The structure of the research study is organized in four main chapters. The beginning of the research study (Chapter 1) provides a general overview of the different factors that have favored and encouraged the appearance and development of organized crime in the country. The second chapter focuses on an analysis of the typology of Albanian criminal organizations, making a distinction between Albanian criminal groups present in European Union countries and criminal groups within the territory of the Republic of Albania. The third chapter contains all organized criminal activities reviewed. To make it easier, the chapter has been divided into eight separate sections, by kind of reviewed criminal activity. Namely, the first section of chapter three looks at the nature and level of drug trafficking in Albania, with a special focus on heroin, cocaine, cannabis and synthetic drugs. Trafficking in human beings and smuggling of migrants have been analyzed in the second and third sections of the chapter. The fourth section takes an intensive look at information collected about trafficking of arms and ammunition from, through and to Albania. A profound and schematic explanation of the organized criminal forms of extortion is presented in the fifth section. The recent problems with contract killings are reviewed in the sixth section. The seventh section of the research focuses on organized cybercrime. The last section looks at the activity of laundering illicit incomes from organized criminal activities. The final chapter (four) of the research study reflects the conclusions of the study and presents some specific recommendations that seek to achieve proper and concrete results in addressing organized crime in the country, relying on collected information, analyses of the above issues, and concrete proposals put forward by the interviewed experts.

## 1.1 General Overview

Different national and international reports by law enforcement agencies and independent organizations have admitted the existence of organized crime in Albania for a long time. The appearance and evolution of organized crime in the country has been encouraged and favored by factors of a social, political and economic character. On the other hand, the level of spread and development of this kind of criminality has been determined by the level of institutional and social reaction to it. According to interviewed experts, various factors have influenced the appearance of early forms of illicit activities, criminal organizations, their development and sophistication to the present day.

Thus, the beginnings of organized crime in Albania were noticed during the transition from a totalitarian system to the pluralistic one. The transition from a system of total control by the state, with very harsh criminal policy, toward a fragile democratic system was accompanied by weak institutions, with employees lacking adequate education and experience. The situation created during 1997 and the social and financial consequences caused by the collapse of the pyramid schemes were another key moment in the creation of favorable conditions for the development of organized crime in the country. On the other hand, the weakness of justice and police bodies,

caught by corruption and political interference or control led to impunity of the exponents of the organized crime world. Combined with the lack of political stability for over two decades in the country, this situation created the space and practical opportunities for the interaction, appearance, and involvement of organized crime in politics. Furthermore, the economic crisis, accompanied by high levels of unemployment and a high degree of informality favored the opportunities for recruitment by criminal organizations and their investments in the legitimate economy. The disintegration of traditional social structures, such as the family and community, has facilitated the direct or indirect involvement in organized and profitable criminal activities.

Another important factor that has made Albania an attractive country for organized crime is the geographic position between producing countries of hard drugs in the East, such as Afghanistan and Turkey, and consuming countries in the West, such as EU member countries. Conflicts in the region have also been mentioned as factors that have served to open the “trafficking routes” and the involvement of Albanian organized crime in international networks. The first continuous waves of migration, as well as the import of ‘criminal experience and ties acquired abroad’ have been deemed as decisive factors in the sophistication of organized crime. In this regard, members of the Albanian diaspora in EU countries, who have encountered difficulties with social and cultural integration in the receiving country, have been considered a contingent with minimal costs for developing organized crime inside and outside the country. The extensive use of technology and developed means of communication has facilitated and helped the modernization of organized crime. Moreover, organized crime has acquired international dimensions as a result of globalization and, as any other affected country, Albania has been no exception.

Asked about the results of Albanian law enforcement agencies in preventing and fighting organized crime, as well as the reasons that may have weakened the efficiency of their work, experts who participated in the research study mentioned as most important the low level of cooperation and coordination of work among different agencies, the lack of consolidation of institutions that always undergo reforms among qualified staff every time governments change, issues of a professional character, but also poor financial treatment both in terms of wages and available infrastructure and logistics. Corruption of certain officials, failure to punish them and the lack of will to fulfill concrete responsibilities have been mentioned by most of the interviewees as a really troubling problem. According to interviewees, corruption appears disturbing in institutions that have the primary contact with criminality in general, and organized crime in particular. With regard to judicial police officers, it is recommended to reform their status, because at present, they have dual reporting responsibilities: administratively to the police and procedurally to the prosecutor’s office. Nevertheless, corruption is considered a disturbing problem also in the ranks of the judiciary, which is proven by the fact that no judge has ever been convicted for the criminal offence of passive corruption (until the time of the conduct of interviews).<sup>18</sup> According to the interviewees, there have been about 10-12 cases of dismissed judges by decision of the High Council of Justice (HCJ), but 75% of them have been reinstated to their posts by the High Court, while the rest by the Constitutional Court. We would like to note that the judges were initially dismissed for disciplinary violations and not for the criminal offense of passive corruption, which is punishable by imprisonment. Other reasons that weaken the efficiency of the work of law enforcement agencies, and therefore the achievement of concrete results in the fight against organized crime are the lack of merit-based appointments and promotions, whereby nepotistic and political interferences

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18. The first case of the sentencing of a judge for this criminal offense was on December 18, 2014 (interviews were completed at the end of November 2014). For more information about this case, please look at: <http://www.panorama.com.al/2014/12/13/korrupsioni-denohe-me-3-5-vjet-heqje-lirie-ish-gjyqtari-pojanaku/>

are noticed. The lack of statistics and a database is also considered a significant deficiency. With regard to the reaction of the Albanian society toward organized crime, and precisely the reasons that make it hesitate to report and collaborate closely with law enforcement authorities, the interviewed experts admit that the lack of trust in institutions and fear from retaliation undermine satisfactory results that would come from a relationship of trust and cooperation. The lack of public confidence in institutions is related to high perceptions of corruption, 'sale of secrets' and lack of effective witness protection. Fear from retaliation by criminal groups and their members is ranked second by most of the respondents. This fear is related to the fact that Albania is a small territory where people may easily know one another, and therefore it is not difficult to realize who is reporting and collaborating with law enforcement bodies. Moreover, experience with dangerous and notorious gangs and organizations in the past has not yet faded away from collective memory. However, hesitation and the poor level of cooperation with the public are also explained by the lack of a culture of reporting wrongdoing. For a long time, the Albanian society relied on strong family, social, and regional ties, and so reporting to state bodies is considered 'spying' and a shame. Interviewees claimed that not much has been done to sensitize the society about the culture of reporting violations of the law, as a common value vis-à-vis the civic duty to the community and the Albanian state. It is also argued that the low number of denunciations may be explained by the inability of citizens to distinguish organized crime from street crime, which has a more direct and tangible impact on their daily lives. The least mentioned reason by interviewees in this regard has to do with the indirect ties with persons involved in organized crime (i.e. family, kin, or social ties).

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## CHAPTER 2

# TYOLOGY OF ALBANIAN CRIMINAL GROUPS

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### 2.1. Albanian criminal groups in European Union countries

Different perceptions exist on the nature, structure, interaction and other characteristics of Albanian organized crime groups. Considering the diffuse nature of organized crime, both inside and outside the territory of the Republic of Albania, there is a need to make a distinction between criminal groups consisting of Albanian citizens who operate in different European Union countries and criminal groups that are active inside the country.<sup>19</sup> Looking at information on the typology of these groups, obtained from annual Europol reports on the one hand and a considerable number of decisions by the First Instance Court for Serious Crimes (CSC) in Tirana, together with the opinions of interviewed experts on the other, it results that there are distinctions in certain aspects among *'Albanian-speaking'*<sup>20</sup> criminal groups in EU countries and those inside our country.

According to the European Union's law enforcement agency, Europol, ethnic Albanian organized crime groups initially appeared as *facilitators*<sup>21</sup> and *'service providers'*<sup>22</sup> for other organized crime groups. These homogenous groups, with a hierarchical structure, group discipline and solidarity, displayed their abilities and efficiency in the activities they were involved in, such as drug trafficking, exploitation of prostitution, smuggling of migrants and all types of crimes against property. In 2005, reports noted that *"Turkish and ethnic Albanian networks may handle a consignment of heroin one day and arrange the trafficking of human beings the day after."*<sup>23</sup> For that reason, the European Union police organization sees these groups as *'poly-criminals.'* Besides main activities, they carry out a series of other activities such as stealing, burglary, violent robbery for the purpose of assisting and facilitating main profitable activities, as well as to possess something they need without leaving traces. Whereas their involvement in trafficking of various drugs, such as heroin, cocaine, cannabis and synthetic drugs leads to

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19. Interview with prosecutors (code 18 and 32/2), May-June 2014

20. This is how Europol refers to criminal groups active in EU countries with members of Albanian nationality. See annual Europol reports for organized crime risk assessment in the European Union.

21. Europol 2004: 8

22. Europol 2005: 5

23. Ibid, 2005: 9

their being called also ‘poly-drugs.’<sup>24</sup> These groups, exploiting Albania as their operational base, have managed to smuggle 30 tons of cocaine every year, from our country toward Europe through the air.<sup>25</sup> Among other things, they stood out as extremely violent groups. Violence is used for the purpose of intimidating and controlling victims, disciplining the group and ‘leveling out’ disagreements between groups, as well as to scare law enforcement and judicial authorities. The disproportionate element of violence, present as their *modus operandi*, is so notable that a series of countries, such as the United Kingdom, Italy, Spain, Netherlands, Austria, France, Portugal, Greece, and Lithuania have consistently reported excessive violence by ethnic Albanian organized crime groups against victims of trafficking.<sup>26</sup> Many of the members of these groups are reported to have previously worked for secret services, the police or as paramilitaries.<sup>27</sup> Hierarchical organization and reliance on family ties makes them particularly difficult to infiltrate.<sup>28</sup> Nevertheless, Albanian-speaking organized crime groups, like groups of other nationalities are assuming every day the form of ‘networks,’ characterized increasingly less by ethnicity or nationality and appear with a higher capacity to act in multiple criminal areas and on an international basis.<sup>29</sup>

## 2.2. Albanian criminal groups within the country

This section focuses on studying the typology of criminal structures that remain and operate for the most part in Albania, in spite of their continuous cooperation and interaction with Albanian-speaking criminal groups operating in European Union countries. Their typology includes the structure of the group, acquaintances, and ties between members, average number of members, the presence or not of criminal records, level of armaments, use of violence, international cooperation, average age of members, education level, civil status, presence and role of women inside the groups, as well as their ways of communication. For this purpose, we studied 84 decisions of the First Instance Court for Serious Crimes, with a total of 357 defendants, adjudicated during the period 2006-2014 for the criminal offences of creation of and participation in structured criminal groups, trafficking in persons, narcotics, arms and munitions, assistance for illegal border crossing (smuggling of migrants), as well as extortion through coercion or violence to obtain assets. Also, we asked 44 participants in this research study about the profile of organized criminal groups active in the country. The participants were judges and prosecutors of serious crimes and 8 judicial districts, lawyers, police experts, and investigative journalists.

### 1990 - 1997 ‘hierarchical structure’

From the appearance of the first forms of organized crime in Albania to the present day, different persons have organized themselves in the form of armed gangs, criminal organizations and structured criminal groups with the aim of attaining illicit goals. Initially, armed gangs appeared in different districts of Albania, involved in trafficking in persons, smuggling of migrants favored by the longtime isolation of the country, abductions, extortion, and continuous rivalry for control of territory. This form of criminal organization and the fight for control of territory continued until after 1997, but then faded. This does not mean that the power of armed

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24. Europol 2011: 20

25. Europol 2005: 10

26. Ibid, 2005: 33

27. Europol 2011: 39

28. UNODC 2010: 124

29. Europol, 2013: 8

gangs weakened, but that they evolved into new forms of criminal organizations of an entrepreneurial and profit-making character.

#### **1998 - 2004**

The first contacts with neighboring countries created the opportunity for getting to know criminal characters and profitable activities, which were soon imported to Albania. Structured criminal groups, and one or two criminal organizations, appeared and began to operate throughout the territory. Thus, in 2000, there were about 60 criminal groups in Albania, which counted a total of 400 members. These groups consisted of 4-5 members. According to a report prepared by ICITAP for the Ministry of Interior, 5 or 6 of these groups were large and had 16-17 or even more members.<sup>30</sup>

The types of activities they engaged in developed and expanded together with their organization. Over time, trafficking of Albanian women and girls for the purpose of sexual exploitation saw a decrease. From a country of origin, Albania was becoming a transit country for women recruited from Eastern European countries. On the other hand, trafficking of drugs and arms flourished, turning into the most lucrative activity for these criminal organizations. Trafficking in arms reached a climax during the conflict in Kosovo and the rebellion in the former Yugoslav Republic of Macedonia, in 2001, whereby Albanian organized criminal groups trafficked arms looted from armament depots in 1997 in Albania.<sup>31</sup> Structured criminal groups initially formed as mergers of three or more persons knowing one another as childhood friends, inhabitants of the same neighborhoods or certain territory. In some groups, one could notice family and in-law relations. In general, the groups did not organize in a vertical fashion, although one could notice some kind of parity between founders and the first persons involved in the group. The hierarchical nature could be distinguished more clearly in two criminal organizations in Albania, that of Lushnje and that of Durrës, although the latter had another legal qualification. The vertical structure, authority and submission to the leader, the headquarters and discipline inside the organization, the first and second levels of representation, the high degree of violence and armaments, the economic character, sustainability and continuity of illicit activities are clearly distinguished in the criminal organization of the 'Gang of Lushnje.'<sup>32</sup> Ties among members were social and family ones. Whereas in the case of 'Gang of Durrës' which was created initially as a unification of two separate groups of the coastal city and counted about 17 members, the court deemed that their cooperation had elements of organized crime but not of a criminal organization, as the highest form of special cooperation. Among the collaborators there were organizers, executors and assistants for committing criminal offences, which were premeditated and very well planned. The level of armaments was very sophisticated and the degree of violence and retaliation very high. Nevertheless, the court did not agree that there was a clear platform of criminal activity with rules and hierarchy among collaborators. Also, the claims of the prosecutor's office for issued sentences for drug trafficking by an Italian court for gang members, as well as the statements by the justice collaborator regarding the illegal profit-making activities of the gang, mainly in the area of drug trafficking, were rejected as unproven.<sup>33</sup>

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30. International Criminal Investigation Training Assistance Program (ICITAP), Organized Crime Investigation. Internal document, prepared for the Ministry of Public Order of Albania, 7 July 2000 (cited in Gjoni. I 'Organized Crime and National Security: The Albanian Case' 2004: 21.

31. Europol: 2010: 266

32. Decisions of the Serious Crimes Court of First Instance, No. 42, dated 25.11.2010 and No. 17, dated 28.03.2011.

33. Decision of the Serious Crimes Court of First Instance, No. 1, dated 16.01.2012.

## 2005 - 2014

Around the end of the years 2004-2005, which coincides with the end of the second period of the evolution and adaptation of criminal structures, new forms of criminal organizations began to appear. Certain criminal groups, inside and outside of Albania, began to interact actively and continually in the form of *criminal networks*, while preserving group autonomy. Each of these groups and their members take upon themselves certain duties and responsibilities, without being under the guidance, control or obligation to obey the authority of a certain person. These criminal networks include financiers or orderers of the drug, who often are in destination countries of the drugs, such as Italy and Greece, the middlemen as ‘contact points’ resident in Albania, as well as other persons that the latter trust, who have taken upon themselves certain parts of the criminal activity. Concretely, someone carries out the finding of the drugs inside or outside the country and its transportation to a certain city, another takes upon himself the weighing, division, pressing or mixing and packaging the narcotic substance, and a third person secures the finding of Albanian or foreign transporters and the arrival of the drugs to the receivers. The latter may be collaborators of the ordering group, or even contacted by persons resident in Albania. As soon as the drugs arrive in destination, it is brought out of the hidden spots of the vehicle following the instructions given by telephone in a coded manner, the amount and quality is checked and in the end, it is passed on to dealers of different nationalities. When the drugs are of poor quality and are not taken fast by the market, the orderers complain to the senders and negotiate a price reduction or conduct its return. Participants in the criminal activity, which often take place in several phases, are also the money and drug couriers, who may be secured on a case-by-case basis and are not necessarily members of any of the groups. In general, the couriers are vulnerable persons, such as unemployed youth or elderly, divorced women with children, etc. The money for the purchase of the drugs may be sent by transfer agencies, but also in *cash* through money couriers. When transported in cash, as in the case of transport of amounts of drugs, it is preferred that they are divided into certain parts for two or more couriers. This dissemination avoids the possibility of complete loss of the amount of drugs or money, in case of detention and arrest of the courier by the police. For greater security, transporters are given addresses, contacts, and pertinent instructions in a fragmented and progressive manner. Such a structure, organized in the form of a criminal group, is considered by law enforcement experts to be efficient, flexible, harder to discover and attack, thus ensuring longer continuity of criminal activity. The lack of a leader or clear hierarchy not only ensures the longevity of the group and the continuity of its activity, but is also seen as an easily acceptable and liked way by Albanians, who stand out for a sense of protagonism and insubordination.<sup>34</sup> Nevertheless, some of the interviewed experts state that the poor quantity and quality of investigations are the reason for failure to identify and send to court the financiers, major suppliers, or coordinators of criminal episodes of the network.<sup>35</sup> According to a prosecutor (code: 28, June 2014), *‘criminal organizations, in order to be efficient, are organized in the form of the criminal network consisting of several groups that take upon themselves certain parts of the criminal activity. Simply put, everyone knows whom to call, where to knock to find what he needs. The organization of a criminal syndicate is not very different from the organization of a commercial company that acts in a certain market. It tries to optimize and maximize its profit and adjusts to the way the market works.’* However, the prosecutor claims that these structures are relatively stable and not so well organized. Criminal networks are created and act on the basis of pragmatic interests of the moment of the involved groups.<sup>36</sup>

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34. Interview with judges (codes 29, 35, 37) prosecutor (code 27) and lawyer (code 3), May-July, 2014.

35. Interview with judges (codes 31, 32) June, lawyer (code 3) and journalist (code 38/5) May 2014.

36. Interview with prosecutor (code 29) and judges (codes 32, 37), June-July 2014.



At present, the criminal network appears as the most appropriate and widespread form for the realization of different criminal undertakings. These include the trafficking of different types of drugs, arms, and munitions, migrant smuggling and organized cybercrime. However, illicit activities such as trafficking in human beings or extortions (fines) do not appear to be conducted in the form of criminal networks. Concretely, trafficking in persons, whether domestic or external, is conducted through the collaboration of two or three persons. Extortions (fines) appear to be conducted in the form of structured criminal groups. Contract killings are carried out by different individuals, considered amateurs, dilettantes and 'exclusive' on behalf of the group or even subcontracted by other groups of the criminal network. According to Europol and experts who participated in the research study, there is also another form of criminal undertaking. Organized robberies by Albanians are often carried out in the form of 'wondering groups.'

### ***Ties among members***

For the overwhelming majority, acquaintances between members of Albanian criminal organizations are social, created from childhood, at school or in the territory of the neighborhood/region they live in. One notices family ties, clan or in-law ties among certain members within the group, but not enough for these groups to be considered homogenous and clan-based.<sup>37</sup> Social or family ties are present in the beginnings of a criminal grouping, because of the trust they provide. Over time, the dynamics of criminal activity necessitates the creation of new ties, even with foreign citizens. Members of different networks have come to know one another also while serving sentences for previous criminal activities.

### ***Number of members***

The number of members of a criminal network consisting of two or three special groups with 3-4 members is estimated to be on average 10-12 persons. Criminal organizations have also counted more members (e.g., the Gang of Durrës had 17 members of different levels). A look at reviewed judicial rulings indicates that groups involved in drug trafficking and smuggling of migrants have the largest number of members, with 5 up to 10 members. Groups involved in trafficking of arms have on average 4 to 6 collaborators. Contract killings and trafficking in persons have the smallest number of collaborators, ranging from 1 to 3 persons.

### ***Age***

With regard to the average age of persons involved in organized crime, it appears to be 30-40 years old, at the time when criminal offences are committed. With regard to the type of criminal activity, one notices a relatively older age of persons involved in trafficking of arms and munitions, estimated at 40-50 years old. The youngest ages are present at the basic levels of trafficking of narcotics (transporters and dealers), as well recruiters of trafficking victims. Based on the review of the judicial rulings by the First Instance Court for Serious Crimes, it results that the majority of indicted persons accused of creating, leading, and participating in a criminal organization in Albania, around the years 1998-2000, were born in the 1970s. One particular tendency is noticed in drug trafficking, whereby transporters of narcotic substances are elderly persons of over 60 years, who are exploited by criminal networks because of their vulnerability and in order to lower the vigilance and suspicions of the police.

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37. For years in a row, Europol has considered Albanian-speaking organized crime groups as 'homogenous and clan-based'

### ***Criminal Records***

A review of 84 decisions by the Serious Crimes Court, with a general number of 357 indicted persons adjudicated for participation in the commission of organized criminal activities that are the subject of this research, shows that the overwhelming majority (about 90% of them) have no previous convictions. We emphasize that a considerable part of those indicted and taken before the court have not been in key roles, but have served as drug or money couriers and drug dealers, and come from vulnerable situations of unemployment and difficult economic conditions. Interviewees confirm the above and add that those with criminal precedents are usually in leading roles.<sup>38</sup> We notice that persons involved and convicted for trafficking of hard drugs, such as heroin and cocaine, after serving their sentences out of Albania have returned in the country and have started their own groups, collaborating with the criminal networks in which they participated in the past.<sup>39</sup>

### ***Education level***

With regard to the education level of persons involved in organized crime, it results that the majority of them fall under compulsory 8-year education and high school education. Also, the majority of interviewees report that in recent years, there has been a considerable increase in the number of persons with higher education and involved in organized crime. However, they add that this increase may be formal and has been seen with the liberalization of higher education in Albania.<sup>40</sup> Referring to defendants accused of participation in criminal organizations during 1998-2000, it results that the majority of them had compulsory education and the rest had high school education.

### ***Armaments***

Organized criminal groups possess personal arms for self-protection, assault, and elimination of opponents, as well as for exercising psychological pressure. Also, arms may be used for profit (e.g., trafficking and sale of arms and munitions). Compared to the past, when armed gangs, criminal organizations and groups were heavily armed and did not hesitate to use them, at present, persons involved in criminal activities possess arms, but not of a high caliber. There are mainly pistols of TT, Zastava, 'Miniblow' types, semi-automatic Scorpion arms and, in some cases, automatic arms of the Kalashnikov type. Usually, arms are discovered and seized at the time of arrest of the persons in question, during their physical search and the search of their vehicles or homes.

### ***Aggressiveness***

Unlike the public displays of extreme violence and bloody confrontations in the past between organized criminal groups in Albania, at present, we do not notice a high level of use of violence by criminal groups. Although there have been cases of the use of arms by members of criminal groups, mainly against border police in the south of the country, these are considered sporadic and may not be generalized. The evolution and adaptation of organized crime to new created circumstances that often relate to the consolidation, detecting and attacking power of law enforcement agencies, have dictated new forms of violence, such as the psychological one, or other '*modus operandi*,' that exclude the element of violence or leave it as a last resort for attaining the criminal goal. Thus, for instance, it has been noticed and it is broadly accepted that traffickers of women for purposes of sexual exploitation choose to use psychological violence instead of the physical one, as well as other forms of submission such as fraud or even forms of 'partnership with the victim,'

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38. Interview with prosecutors (codes 22, 28) and judges (codes 31, 35), June 2014.

39. Interview with judge (code 35), June 2014.

40. Interview with judges (codes 31, 34) and prosecutors (codes 22, 24), June 2014.

that include sharing profits and giving gifts to them. In cases of the systematic use of violence, trafficking victims have tried to escape exploiters by coming into contact with police and reporting traffickers, in spite of fear, threats, and real danger for their lives.<sup>41</sup> Experts also explain that lower levels of violence and confrontations between rival groups in present days are also related to the need for control of territory.<sup>42</sup> Given that the demand of the domestic market for services and products offered by organized crime is relatively low, compared to European markets of drugs and the sex industry, as a result, the efforts of criminal groups to expand and rule markets are scarcer. This explains the fact why Albanian-speaking organized crime groups in the EU are considered excessively violent and competitive in reports of the European police agency Europol. Nevertheless, interviewees add that recent developments of contract killings and explosions, aside from ‘setting scores’ may be interpreted also as an increase of interest to enter the domestic criminal market and ‘rebalance it.’<sup>43</sup>

### **Cooperation**

In their beginnings, Albanian organized crime groups that operated in European countries were very homogenous and relied on clan ties.<sup>44</sup> Although they collaborated freely with other organized crime groups, the feature of these groups was that they avoided the creation of close ties with domestic groups, choosing to remain independent both from logistical and operational standpoints.<sup>45</sup> The first collaborations of Albanian groups with foreign ones were with Italian mafia groups, and then with Turkish heroin trafficking groups. In spite of the nature of Camorra groups to not allow room for other groups, Albanian groups managed to attain some kind of autonomy in managing trafficking of drugs, exploitation of prostitution and the black market for their compatriots in Italy.<sup>46</sup> The arrival of Albanian criminal groups in Italy also brought the first example of interethnic criminal groups, which was that of Puglia criminal groups.<sup>47</sup> The first Albanian criminal groups collaborated with mafia groups of the *Sacra Corona Unita (SCU)* in the form of allowing the exploitation of a certain territory in exchange for supplies of arms and heroin by Albanian groups.<sup>48</sup> This collaboration was strengthened further toward trafficking of arms between Albanian criminal groups and those of *Ndragheta*.<sup>49</sup> Besides collaboration with Italian and Turkish groups (in heroin trafficking through the southern branch of the ‘Balkan Route’),<sup>50</sup> Albanian organized crime groups collaborated also with domestic groups of other neighboring countries, such as Greece, Macedonia, Kosovo, etc. In certain activities, for instance trafficking in human beings and exploitation of prostitution, Albanian gangs collaborated closely also with groups of countries where victims were recruited, such as the Russian Federation, Ukraine, Lithuania, Moldova, Bulgaria, Romania, etc.<sup>51</sup> In present days, criminal groups inside the territory of the Republic of Albania, dictated by the circumstances of a small domestic market and at the same time the need to maximize criminal incomes, collaborate almost inseparably and continuously with Albanian criminal

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41. Interview with judge (code 31), June 2014

42. Interview with prosecutor (code 28), June 2014

43. Interview with journalist (code 17), October 2014

44. Europol 2005: 5

45. Europol 2008: 41

46. Europol 2004: 22

47. *ibid*

48. Interview with prosecutor (code 29), June 2014

49. Europol 2011: 38

50. According to the United Nations, the “Balkan Route” begins from Iran (usually through Pakistan) and then goes through Turkey-Greece-Bulgaria and then, through the countries of the Western Balkans, onto Western Europe. See the UNDOC official website in the ‘Drug Trafficking’ section, accessed on 22/12/2014 <https://www.unodc.org/unodc/en/drug-trafficking/>

51. Europol 2005: 15

groups operating in the EU. This is seen clearly in the majority of decisions issued by the Serious Crimes Court in Tirana. Furthermore, domestic groups collaborate closely with Montenegrin, Bosnian, Serb, and Macedonian groups, without any obstacles due to geopolitical conflicts that have characterized the history of the Balkan region.<sup>52</sup> Such collaboration is clearly seen in the drug and arms trafficking. The review of decisions ruled during 2011 – 2014 by the First Instance Court for Serious Crimes, shows a tendency to involve a growing number of foreign citizens – such as Italians, Greeks, Bosnians, Croats, and other European nationalities – in the transport of narcotics from and through Albania, on behalf of Albanian organized crime groups. This tendency may be related to the economic crisis that has affected these countries, which is reflected in the vulnerable situation of convicted persons, the majority of which are unemployed and owe debts in their countries.<sup>53</sup>

### ***Role of women***

Women are present in Albanian organized crime groups, but not in any significant numbers or with significant roles. From a review of decisions issued by the Serious Crimes Court for 2006-2014 on illegal activities that are the subject of this research study, it results that out of a total number of 357 defendants, 16 of them were women (4.4%). A similar gender proportion appears also from the latest annual review of the Serious Crimes Court (8 women and 196 men were defendants in 2014, approximately 4%).<sup>54</sup> Interviewed judges of this court state that the majority of these women were involved because of intimate or family ties with members of criminal groups. They do not have main roles, but rather auxiliary ones, such as for instance transporting and hiding narcotic substances in case of arrest of the person related to them and providing a family façade to the vehicle the drug is being transported with. In trafficking in human beings, women are present in the role of responsible persons and instructors of recruited victims. They play these roles because of previous experiences as victims of trafficking, sex workers, or close ties with traffickers. Some of them engage directly in finding clients. Leaving aside drug trafficking, which represents the largest number of offences sent to court, the highest number of women involved in organized crime is seen in extortions (fines). Their role in this activity has to do with seducing the person who will be extorted and exploiting the preliminary information that she may have due to previous relations with him.

### ***Ways of communication***

Communications between members of the same criminal group and groups within a network are of research and practical interest. Information about the language used, the dialect, the coded manner and tools used for communication between them, is secured from the wiretapping of communications by investigative bodies. With regard to the tools and platforms of communications, Albanian organized crime groups use phonecalls and messages through mobile phones, communications through the Skype platform,<sup>55</sup> social networks and e-mail.<sup>56</sup> Facebook is being used more and more for getting to know, recruiting, giving instructions to and controlling of the trafficking victims. In one case, for instance, one person who was serving a sentence in one of the country's prisons managed to get to know through a social network, recruit through deceit, arrange the smuggling of the victim from Albania through Greece to Italy and profit and control the incomes from her exploitation. Social networks are also being

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52. Interview with prosecutor (code 22), June 2014

53. Interview with judge (code 31), June 2014

54. Report on the analysis of the activity of the Serious Crimes Court of First Instance for 2013, Tirana, Serious Crimes Court of First Instance

55. Europol 2011: 45

56. Interview with police experts (codes 10, 11)

used by victims themselves, pushed by traffickers, to recruit other friends or girls.<sup>57</sup> In telephone communications, it is accepted that members of criminal groups are generally careful and reserved in using names or addresses of meeting points and exchanges of illegal products. According to one interviewee in the study, *“the language they use is reserved. However, when it comes to making exchanges and there is more activity, the ones who are the more important ones try to interrupt the communication. Or, after getting to know one another and creating ties, they make their deals in meetings. There are cases also when they are not so qualified and are more relaxed and speak in concrete terms... X person wants this much or they present elements of the product to advertise it. Those who have been convicted for such activity are more reserved.”*<sup>58</sup> Although part of the persons involved in criminal activities appear to have changed their generalities several times or use fake names, they choose to use pseudonyms or nick names used in their own social networks, such as ‘nephew,’ ‘uncle,’ ‘mate,’ etc. It is also noticed that these persons possess several phone numbers at the same time and change them often. Their phone numbers are usually registered in the name of close or third persons. Often times, the coded language they use is so complicated that third persons might find it illogical and meaningless. However, they manage to understand one another just fine. Naturally, different groups use preset codes understandable only to members within the group or among other collaborating groups within the criminal network. Thus, for instance, instead of the word ‘drugs,’ code words such as ‘money’ ‘Euro/dollars’ are used and 10,000 dollars indicate 10 kilos of heroin; the code for drug courier is ‘nephew;’ for the receiver the code is ‘uncle;’ the moment of exchange is referred to as ‘when do we get a coffee;’ the police is referred to as ‘the dark ones, or there’s bushes or a storm on the way.’ When one of the group members or drug transporters is arrested, the expression ‘broke his leg’ or ‘has been hospitalized’ is used massively. In one of the cases adjudicated by the Serious Crimes Court, one notices the care demonstrated by the provider of drugs in Albania (Alb) in how the person communicates to the receiver in Italy (It) the place where the amount of 20-22 kilos of heroin is hidden in different parts of the vehicle:

*“Alb: Dismount the back door and connect the loudspeaker wires; that’s how you will hear well.*

*It: Back door and connect the wires well?*

*Alb: Yes, and install a good radio...*

*It: Are you done?*

*Alb: Number of seat is twenty... twenty two ... forty days...*

*It: Good you thought of it.*

*Alb: I was there and the room number was twenty...*

*It: Yes, number twenty.*

*Alb: Are you done?*

*It: Yeah, but I’m exhausted... I’m becoming a mechanic...”*

The wiretappings of telephone calls indicate the dialect of persons and the coded language that fits the characteristics of the areas they come from:

*“These islands we crashed into at a bay... here now about 500 thousand. Yeah, there, those bays, the little bays there, did you find sand? 1:... Well, we found large rocks and sand 2: rocks, not fine sand, rocks... 1: How far from where you left us? 2: It’s 5 minutes on foot... go to the middle bay and take a look, the one with a little sand, some foreign sand...”* and in the cases when the drugs would be sent by sea, concerns appear when the sea is rougher *“there’s a lot of sea, 5-6-7 sheets (indicating wave height) and it’s a problem to load there... let’s look at the internet for Saturday... let’s leave it for Saturday, there’s 4 indicating wave height)... things work out well as we have time to wait, 3-4 days on this side we’ll wait and the*

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57. Interview with a police expert (code 21)

58. interview with police expert (code 12)

*person...there's been (rough) seas..."*

In cases when someone mentions concrete names (usually recently recruited youths), someone draws their attention to it:

1: *"Talk to X (concrete name) once. I'm not comfortable keeping one of these.*

2: *Don't talk like that, you 'turkey'...there's a lot of echo in the phone."*

In order to avoid the possibility for information leaks and jeopardy to other collaborators in case of arrest by police, drug transporters or other members are given the relevant addresses and instructions, in a partial and progressive manner. Even in cases when transporters or other members are detained and arrested by police during the criminal act, their behavior and the information they give pursue the so-called 'code of silence,' which makes it difficult for investigation bodies to discover the origin and destination of the drugs."<sup>59</sup>

### **Threat assessment for criminal structures**

- *Albanian criminal networks consist of different groups of 3-4 members.*
- *The main illegal and most profitable activity is drug trafficking, mainly cannabis. Every group and member has responsibilities for specific tasks in securing the narcotic substance, transporting, receiving, and distributing it in the retail market.*
- *Sporadic groups are involved in trafficking in arms, munitions and explosives with Montenegro and Kosovo.*
- *Groups involved in extortion that are not reported appear very dangerous, the use of explosives, contract killings or 'un-authored' killings for elimination of opponents, 'market rebalancing,' or terror purposes.*
- *Organized robberies in countries of the European Union are conducted by 'wondering' criminal groups.*
- *Albanian criminal groups have been empowered economically and have become more dangerous, due to collaboration with groups of neighboring countries, but especially Albanian groups in the EU.*
- *There is use of the 'code of silence,' psychological versus physical violence, and forms of 'partnership with the victim.'*
- *Risks of 'return home' of the criminal contingents abroad, due to new economic opportunities in the country and the continuity of investments of criminal proceeds in already registered economic activities.*
- *Recently, experts warn of the potential for the return of harsh clashes for control of territory.*

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59. Interview with judge (code 36), June 2014

TABLE NO.1. FEATURES OF ALBANIAN CRIMINAL STRUCTURES INSIDE AND OUTSIDE THE COUNTRY

Characteristics	Criminal Groups inside the country	Criminal groups in the EU
Earlier forms <ul style="list-style-type: none"> <li>• Small regional gangs</li> <li>• Service providers &amp; facilitators</li> </ul>	✓ -	- ✓
Members Connections <ul style="list-style-type: none"> <li>• Friends</li> <li>• Family</li> </ul>	✓ ✓	✓ ✓
Territory control	✗	✓
Hierarchy structure	✗	✓
Network Structure	✓	✓
Networks with more than 10 members	✓	✓
Involvement in activities <ul style="list-style-type: none"> <li>• Poly-criminal</li> <li>• Independent</li> </ul>	✗ ✓	✓ ✗
Drugs trafficking <ul style="list-style-type: none"> <li>• Different types (poly-drugs)</li> <li>• Mainly cannabis or heroin</li> </ul>	✗ ✓	✓ ✗
Former military	✗	✓
With criminal precedents	✗	✓
Compulsory education	✓	✓
Armaments <ul style="list-style-type: none"> <li>Light</li> <li>Sophisticated</li> </ul>	✓ -	- ✓
High level of violence	-	✓
Regional/international cooperation	✓	✓
Presence/role of female	-	✓
Reserved/coded communication and use of technology	✓	✓





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## CHAPTER 3

# ORGANIZED CRIMINAL ACTIVITIES

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### 3.1. Drug trafficking

Drug trafficking by Albanian criminal groups has increased significantly since 2008. There are about 528 persons convicted by the Serious Crimes Court of First Instance during the period 2008-2013. Only in the first half of 2014, this court had an increase of 13% of cases tried for drug trafficking, compared to 2013.<sup>60</sup>

Illegal drugs pose a serious risk for health, security, well-being and financial stability of citizens, causing political and economic instability.<sup>61</sup> Demand for drugs increases the power, impunity, and violence of organized crime groups, through which they strengthen their positions in markets, protect their activities, expand their field of operations, exploit local farmers to grow and cultivate cannabis, promising profits of large amounts of money and expand collaboration with other criminal networks. Moreover, the increase in drug trafficking leads as a result to more criminality in the country and corruption among law enforcement agencies.<sup>62</sup> The Western Balkan region, of which Albania is a part, is considered a transit country for heroin and chemical precursors destined for use in Western Europe countries, and has turned into an entry gate for cocaine produced in Latin America.<sup>63</sup> Synthetic drugs, although in very small amounts, is produced in countries like Serbia and Bulgaria, and is then distributed to neighboring countries, including Albania.<sup>64</sup>

Albania, as part of the southern branch of the “Balkan Route” is used as a transit, warehousing, repackaging country for heroin originating from Afghanistan. Turkish organized criminal groups, in collaboration with Albanian criminal groups, carry out its transportation to Albania through Macedonia, to then continue to Italy by sea and by land in Greece, and to the Northern Balkans. The final destination of heroin remains Central and Western Europe and Nordic countries.<sup>65</sup> In the last two years, Albanian law enforcement agencies have confiscated an av-

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60. Look at the interview of Top Channel with Chief Justice of the Serious Crimes Court of First Instance, Sandër Simoni, on 13/06/2014, accessed on 20/09/2014, <http://top-channel.tv/lajme/artikull.php?id=279712>

61. UNODC, 2013.

62. Transnational Organized Crime: A Growing Threat to National and International Security, retrieved from <http://rn.whitehouse.gov/administration/nsc/transnational-crime/threat>

63. Strategy to Combat Transnational Organized Crime, July 2011, p. 10

64. Interview with prosecutor (code 28), June 2014

65. International Report on Customs Control Strategy 2013, U.S. Department of State

erage of 61.5 kilos of heroin per year.<sup>66</sup> Cocaine produced in Peru, Colombia, Mexico and Ecuador enters Europe through landing in the ports of Spain and the Netherlands. Considerable amounts hidden in containers target the Balkan countries through sea and land transportation. Commercial companies and international transport companies have been used to bring in different amounts of cocaine to the country through Montenegro and Macedonia. Smaller amounts are imported by mail. During the first six months of 2014, the number of cases presented to the Serious Crimes Court of First Instance regarding criminal activity in the area of hard drugs such as cocaine and heroin, increased by 200%. This fact highlights the functioning of the Albanian territory not only for transiting, but also for warehousing hard drugs.<sup>67</sup>

Recently, the country has attracted international attention as a “hot spot” for the massive cultivation and growing of cannabis sativa in different parts of the territory. Following significant Albanian State Police operations in Lazarat and Dukagjin, where about 87 tons of marijuana were seized, the next challenge for Albanian authorities remains the destruction of areas cultivated with cannabis in the mountainous areas around Krujë, Dibër, Tropojë, Berat, and the Vlorë River. Domestically, the produced cannabis is usually destined for European consumers, but also for domestic ones. Although official statistics on the use of drugs are lacking, international reports and domestic experts confirm the domestic use of marijuana by persons between 14 and 60 years of age. The tendency to use this drug in Albania has been on the rise since 2000.<sup>68</sup>

### **3.1.1. Heroin**

In 2013, the United Nations Office on Drugs and Crime (UNODC) reported a decreasing tendency of heroin in Europe. Meanwhile, although geographically part of this region, Albania presents a completely different picture of the heroin supply/demand ratio. Thus, during 2001-2012, in terms of the number of cases of seized heroin originating from Albania, the country ranks fourth globally after Afghanistan, Pakistan, and Tajikistan.<sup>69</sup> It is estimated that approximately 20-25 tons of heroin pass through Albania from Macedonia, headed for Italy (by sea) and Switzerland.<sup>70</sup> In 2014, sequestration of heroin in Albania increased by 54.8% compared to 2013.<sup>71</sup> With regard to domestic demand, besides cannabis, there is no significant use of heroin and cocaine.<sup>72</sup> As reports by international organizations note, Albania is used as an assembling and repackaging point for heroin.<sup>73</sup> Transportation of heroin through the ‘Balkan Route’<sup>74</sup> to Albania is conducted by Albanian organized criminal groups, in collaboration with Turkish wholesale groups. The assembling, repackaging and distribution is conducted by domestic groups.<sup>75</sup>

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66. European Commission Progress Reports on Albania for 2013, 2014

67. Interview with judge (code 35), June 2014

68. Interview with police expert (code 10)

69. UNODC 2013: Annex II viii

70. The Globalization of Crime: A Transnational Organized Crime Threat Assessment, UNODC 2010: 121

71. See Albanian State Police Annual Performance Review for 2014, accessed on 11/02/2015, <http://www.asp.gov.al/index.php/home-2/275-slide-show-home/6831-analiza-vjetore-e-veprimtarise-se-policise-se-shtetit-per-vitin-2014>

72. U.S. Department of State, 2013

73. OCTA 2009, 32

74. According to the United Nations, the ‘Balkan Route’ begins in Iran (usually through Pakistan), then goes through Turkey-Greece-Bulgaria, and then through the Western Balkan countries passes to Western Europe. See official website of UNODC in the section ‘Drug Trafficking,’ accessed on 22/12/2014, <https://www.unodc.org/unodc/en/drug-trafficking/>

75. OCTA 2011: 12

In 2011, Europol considers Albanian-speaking organized crime groups inside the EU as “poly-drug” and “poly-criminal”, active in the cocaine, heroin, synthetic drugs and trafficking of cannabis. However, the trafficking and distribution of heroin remains the leading illicit activity of these groups. The groups in question control the distribution of heroin in the Southeast European region.<sup>76</sup> In Greece, heroin is brought in through the land border with Albania by Albanian organized criminal groups, which control the domestic market in collaboration with Greek organized crime groups. Albanian groups are aggressive and there have been cases of exchange of fire between them and police forces.<sup>77</sup>

During the period 2000-2008, Albanians represented the highest percentage (32%) of those arrested for heroin trafficking in Italy.<sup>78</sup> Moreover, Italy reported involvement of these criminal groups in the cocaine market, which was exchanged with heroin. Experts and researchers of organized crime are of the opinion that in Italy, Albanian organized crime groups have collaborated closely with Sacra Corona Unita for their supply of cannabis, as well as for the trafficking and distribution of heroin and cocaine.<sup>79</sup> In 2005, it was estimated that Albanian-speaking organized crime groups controlled 80% of the heroin markets in Nordic countries and 40% in some EU countries. These groups, together with Turkish and African groups, operated in France and had also penetrated in the United Kingdom, although it was not known to what extent.<sup>80</sup> Also, though not in considerable amounts, there is an increase in heroin trafficking, but also in its use in Albania (see table below).<sup>81</sup>

TABLE<sup>82</sup> NO. 2

Period	Cannabis	Heroin	Cocaine
09 2013-09/2014	99 tons	61.1 kilos	23.1 kilos
09 2012- 09 2013	20 tons	61.8 kilos	3.3 kilos
01-09 2011	4728 kilos	14.45 kilos	1.6 kilos
01-10- 2010	About 6 tons	25 kilos	-----

Albania remains a transit country for hard drugs, whereby the country is a connecting point of the ‘Balkan Route’ of heroin to Europe.<sup>83</sup> Our findings match and confirm the data from international reports quoted above in this research. Thus, heroin leaving from Afghanistan is warehoused in Turkey and comes to Albania through three different directions.<sup>84</sup> The first direction is through Turkey – Bulgaria – Macedonia – Albania.<sup>85</sup> The second direction follows the itinerary Turkey – Greece – Albania. The third direction follows the route Turkey – Bulgaria – Ro-

76. OCTA 2009, p. 34

77. SOCTA 2005, 28

78. OCTA 2010, 133

79. Poda, 1998: 22

80. SOCTA, 2005

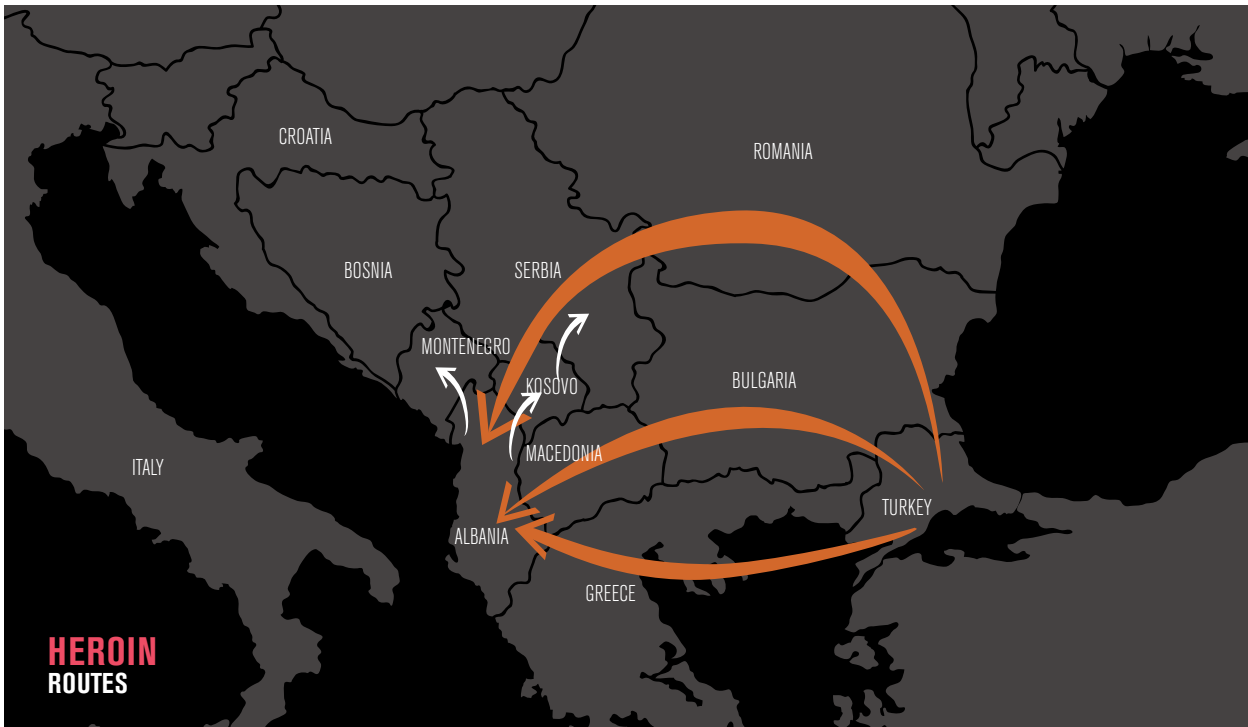
81. Data is taken from the European Commission Progress Reports for 2013 and 2014, as well as the U.S. Department of State for Albania in 2013

82. We note that according to at least one interviewed expert, the quantity of heroin seized by Albanian authorities in 2010 is larger than that in the table, about 85 kilos, and until October, the seized amount for 2014 is 20 kilos. Interview with police expert (code 10), October 2014.

83. Interview with prosecutor (code 23), June 2014

84. Interview with lawyer (code 3), June 2014

85. Interview with lawyer (code 2), July 2014



mania – Serbia – Albania.<sup>86</sup> Upon arrival in Albania, a small amount of the heroin is for domestic consumption while the rest is trafficked to Europe through Italy, but also Greece. Recently, we notice movement of the heroin trafficking also through the Albania – Montenegro – Kosovo and Serbia route. It is noticed that the “Balkan Route” has assumed a significant role. Criminal groups in heroin trafficking are increasingly using this route, whereby the Albania – Kosovo – Macedonia – Montenegro circle is assuming a primary role.

Another opinion of interviewed experts is that the “Balkan Route” is only one, that through Turkey – Macedonia – Serbia – Croatia, from which then passes in Central and in other countries of the Western Balkans. The network warehouses part of the drugs in Macedonia and then is trafficked by Albanian groups to Italy and Greece through Albania.<sup>87</sup> The main cities through which hard drugs is transported from Albania to Italy are Vlorë and Durrës. The trafficking of heroin to Greece is mainly conducted from the cities of Korçë and Gjirokastër, through the Kapshticë and Kakavijë borders. Another city being used for the trafficking of hard drugs is that of Sarandë, from where drugs are trafficked via Corfu.<sup>88</sup> Heroin for domestic use is secured by the cities of Elbasan and Durrës.<sup>89</sup> It is noticed that for the processing of heroin and cocaine, labs are being built by Albanian criminal groups in Kosovo and Albania.<sup>90</sup> On the other hand, criminal groups that mainly deal with trafficking of cannabis often

86. Interview with prosecutor (code 22), June 2014

87. interview with prosecutor (code 29), June 2014

88. Koromani A “Drug Map, 6 border crossings; these are the trafficking routes,” 28/11/2014, Balkanweb, accessed on 05/12/2014, <http://www.balkanweb.com/site/harta-e-droges-6-pika-kufitare-ja-rruget-e-trafikut/>

89. Interview with reporter (code 46), November 2014

90. Interview with prosecutor (code 25), July 2014

trade heroin acquired through the exchange in Turkey with pressed hashish, or in the form of oil.<sup>91</sup> Price depends on quality.<sup>92</sup> Pure cocaine goes up to 10,000 Lekë per dose, while heroin in 0.33 gr doses goes approximately up to 2,000 – 5,000 Lekë. One kilo of heroin or cocaine varies 20,000 – 25,000 up to 50,000 Euros.<sup>93</sup> In general, both cocaine and heroin are mixed to add them, with products such as paracetamol, acetone, diacetylmorphine, monoacetylmorphine, and caffeine.<sup>94</sup> Mixers are usually obtained in Germany.

### Forms of trafficking

The forms of trafficking of heroin and cocaine (hard drugs) are very similar to one another. Trafficking is conducted by sea and by land, mainly through conventional means of transport. However, it is suspected that after 2009, hard drugs have been transported also by air, through private planes, exploiting the military infrastructure, mainly from the Gjadër airport.<sup>95</sup>

There are at least three typologies of criminal groups involved in the trafficking of hard drugs. The first groups are those that initially dealt with trafficking in human beings and established ties with the criminal market in Europe. These groups preserved old ties and exploited them afterwards for the trafficking of hard drugs. The second group includes those criminal groups that consist of Albanians who were recruited by criminal groups in Europe (especially through acquaintances in prisons). Afterwards, this criminal contingent managed to create ‘extensions’ that are included in the international criminal network through the “Balkan Route” by exploiting their ties in Albania. The third group includes local groups that are mainly guided by Albanians with criminal precedents both in Europe and in Albania, who have returned and have renewed their previous ties there. These groups consist mainly of young ages. This is seen as a tendency of the last two years.<sup>96</sup>

### Structure of groups

The structure of criminal groups trafficking hard drugs is horizontal, with one leader, but not a leading structure. The organizational form is more like that of a criminal network than of a well-organized group. The tasks and responsibilities are divided equally. In this context, ‘someone is responsible for trafficking narcotics, someone is responsible for collecting the substance, someone is responsible about transport, and another about distribution to destination.’<sup>97</sup> This form of organization makes networks of trafficking hard drugs in Albania characterized by lack of proper structuring or hierarchical ways of functioning. On the other hand, this kind of organization makes it more difficult to tackle the organization or even the criminal network from the roots, because if some-

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91. Interview with reporter (code 38/5), May 2014

92. Interview with prosecutor (code 24), June 2014

93. Interview with prosecutor (code 25), July 2014

94. See decision no. 71, 2007, Serious Crimes Court of First Instance.

95. According to MP Felaj, Chair of the Parliamentary Committee of Inquiry on this issue “846 permits were issued for 2009, 798 permits were issued for 2010, 706 permits were issued for 2011, 744 permits were issued for 2012, 650 permits were issued for 2013... and during the period November 18, 2013 – April 2014, the number of privately-requested flights was only 36. Read Albanian News Agency ‘Drug trafficking, Felaj presents conclusions: ‘It was conducted when the DP was in office, by plane, from Gjadër,’ accessed on 22/12/2014, <http://www.albpress.org/2014/05/31/trafik-i-droges-felaj-paraqet-konkluzionet-eshte-kryer-ne-kohen-e-pd-me-avion-nga-gjadri/> In May 2014, a sports plane fell into the Divjakë beach, suspected of being part of an international narcotics trafficking network from Albania to Italy. More about the operation, look at Ora News ‘Plane falls in Divjakë, trafficking by air discovered,’ 10/05/2014, accessed on 24/09/2014, <http://www.oranews.tv/vendi/divjake-bllokohet-nje-avion-dyshohet-se-transportonte-droge/>

96. Interview with judge (code 35), June 2014

97. Interview with prosecutor (code 29), June 2014

one is tackled, the other group member assumes charge, since they are almost equal at the leadership level. In the case of the criminal network, if one of the links is attacked (e.g., collectors), the rest of the mechanism continues to function independently.<sup>98</sup>

Another aspect that makes it harder to attack these groups is that the leadership of the organization is done in a fluid manner. In general, the head of the group guides the activity while being on the move and staying for brief periods in the country or territory where the drug is traded. In many cases, the so-called ‘closed networks’ of heroin (i.e., those controlled by one criminal organization from purchase point to sale) from Turkey (the country of purchase) to Italy (the country of sale) the organizers ran the activity from Albania. This type of leading structure makes it difficult for law enforcement agencies to find a causal relationship between the organizers of the network and the sellers of heroin.<sup>99</sup>

On the other hand, in the last five years, it is noticed that Albanian groups have been involved in international trafficking networks of heroin, but also of cocaine. As a result, Albanian groups no longer rely solely on family or social ties, but also create ties with other members and foreign citizens. Already, the makeup of criminal networks run by Albanians is mixed between Albanians and individuals of foreign nationality, especially from countries where trafficking routes for heroin and cocaine cross, such as Ecuador, Mexico, United Kingdom, Germany, Greece, Italy, Spain, Turkey, and Kosovo.<sup>100</sup>

**TABLE NO. 3**

Factors that make tackling them difficult	
1	Organizational form without a clear leadership structure
2	Links of the network function independently
3	Head of the organization is always on the move
4	Albanian groups are mixing with foreigners

Thus, a typical structure of an Albanian criminal network that has had ties with the international trafficking of heroin from Turkey to Italy, through Albania, consisted of organizers, orderers (who are organizers) of the substance in Turkey, a supplier in Turkey (Turkish citizen), orderer of the substance in Italy, receiver of the substance in Albania and Italy, traders of the substance in Italy (5 Albanians), some collaborators who help with receiving, warehousing, and mixing the substance and some couriers from Albania to Italy or from Germany to Italy (generally foreign citizens).<sup>101</sup>

From 2006,<sup>102</sup> we see that heroin trafficking groups have a tendency to engage in criminal networks whereby every mechanism functions independently. In one such network attacked around 2009-2011, the structure consisted of an Albanian supplier in Fier city, two organizers (one Albanian and one Romanian) and two transporters

98. Interview with prosecutor (code 28), June 2014

99. Interview with reporter (code 17), October 2014

100. Interview with judge (code 35), June 2014

101. See decision no. 71, 2007 of the Serious Crimes Court of First Instance

102. See decision no. 47, 2006 of the Serious Crimes Court of First Instance



(an elderly German couple who pretended to be traders of old paintings).<sup>103</sup> A different structure from the above consisted of two persons who secured the funding as well as the sending of heroin from Albania to Italy. Transportation was completed by a third person. Distribution in Italy was done by different persons, appointed by the three other collaborators (inhabitants of the same city as the organizers, Durrës).<sup>104</sup>

Albanian groups do not agree to be led by foreign groups. They strive to operate in an independent way. Albanian groups are groups that pose a high level of risk to society because, when their interests are violated, they become very violent and go as far as physical eliminations of opponents.<sup>105</sup> Communication between group members, but also with other collaborators of the criminal network, when it lies in several countries, is done not only by telephone, but also through Skype and social networks (especially Facebook). However, in recent years, there is a decline in heroin trafficking through Albania. There is a growing tendency to avoid Albania as much as possible. It is also noticed that there is a preference for trafficking heroin through Kosovo, to Albania, and from there to Italy and Greece.

### Characteristics

One characteristic of criminal groups engaged in trafficking of hard drugs is that they, unlike criminal groups dealing with source drugs (cannabis sativa), are more organized and with richer criminal experience, inside and outside the country. These groups have strong ties both with the domestic market and with the international

103. See decision no. 14, 2010 of the Serious Crimes Court of First Instance

104. See decision no. 45, 2011 of the Serious Crimes Court of First Instance

105. Interview with police expert (code 10), October 2014

one.<sup>106</sup> On the other hand, these groups are more difficult for law enforcement agencies to trace. The members of these criminal groups abide by the “code of silence” and do not collaborate with law enforcement agencies.<sup>107</sup> Another characteristic of criminal groups dealing with trafficking of hard drugs is that they try to establish sustainable ties with corrupt individuals within the ranks of police, prosecutors, and the judiciary.<sup>108</sup> They have inside information for police moves, thus securing free routes for trafficking. On the other hand, this information gives them the opportunity to neutralize police operations. It is thought that powerful criminal groups invest in appointing heads of police stations. When they cannot do that, they offer them sizable amounts of money or real estate in exchange for information related to operations on them.<sup>109</sup> In general, criminal groups operating in the districts of Fier, Durrës, and Tiranë are thought to be the ones with the strongest ties to law enforcement agencies.<sup>110</sup>

In the last five years, we note an involvement of women mainly in the roles of collaborators and couriers. In general, these women have been exploited before in prostitution and then have created close ties with one of the criminal group members.<sup>111</sup> Otherwise, they are divorced women with children and in poor economic situations. This category of women comes from those who have been victims of trafficking or former drug users in the past.<sup>112</sup> With regard to transportation, there are individuals who are known and do this as a profession (couriers). They carry out transport according to requests and destination, for a certain payment. One characteristic of criminal groups of hard drugs is that they use as ‘transporters’ persons in very difficult economic and family conditions. This is because they have minimal costs and draw less police attention because of the poor life they lead (usually traffickers of hard drugs lead luxurious lives). In terms of age, traffickers choose mainly very young ages, but also elderly people, 65-70 years old. These age groups are chosen to avoid attention from law enforcement agencies. There are cases when juveniles and disabled persons (paraplegics) have been manipulated or misused.<sup>113</sup>

Heroin trafficking has pointed out also one paradox with regard to border control. Cases of outgoing heroin seizures are more than incoming ones. According to a prosecutor interviewed for this research, there are three reasons why there is a decline in trafficking of heroin in Albania:<sup>114</sup>

*“...first, there is a decline in the efficiency of investigations in this regard; groups engaged in heroin trafficking are very well organized and there may even be elements of corruption among the public administration... We always talk about police, elements from whose ranks may have facilitated the realization of such trafficking. Second, we may also have the problem of diversification of trafficking routes by Albanian groups, which have found more favorable routes for trafficking the narcotic substance. Third, there may be a shift in the interests of Albanian groups from heroin trafficking to trafficking of hashish...”*

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106. Interview with judge (code 35), June 2014

107. Interview with judge (code 36) June 2014

108. Interview with lawyer (code 3), July 2014

109. Interview with reporter (code 46), November 2014

110. Interview with reporter (code 17), October 2014

111. See decision no. 3, 2008 of the Serious Crimes Court of First Instance

112. Interview with prosecutor (code 28), June 2014

113. Interview with judge (code 32), June 2014

114. Interview with prosecutor (code 28), June 2014



### 3.1.2. Cocaine

Cocaine is produced in countries of Latin America, such as Colombia, Bolivia and Peru. It is transported to Europe by Columbian narco-cartels through Spain (often through Morocco), the Netherlands, Belgium and Albania.<sup>115</sup> The possibility of using the Albanian territory for transiting cocaine, as a crossroads for cocaine and heroin trafficking in the ‘Balkan Route,’ is admitted also by the United Nations Office on Drugs and Crime.<sup>116</sup> Moreover, the country is not only used as an entry point for cocaine toward Europe, but also as a warehouse, until full distribution in EU countries. The quantity of cocaine transported through our country by air was estimated to be about 30 tons per year.<sup>117</sup> Limited quantities of it are destined for countries of Central and Eastern Europe.<sup>118</sup> The interest of Albanian organized criminal groups to engage in cocaine trafficking is high. This is proven also by their presence alongside Turkish groups in cocaine trafficking, at the Port of Constantza.<sup>119</sup> According to SOCTA 2009, it is noticed a seeming involvement and greater shift of Albanian-speaking criminal groups from heroin trafficking to cocaine trafficking.<sup>120</sup> This may be explained with the general declining tendency of the demand for heroin in Europe. In Italy, Albanian drug trafficking groups have engaged in the retail sale and import of small amounts of cocaine. These groups represented 9% (1,137 persons) of the general number of persons arrested for cocaine trafficking in 2008.<sup>121</sup>

Recently, it is noticed that Albanian criminal groups have assumed leading roles in international cocaine trafficking in the EU. On December 16, 2014, Italian police arrested Bledar Pajana, suspected as the leader of one of the main criminal groups for the distribution of cocaine in Western Europe, importing about 200 kilos of cocaine per month. Pajana’s group brought cocaine from South America through Lisbon and Madrid, and then distributed it in North Italy.<sup>122</sup>

#### Routes of cocaine trafficking

Different research studies speak about Albanian cocaine traffickers at the port of Vlorë and the city of Fier, who process the drug arrived in Albania from Ecuador and Colombia through Montenegro, and then smuggle it by ship toward EU member countries. Looking the seized part of cocaine in Greece, the mode of transportation is conducted by land through the Albanian-Greek border, using private vehicles or trucks.<sup>123</sup>

There are three routes through which cocaine passes in Albania. The main route is cocaine originating from Latin America. It comes mainly headed for Albania from the ports of Spain and the Netherlands. Cocaine quantities, upon arrival in our country, are warehoused and processed (chemical precursors are added) to then move again to Europe. Recently, it is noticed that Albanian criminal groups have established direct ties with cocaine trafficking cartels in Peru, Ecuador, Colombia and Mexico. The second route is cocaine originating from EU countries, which comes in small quantities and is mainly for domestic use. The third route is cocaine coming from the

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115. Europol 2005: 6

116. UNODC 2013: 44

117. Europol 2005: 10

118. UNODC 2013: 44

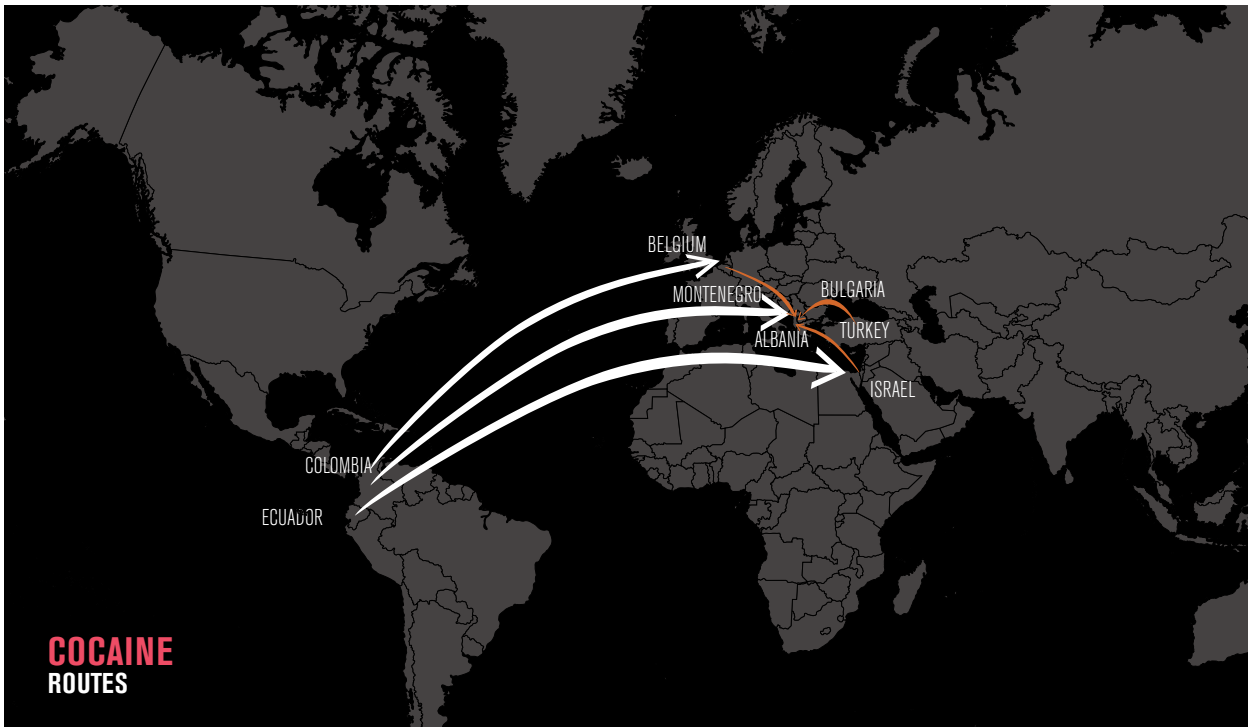
119. SOCTA 2009: 16

120. *ibid*: 30

121. SOCTA 2010: 110

122. Shekulli newspaper “Albanian Messi arrested,” gained 100 million Euro annually from cocaine,” 20/12/2014, accessed on 22/12/2014, <http://www.shekulli.com.al/web/p.php?id=63060&kat=95>

123. Panos A. Kostakos & Georgios A. Antonopoulos (2010): The ‘good,’ the ‘bad,’ and the ‘Charlie:’ the business of cocaine smuggling in Greece, *Global Crime*, 11:1, 34-57



same routes that heroin follows. In general, this quantity of cocaine comes through the Turkey-Macedonia-Kosovo-Albania line.<sup>124</sup> Albanian groups of cocaine trafficking are active in Italy, Spain, Belgium, Netherlands and Great Britain.<sup>125</sup> Cocaine and heroin trafficking groups have increased their processing capacities, establishing laboratories for mixing the drugs, but also recruiting experts of the field (chemists). These elements indicate that Albanian groups have perfected themselves and have created direct ties with the main sources in Latin America. It is thought that one of the main points of cocaine distribution in the Northern Balkans is run by Albanians of Montenegro. One quantity of cocaine comes directly from the connection established by ethnic Albanians of Albania living in Ecuador.<sup>126</sup> In one of the 2012 case of cocaine trafficking, the transport route to Albania began from Colombia (Port of Santa Marta) – Port of Antwerp (Belgium) – Luxembourg – Germany – Austria – Croatia – Serbia – Macedonia – (Qafë Thanë) Albania.<sup>127</sup> In January 2015, nine persons accused of cocaine trafficking were arrested in the Xibrakë village of Elbasan. It is thought that this is the largest laboratory in the region. The laboratory had been established inside a plant rented in November 2014.<sup>128</sup> This criminal group, which is suspected to be structured and with separate roles, had employed two Colombians who worked on processing the cocaine, turning it into pure powder and then conducted the mixing with chemical elements. The cocaine is

124. Interview with judge (code 35), June 2014

125. Interview with prosecutor (code 22), June 2014

126. Interview with reporter (code 18), October 2014

127. See Decision no. 73, 2012, of the Serious Crimes Court of First Instance

128. Panorama newspaper 'Cocaine lab, rent contract from November 2014, Document signed after Colombians began work,' Panorama newspaper, 26/01/2015, accessed at <http://www.panorama.com.al/2015/01/26/laboratori-i-kokaines-kontrata-e-qirase-ne-nentor-2014-dokumenti-u-firmos-pasi-filluan-pune-dy-kolumbianet>

suspected to come from two directions. The first direction was by container from Ecuador to Israel, and then to Albania at the Durrës Port. It is thought that one quantity came by land, on the Turkey-Bulgaria-Macedonia and Albania line.<sup>129</sup> Then the cocaine was trafficked to Germany and a small amount went to the domestic market.<sup>130</sup>

### Ways of transport

It is noticed that in the last five years, there is an increase in the transport of cocaine in large quantities through Albania to the EU, with our country serving not only as a transit country, but also as a warehousing and processing place.<sup>131</sup> In 2011, Europol, in cooperation with Spanish, Belgian, and Greek authorities arrested 22 persons accused of trafficking at least 200 kilos of cocaine and 160 kilos of hashish.<sup>132</sup> As was mentioned above, in June 2014, Montenegrin authorities seized about 250 kilos of cocaine, worth about 12.5 million Euros, the destination of which was Albania. As mentioned above in January 2015, Albanian police seized in Xibrakë, Elbasan, cocaine worth 10 million Euro.<sup>133</sup> Elements of these events show that now Albanian organized crime is directly involved in trafficking cocaine to the EU and Albania is assuming an important role in this network. It is noticed that Albanian groups now order the drugs and not only manage its transportation, but also financial transactions, penetrating second-level banks in some countries of the Balkans, but also using as couriers individuals of foreign nationality. After the seizure of cocaine in Montenegro as well as in Xibrakë of Elbasan, Albanian police arrested Colombian citizens, some of whom as middlemen to conduct the financial transaction (the Montenegro case) and others as experts in mixing and preparing cocaine in the laboratory (Xibrakë case).

Also, on June 12, 2014, Albanian police, in collaboration with Kosovo authorities, managed to strike two important bases for warehousing and processing hard drugs. Based on the profile of the group managing the drug base in Albania, (Fushë Kuqe, Kurbin), it is noticed that in general, Albanian groups dealing with cocaine trafficking and that have established laboratories, have previous criminal records in the area of trafficking in human beings in different EU countries.<sup>134</sup> Thanks to their ties, they are involved in trafficking networks of hard drugs. Recently, they have managed to establish their drug bases and create their own organized groups in Albania.<sup>135</sup> Forms of transport of cocaine depend on quantities. In general, large amounts have arrived through sea transport from Montenegro, and in Albania through the Port of Durrës. By land, they mainly come from Greece. Albanian groups are engaged in transporting pure cocaine, but also processed cocaine hidden in palm oil, originating from Colombia, or in clothes originating from Ecuador. Cocaine in small amounts has come to Albania through mail packages or hidden in banana boxes. There have been cases when persons have been arrested at the Albanian border for hiding small quantities of cocaine in their bodies.

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129. Mapo newspaper 'Routes of bringing cocaine to Albania,' Mapo newspaper, 23/01/2015, accessed at <http://www.mapo.al/2015/01/rrugjet-siu-soll-kokaina-ne-shqiperi/>

130. Panorama newspaper "Drug lab; prosecutors take case to court. Roles of the arrested, Hyseni contacted buyers, Ermal Hoxha was the financier," Panorama newspaper, 16/01/2015, accessed at <http://www.panorama.com.al/2015/01/16/laboratori-i-droges-zbulohen-rolet-e-te-arrestuarve-hyseni-kontaktonte-bleresit-hoxha-ishte-financuesi-te-tjeret-ishin-korriere/>

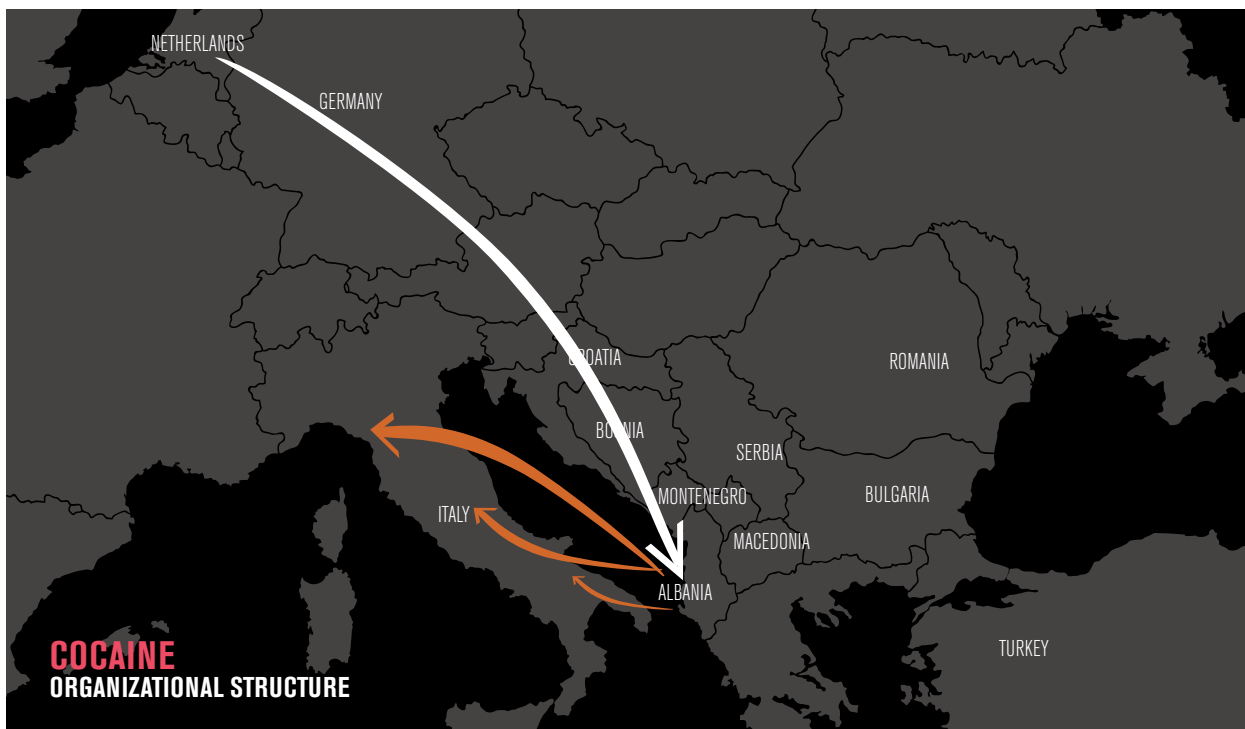
131. Interview with prosecutor (code28), June 2014

132. Zhilla F (2012) 'Fatal Attraction: Foreign Criminal Networks in Albania,' Jane's Intelligence Review, March 2012

133. Independent Balkan news Agency '10 million Euros worth of cocaine discovered in Albania, former dictator Enver Hoxha's nephew arrested 15/01/2015, accessed 30/01/2015 <http://www.balkan.eu.com/10-million-euros-worth-cocaine-discovered-albania-dictator-enver-hoxhas-nephew-arrested/#sthash.pADHU8Bi.dpuf>

134. Zhilla F. (2014) 'High Price: Albanian's trade in illegal drugs and arms,' Jane's Intelligence Review, August 2014

135. Panorama newspaper (2014) "Cocaine laboratory discovered in the luxury villa of former police officer Gëzim Çela in Laç," 13/06/2014, accessed on 10/12/2014 <http://www.panorama.com.al/2014/06/13/zbulohet-laboratori-i-kokaines-ne-vilen-luksoze-te-ish-policit-gezim-cela-ne-lac/>



### Structure of groups

Criminal groups operating inside the country and trading cocaine in small quantities are believed to secure it in the city of Durrës. On the other hand, there is a tendency of criminal groups inside the country, especially in Tiranë, to deal with trading cocaine, combining it with the exploitation of females for prostitution purposes.

The structure of functioning of Albanian criminal groups dealing with cocaine trafficking are similar to heroin criminal groups. The same groups often carry out trafficking of heroin but also of cocaine. A typical structure of an Albanian group convicted in 2009, which trafficked considerable amounts of cocaine to Italy, but also in Albania and Greece, consisted of the leader, who purchased the cocaine in the Netherlands and Germany, two receivers in Italy (Kosovo citizens), some dealers in Italy, some couriers to send the drug to city of Pogradec, which from there was sent on to Greece through a Greek courier. The group convicted in Albania consisted of 6 Albanian citizens living in cities of Elbasan, Pogradec and Tiranë.<sup>136</sup> It is suspected that presently there are well organized groups for cocaine trafficking, which are run by Albanians living in EU countries or in cocaine origin countries, such as Ecuador or Colombia but who operate in Albania. It is thought that these groups have a membership of over 20 members. Members of these groups with leading roles are those who have worked in important state institutions, such as the National Guard, or are businessmen.<sup>137</sup>

136. See decision no. 45, 2009 of the Serious Crimes Court of First Instance

137. Mulla, M (2014), 'Tirana, former guard officer and businessman caught exchanging 1 kilo of cocaine,' Shqiptarja.com 31/01/2014, accessed on 08/12/2014 <http://shqiptarja.com/aktualitet/2731/tirane-sekuestrohet-1-kg-kokaine-ne-pranga-1-biznesmen-dhe-1-ish-gardist-198611.html>

TABLE NO. 4

CHARACTERISTICS	
1	Organized
2	Have sophisticated criminal experience, inside and outside the country
3	Have strong ties both with the domestic market and the international one
4	Harder for law enforcement agencies to notice
5	Abide by the 'code of silence' and do not collaborate with law enforcement agencies
6	Create sustainable ties with corrupt individuals within police, prosecutor's office, and judiciary
7	Manage not only trafficking of drugs but also financial operations
8	Have ties with second-level banks in the region
9	Exploit persons in very difficult economic and family conditions as 'transporters'

### Threat assessment for hard drugs

- *Criminal groups dealing with trafficking of hard drugs are more sophisticated and are suspected to have established sustainable ties with corrupt individuals within law enforcement agencies, the political elite, and the judiciary.*
- *It is noticed that criminal groups dealing with cocaine trafficking have managed to run not only the trafficking of drugs, but also relations with financial institutions.*
- *It is believed that there are criminal organizations with a considerable number of members, over 20, who have been officials in state institutions.*
- *Albania remains a transit country for hard drugs, generally serving as a connecting link in the 'Balkan Route' to Europe.*
- *Trafficking through the 'Balkan Route' goes through different directions.*
- *There is an intensification of heroin trafficking in the Albania-Kosovo-Macedonia-Montenegro route.*
- *Albanian groups have increased processing capacities for heroin and cocaine, through laboratories and the hiring of domestic and foreign experts of the area.*
- *It is noticed that Albanian criminal groups have established direct contacts with countries of origin in Latin America for cocaine trading.*
- *There are about three different typologies of organized criminal groups in trafficking of hard drugs and the tendency is moving toward vertical structures and criminal networks.*
- *It is noticed that criminal groups are being run by individuals with criminal precedents, with a previous criminal career in EU countries.*
- *The role of women in criminal groups of trafficking of hard drugs has increased.*
- *Criminal groups are involving persons with acute economic and social problems as couriers.*
- *There is an increasing tendency of local criminal groups to combine the exploitation of women for prostitution with cocaine trade.*

### **3.1.3. Cannabis**

According to the United Nations Office on Drugs and Crime, cannabis remains the most widely used illegal substance.<sup>138</sup> To date, cannabis is the most seized drug in Europe and that is evidence to the massive use of this substance.<sup>139</sup> In Albania too, quantities of seized cannabis produced in the country and the domestic consumption of marijuana are reported to have increased annually. Maybe the high consumption of cannabis relies on the general erroneous concept that cannabis is a harmless and socially acceptable substance in relaxing and entertaining contexts.<sup>140</sup> Also, the great availability and the ease with which it can be found on the market may play a role in its massive use. The cannabis plant can be cultivated in open premises, in places with a favorable climate and in closed premises.<sup>141</sup> These factors have made the production and trafficking of cannabis to become more and more attractive to organized crime recently, with organized crime groups seeking to expand and control the great European drug market.<sup>142</sup>

#### **Beginnings**

The cultivation of the cannabis plant in our country began for the first time in 1992. About 15 plots of land of cannabis first appeared in the south of the country, in the villages near the border with Greece. In 1993, cannabis-cultivated premises were over 50 and by 1994 there were hundreds.<sup>143</sup> In the absence of domestic legislation against the production and trafficking of drugs, farmers in the area of Konispol and the villages of Sarandë cultivated cannabis, which was then transported to Greece. Arrests of different persons in Greece, transporters of cannabis produced domestically, were the first signs of the appearance of a new criminal activity.<sup>144</sup> Within the timespan of one year, plots planted with cannabis spread to other areas of the country, turning into a phenomenon that forced the Albanian authorities to pass during 1994-1995 the first laws on the sequestration of means of transport of narcotic substances and the control of their distribution.<sup>145</sup> The weakness of institutions to control and guarantee the enforcement of laws led to the cultivation and growing of cannabis to take place alongside other criminal activities. Until 1997, it is estimated that about 25 tons of marijuana were trafficked from Albania to Greece.<sup>146</sup> During this period, in spite of the very unfavorable or fertile terrain and the lack of water supply, the cultivation of cannabis was taking place in the village of Lazarat organized by persons involved in extortion and robbery of vehicles going through the Gjirokastër-Kakavijë road segment. Due to criminal precedents, these persons were isolated inside this country and the culture of impunity began to prevail. For amounts of money given in advance during the months of February and March, farmers of the Vlorë River area also cultivated cannabis on behalf of organized criminal groups linked with boat owners who conducted the transportation of the narcotic substances toward Italy. This area was problematic until 2004-2005. It is suspected that the organizers and financers of these illegal activities enjoyed political support.

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138. World Drug Report, executive summary, xi, UNODC, 2013

139. European Drug Report, 2013: 14

140. Europol 2005: 31

141. Europol 2011: 18

142. Europol and EMCDDA 2013: 64

143. Hajdinjak, M. 'Smuggling in Southeast Europe: The Yugoslav wars and the Development of Regional Criminal Networks in the Balkans.' Center for the Study of Democracy, 2002: 31

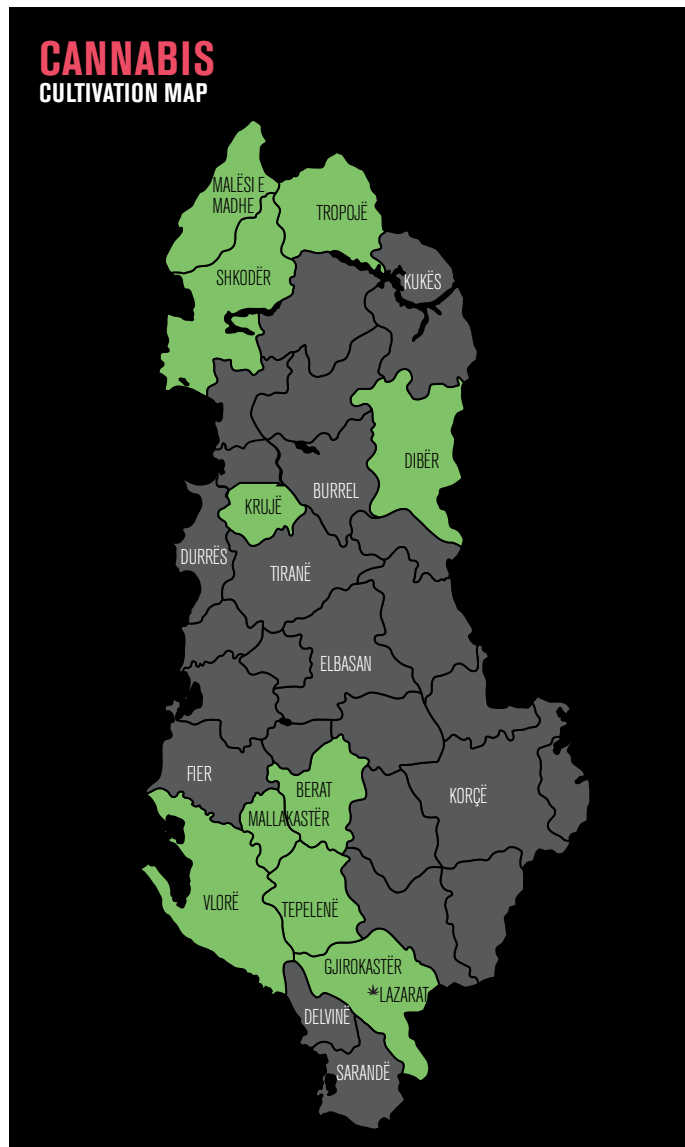
144. Interview with police expert (code 10)

145. See Law No. 7873, 16/11/1994, "On the sequestration of terrestrial, maritime, and aerial means used to commit criminal offences," article 1 item 2 and Law No. 7975, 26/05/1994 "On narcotic plants and psychotropic substances"

146. Hajdinjak, M. 'Smuggling in Southeast Europe: The Yugoslav wars and the Development of Regional Criminal Networks in the Balkans.' Center for the Study of Democracy, 2002: 31

## Cannabis trafficking routes

The factors that influenced the flourishing of the illegal activity of the production, use, and trafficking of marijuana are directly related to the fast spread of the cultivation of cannabis in different parts of the territory, which in itself was favored by climate conditions, the hilly terrain and the mineral composition of the soil, low expenses necessary for its cultivation and transport, low price, and the ease to secure it in the market. Plots of land without owners were generally used for the planting and cultivation of the cannabis plant, thus making police work to discover perpetrators difficult. In some cases, the real perpetrators escaped criminal proceedings and elderly people were arrested due to their ownership of the land where the cannabis had been planted.<sup>147</sup> Beside the areas mentioned above, cannabis has been cultivated in considerable amounts in the areas of Berat, Mallakastër, Fushë-Krujë, Shkodër Highlands, Tropojë, Dibër, and Krujë. The recent police operations in the village of Lazarat found and destroyed 71 tons and 87 kilos of cannabis and 133,567 narcotic plants, while in Dukagjin, police seized about 16 tons of marijuana and destroyed 136,468 narcotic plants.<sup>148</sup> It is reported that the seizure and elimination of large amounts of cannabis by police has influenced an increase in the price of marijuana in European markets.<sup>149</sup>



Aside from quantities of marijuana that go for the domestic market, the 'lion's share' is headed

for European consumers. The cannabis produced and pressed in the country is trafficked to Italy through the Port of Durrës and Vlorë, hidden in trailers of transport companies, private vehicles, personal luggage, and body clothes. Italy is a country of destination as well as transit for other European Union countries. Cannabis is also trafficked toward Greece through the border crossing points of Kapshticë and Kakavijë as well as through the green border by persons crossing the border on foot, through the mountain, illegally. Upon arrival in the Greek territory, the marijuana is

147. Focus group with civil society in Shkodër, July 2014

148. <http://www.asp.gov.al/index.php/rezultatet-e-operacionit-ne-lazarat> and <http://www.asp.gov.al/index.php/rezultatet-e-operacionit-ne-dukagjin>

149. Interview with reporter (code 17), October 2014



transported toward Athens or may detour toward Italy, using the port of Igoumenitsa as a transit point. In recent years, there is a growing tendency to exploit trucks of international transport companies and commercial companies for trafficking marijuana. Another itinerary of pressed cannabis that is produced in Albania is through the north, to Montenegro and Kosovo, with a final destination of countries in Central and Western Europe as well as the Nordic countries. Of course, certain quantities remain and are distributed in transit countries such as Montenegro, Hungary and Slovenia. Variants of marijuana from Albania have been reported in these countries, for instance the narcotic substance known as 'skunk' in Montenegro, a hybrid of Cannabis Sativa with Cannabis Indica.<sup>150</sup> It is also reported that pressed or lab-processed cannabis (hashish oil) is also trafficked to Turkey where it is exchanged with heroin.<sup>151</sup>

In Albania, police has discovered laboratories for the processing and production of hashish oil. In the operation conducted in Lazarat, five such were discovered, with two carrying out the processing of narcotic plants and three others processing the hashish oil.<sup>152</sup> It is thought that such laboratories existed previously in Fier but due to different circumstances were moved to Lazarat. The processing of hashish oil is done for several reasons. First, hashish oil has a very high price in the market, due to the high percentage in it of THC (*delta-9-tetrahydrocannabinol*). It is estimated that one bottle of 1.5 liters of hashish oil costs 140,000 Euro in the market.<sup>153</sup> THC is the main psychoactive component of marijuana. The amount of THC in marijuana determines the degree of

150. International Narcotics Control Strategy Report, Volume I, Drug and Chemical Control, 239. Bureau for International Narcotics and Law Enforcement Affairs, United States Department of State, March 2013

151. Europol 2011: 18

152. <http://www.asp.gov.al/index.php/rezultatete-e-operacionit-ne-lazarat>

153. Interview with reporter (code 38/5), May 2014



its psychoactive effects. Marijuana contains 1 to 5% of THC. Cannabis produced in the Vlorë River area, under favorable climatic conditions and soil composition, was valued with a higher price in countries like the Netherlands and Belgium, due to the high content of THC.<sup>154</sup> Hashish, as a more concentrated form of marijuana, may contain 5-15% of THC. Hashish oil contains the highest percentage of THC (20-50%). Besides the higher value in the market, hashish oil also solves the problem of warehousing considerable amounts of pressed cannabis. A third reason for processing hashish oil is the ease it enables in transportation and the possibility to be exchanged or used instead of cash.

Most experts are of the opinion that the resolution of the problem of cannabis trafficking lies with the discovery, seizure and discovery of plots planted with cannabis. Thus, they emphasize the need to demonstrate care and draw a distinction between *cultivation* of cannabis by farmers exploited due to the lack or scarcity of legitimate incomes and the *trafficking* organized by dangerous criminal networks. In their opinion, addressing the problem at the source provides a sustainable solution as criminal groups and transporters of cannabis will exist and constantly seek to benefit as long as there is a supply in the market.<sup>155</sup>

### **3.1.4. Synthetic drugs**

Synthetic drugs were initially developed for therapeutic purposes. In present days, there is a wide variety of synthetic drugs and new psychoactive stimulants. It is estimated that about 70 kinds of them appear every year.<sup>156</sup> The types of the most common and most frequently used synthetic drugs are: amphetamine, metamphetamine, and MDMA (ecstasy-pure powder of MDMA). In general, synthetic stimulants replace one another and because they are very new, their control is not well regulated by relevant international legislation. They are produced to imitate the effects of illegal drugs, which are overseen by national and international laws.

In European drug markets, psychoactive stimulants are particularly known among young users, mainly males. There is a tendency of decline of their popularity and use, although it appears that ecstasy (MDMA) is returning to the popularity of the past.<sup>157</sup> The use of ecstasy is often accompanied with electro-dance music and the consumption of alcohol in night bars and clubs.

Albania is one of the 70 countries of the world that have reported the appearance of synthetic stimulants in their territory.<sup>158</sup> Albanian authorities have not discovered any laboratory, to date, for the production of synthetic stimulants.<sup>159</sup> These types of drugs are produced in the Netherlands and Belgium, in very complex laboratories, lacking control mechanisms and using very low quality precursors. According to Europol, Albanian organized crime groups have demonstrated an interest to engage in the trafficking of synthetic drugs in different EU countries.<sup>160</sup> In the Balkans, these drugs are produced in Serbia and Bulgaria.<sup>161</sup> Experts state that synthetic drugs have been brought to the country but they have been rejected by the domestic market.<sup>162</sup> These shipments have been

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154. Interview with judge (code 24), June 2014

155. Interview with judge (code 24), June 2014

156. Europol 2013: 21

157. European Drug Report, 2013: 24

158. World Drug Report 2013: 67 UNODC

159. Moneyval report, 2011: 15

160. Europol 2013: 21

161. Interview with prosecutor (code 28), June 2014

162. Interview with police expert (code 10)

proven also by police operations, which have seized synthetic drugs of the ecstasy type.<sup>163</sup> Unconfirmed sources talk about the consumption of synthetic stimulants, such as ecstasy, by youths in nightclubs in Tirana. A study by the Public Health Institute (PHI) about the use of different drugs by youths of high schools indicates that a sample of about 3,878 respondents of the age 15-18 years old, 4.2% of them have used ecstasy.<sup>164</sup>

### Threat assessment for cannabis and synthetic drugs

- *Cannabis is cultivated throughout the territory, especially in the Highlands of Shkodër, Tropojë, Krujë, Dibër and Tepelenë. Before it used to be massively cultivated in the village of Lazarat, the Vlorë River area, Mal-lakastër and Berat.*
- *Persons in vulnerable situations, jobless, elderly, and divorced women are increasingly being recruited or exploited as couriers.*
- *Vehicles of international transport companies, bus lines, and private vehicles are exploited for drug transportation. For loading drugs on the vehicles, different ways are used, for instance fictional transport contracts, sale and purchase of private vehicles, bribes, or coercion of drivers.*
- *Cannabis is mainly trafficked toward Greece through the green border or by hiding it in trucks that go through the border crossings of Kapshticë and Kakavijë. Cannabis quantities hidden in personal vehicles or international transport trucks are smuggled to Italy through ferries or by land through Montenegro. There appears to be a growing tendency to smuggle cannabis through Montenegro and Kosovo onto countries of Central and Western Europe.*
- *Different types are produced and smuggled, such as marijuana, hashish oil, 'chocolate' and 'skunk,' a hybrid of Cannabis Indica with Cannabis Sativa.*
- *The above products are used for sale, but also as exchange goods with hard drugs.*
- *The number of marijuana users in Albania is high and growing. The use of this drug is considered the first step toward the use of harder drugs.*
- *Albania has reported the presence of synthetic drugs, although not in considerable figures.*
- *In spite of the lack of a domestic market, quantities of amphetamine and ecstasy have been brought into the country from Serbia and Bulgaria.*
- *Youths of 15-18 years of age have used ecstasy secured in Tirana.*

163. Albanian State Police operation "Flash" in March 2012, where 150 ecstasy tablets, with the logo 'Rolex,' were seized

164. [http://www.ishp.gov.al/multimedia/Kalendari\\_2013/Informacion%20per%20Drogat.pdf](http://www.ishp.gov.al/multimedia/Kalendari_2013/Informacion%20per%20Drogat.pdf), p. 2

## 3.2. Trafficking in human beings

### **Period 1990-2000**

Organized crime in Albania appeared initially in the forms of trafficking in persons and arms, smuggling of migrants, oil and various goods. Related literature mentions different factors that have favored and encouraged trafficking and smuggling of persons. The fundamental instinct of individuals for a better life and of the society to migrate is accepted to be at the heart of these phenomena. Isolation of the country for a long time, poverty and the political transition created in Albania a favorable terrain in the beginning of the 1990s for criminal groups that exploited for illegal profits the aspirations of different citizens. For the majority of Albanians, the transition toward democracy and the economy was closely related to the free movement of people and material goods. In collaboration with heads of Italian mafia organizations,<sup>165</sup> groups of Albanian traffickers and smugglers took under control the channels of smuggling and trafficking without fear from law enforcement institutions, which at the time were weak and lacked the necessary experience to tackle these new criminal activities.

Due to the clandestine nature of trafficking in human beings, access to credible statistical data on the number of trafficked victims is impossible. All general estimations are difficult to verify and vary depending on the context and source of information. Different data reported by governments, international agencies and NGOs are often difficult to compare.<sup>166</sup> Thus, time after time, law enforcement agencies of other countries and international organizations have reported different figures about the number of victims of Albanian origin and the destinations where they were trafficked and exploited. In Italy, in 1996, it was estimated that about 40% of the trafficked victims for purposes of exploitation for prostitution were Albanian.<sup>167</sup> In Greece, it was reported that 90% of children arrested every year (about 300) for begging were of Albanian origin and Thessaloniki police deported 983 Albanian children in 1998.<sup>168</sup> Relying on data from some international non-governmental organizations, the Government of Albania estimated that the number of Albanian children removed illegally, mainly to neighboring countries, and exploited for begging, physical labor and other illegal activities varies from 4,000 to 6,000.<sup>169</sup> Disturbing figures, unconfirmed and contradictory between them, have been presented by different serious sources about the general number of Albanian victims trafficked abroad. Thus, according to the U.S. Department of State, in 1999, NGOs estimated that 30,000 Albanian women were prostituted out of the country.<sup>170</sup> Meanwhile, in 2001, the draft National Strategy for the Fight against Trafficking in Persons estimated that 100,000 Albanian women and girls had been trafficked to Western Europe and Balkan countries, during the first years of the political transition in Albania.<sup>171</sup> This figure is absolutely shocking, especially compared to the general number of victims identified and referred by police for assistance, during the last decade (2004-2014), which is 99%

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165. Statement by former Prosecutor General Arben Rakipi on the active involvement of the heads of Italian mafia in trafficking in human beings, referred in the U.S. Department of State 1999 Country Report on Human Rights Practices – Albania.' Victims of Trafficking in the Balkans, pp.51-52

166. Limanowska, B 'Trafficking in Human Beings in Southeastern Europe: Current situation responses to trafficking in Human Beings in Albania, etc' UNICEF, 2002: 4

167. The Globalization of Crime: a transnational organized crime threat assessment. UNODC, 2010: 50

168. The trafficking of Albanian children in Greece, Terrres des homes, Oak Foundation, UNICEF 2003: 10

169. Council of Ministers Decision No. 368, 31.05.2005 'On the Approval of the National Strategy for Children:' 6

170. U.S. Department of State, "1999 Country Report on Human Rights Practices – Albania.' Victims of Trafficking in the Balkans, pp. 51-52

171. National strategy for the fight against trafficking in persons, Council of Ministers, Tirana, November 2001: 12 cited by Limanowska, B 'Trafficking in Human Beings in Southeastern Europe: Current situation responses to trafficking in Human Beings in Albania, etc.' UNICEF, 2002: 125

smaller, namely 1,151 trafficking victims.<sup>172</sup> Considering the obscure nature of this phenomenon as well as the fact that not all trafficked victims manage to come into contact with the police or specialized organizations, it is very probable that the real number of victims trafficked during the past ten years is higher. Excluding the number of Albanian citizens who have emigrated or have been smuggled from the start of the 1990s, the human costs of trafficking for the Albanian population, which in 1992 had 3.2 million inhabitants, are truly sad. Therefore, the United Nations Office for Drugs and Crime (UNODC) considered Albania a *'hot spot'* for trafficking in human beings, with the number of trafficked victims seeing a steady growth until the years 2000-2001.<sup>173</sup> The situation of lack of public order in 1997 and the conflict in Kosovo had a considerable impact on the increase of the number of persons of Albanian origin trafficked abroad. According to the OSCE, some Kosovar women and girls had been kidnapped from the refugee camps in Albania in 1999 and were exploited for prostitution in Italy and other EU countries.<sup>174</sup> Albanian victims were recruited through promises of marriage and a better life abroad, coercion, deceit, violence, and abduction. Upon arrival in destination, traffickers made clear to them that they had been deceived and through violence and rape, they were forced to prostitute.<sup>175</sup> Excessive violence used by Albanian organized criminal groups against trafficked victims alarmed countries like the United Kingdom, Italy, Spain, Netherlands, Austria, France, Portugal, Greece and Lithuania, which reported about this to Europol.<sup>176</sup>

### **Period 2001-2014**

Since the beginning of 2000, this trajectory began to see a decline. During 2000-2003, this number was halved in Italy, the place that had had the highest number of Albanian victims, and after 2003, the figure dropped to 10%. In the years 2005-2006, there were only 56 Albanian victims exploited for prostitution, which was 0.5% of the total number of about 10,000 victims trafficked in Europe.<sup>177</sup> Experts explain that the weakening of Albania's role as a source country for trafficking in human beings is related to several factors. In their opinion, the increase of reaction by Albanian authorities had a decisive role in this regard, whereby they collaborated closely with counterpart authorities in Italy and combatted successfully trafficking in persons' networks.<sup>178</sup> Non-governmental organizations in Albania also gave a very positive assistance in this regard by assisting with safe shelter and different services for victims referred by police. The increase of pressure and revenge against traffickers by the families of victims may have been another factor. This pressure is thought to be reflected in the change of countries of origin where Albanian traffickers recruited girls from for prostitution purposes. Thus, the weakening of the country's position as source for trafficking victims was accompanied at the same time by the appearance and strengthening of the role as a transit country for victims recruited in Moldova and Romania and trafficked through Albania toward Italy, Greece, Belgium, Netherlands and countries of Western Europe.<sup>179</sup> Albanian organized crime groups in the United Kingdom also exploit victims recruited in Lithuania and Ukraine by Lithuanian criminal

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172. Trafficking in Persons Report (2005-2014), Office to Monitor and Combat Trafficking in Persons, U.S. Department of State

173. The Globalization of Crime: a transnational organized crime threat assessment, UNODC, 2010: 253

174. Hajdinjak, M. 'Smuggling in Southeast Europe: The Yugoslav wars and the Development of Regional Criminal Networks in the Balkans.' Center for the Study of Democracy, 2002: 53

175. Europol 2005: 16

176. Ibid 33

177. The Globalization of Crime: a transnational organized crime threat assessment. UNODC, 2010: 50

178. Interview with prosecutor (code 38/2 and 38/4), May 2014

179. Trafficking in Persons Report 2001. Office to Monitor and Combat Trafficking in persons, U.S. Department of State

groups.<sup>180</sup> Another reason that may explain the weakening of Albania's role as a country of origin in trafficking in human beings has to do with the adaptation, evolution, and sophistication of Albanian organized crime groups. The reviewed judicial rulings indicate clearly that trafficking in persons has turned into a secondary activity for many Albanian criminal groups, which are already focused mainly on trafficking of different drugs. Besides the main sentences for trafficking of narcotics, members of these groups have been sentenced separately also for the exploitation of prostitution of one or two women. Besides the above, the liberalization of the visa regime with Schengen area countries may have influenced the reduction of the number of victims identified at the border because of the facilitation of the travel of Albanian citizens toward these countries. One last but very important reason has to do with the change of the modus operandi of traffickers who, recently, have replaced the use of evident physical violence with psychological violence or, moreover, the use of 'partnership with the victim,' as a way to continue exploitation and benefiting from her. This implies avoiding the escape and reporting by the victim by sharing incomes with her and attracting her with expensive gifts or promises for marriage.<sup>181</sup>

Most of domestic and international reports, as well as domestic experts admit that unlike 10 or 15 years ago, Albania is no longer a 'hot spot' for trafficking in human beings. Although not at the levels of years ago, the phenomenon is still a concern, especially regarding domestic trafficking. At present, of concern is the situation of trafficking in women and minors for purposes of exploitation of prostitution and forced labor in concentrated urban areas such as Tiranë, Durrës, Fier, and Vlorë as well as coastal tourist areas during the summer season.<sup>182</sup> Groups consisting on average of three persons recruit women in difficult economic, social, and emotional conditions, exploiting them sexually for material profit in rented villas, apartments, and bars, hotels and motels nearby urban areas.<sup>183</sup> Recently, there has been a growing tendency of trafficking and sexual exploitation of women such as divorced women and mothers with children or students, recruited through job offers such as waiters, dancers (lap dance) and singers in music bars.<sup>184</sup> In some cases, victims may have prior awareness of the kind of job, which includes physical contact and sexual relations with other persons, but this does not exclude them from the status of victims of trafficking, as long as they do not have control over hours and earned income, the number of clients and other work conditions determined and dictated by exploiters.<sup>185</sup> For controlling the victims and the earned incomes, traffickers use different methods, such as psychological pressure, deceit, sharing part of the incomes with the victim, otherwise known as 'partnership with the victim' and physical violence.<sup>186</sup>

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180. Interview with prosecutor (code 38/2), May 2014

181. Interview with prosecutor (code 24), June, and police expert (code 21), November 2014

182. Interview with judge (code 35), June 2014

183. Interview with prosecutor (code 23), June 2014

184. Interview with prosecutor (code 24), June 2014

185. Interview with police expert (code 21), November 2014

186. Balkanweb, 'Tirana, recruited women from villages and exploited them for prostitution, 4 persons arrested,' taken online on 8.2.2015 from <http://www.balkanweb.com/site/tirane-rekrutonin-femra-nga-fshatrat-dhe-i-shfrytezonin-per-prostitucion-arrestohen-4-persona/>

**TABLE NO. 6**

Year	No. of victims (VoT)	No. of criminal prosecution	No. of sentences
2005	274	51	54
2006	227	62	57
2007	20	49	7
2008	108	22	26
2009	94	31	11
2010	97	29	11
2011	84	27	5
2012	92	11	2
2013	95	24	2
2014	60	7	10
Total	1151	313	185

Source of information: Trafficking in persons Report (2005-2014), U.S. Department of State

### **Domestic trafficking**

In fact, until recently, Albanian law enforcement agencies hesitated and did not accept the domestic form of trafficking, claiming that the concept of trafficking requires the elements of displacement and exploitation in another country. Also, in some cases, domestic trafficking has been mistaken with exploitation of prostitution or even exercise of prostitution, which has led to the sentencing of victims who had been sexually exploited. In fact, in one absurd case, the court issued a ruling that sentenced at the same time the defendant for trafficking and the victim for prostitution.<sup>187</sup> The ratification of the Warsaw Convention<sup>188</sup> of 2005 and the recent amendments of 2013 in the Criminal Code have finally clarified the concept of domestic trafficking as a criminal offence. Proactive and careful investigations are needed in suspected cases of domestic trafficking, which are often considered ‘exploitation of prostitution’ and ‘maltreatment of minor.’ With regard to the problem of street children and the vulnerable situation to trafficking in persons of the Roma and Egyptian communities, interviewees admit that they may be potential victims of trafficking, but are of the opinion that the solution should be more of a social than a criminal character.<sup>189</sup> In Albania, there are 2527 street children.<sup>190</sup> At present, young girls with certain education are exploited as ‘luxury prostitutes’ for businessmen clients, VIPs or even foreign visitors of different ranks and professions.<sup>191</sup> In some cases, women who have been exploited by bar and hotel owners in Tirana have then been trafficked to Kosovo.

187. Trafficking in Persons Report, 2012, Office to Monitor and Combat Trafficking in Persons, U.S. Department of State

188. Ratified by Law No. 9642, 20.11.2006 On the Ratification of the Council of Europe Convention ‘On Measures Against Trafficking in Human Beings’

189. Interview with police expert (code 21), November 2014

190. ‘Street children are under 18 and have some kind of relationship with the street, usually by living and/or working there and on a seasonal or temporary basis.’ National study on street children in Albania, April 2014: 29

191. Top Channel ‘Luxury prostitutes in Tirana,’ accessed online at <http://top-channel.tv/lajme/artikull.php?id=262255>

## **Trafficking abroad**

Besides domestic trafficking, Albanian citizens are also trafficked outside the territory of the Republic of Albania. The main destinations include countries such as Kosovo, Switzerland, Austria, France, Germany, Belgium and United Kingdom. Countries such as Italy and Greece, which once used to be the main destinations for Albanian victims, are being used more as transit countries.<sup>192</sup> Recently, there has been an increase in the number of women of Albanian origin sent to Kosovo for purposes of sexual exploitation. A review of judicial decisions and statements by experts indicates that women of Albanian citizenship are being sent to Kosovo with promises of jobs such as waitresses, dancers, and singers in local music bars, in cities such as Prizren, Gjilan, Pristina, etc. Some of them have conducted similar work and have been exploited initially in Albania by bar owners. The latter then send victims to different Kosovo citizens who exploit them in bars and hotels run by them. Albanian street children have also been sent to Kosovo and have been exploited there for begging. It is not to be excluded that these children may have also been subjected to other forms of exploitation or trafficking, although there are no proceedings and sentences for such activities.<sup>193</sup> In the United Kingdom, it is reported that Albanian children victims of trafficking (not only for sexual exploitation) rank third in terms of numbers, following those from Vietnam and the United Kingdom.<sup>194</sup> In the country, persons of Albanian origin have the highest number of referrals as victims of trafficking and potential victims of trafficking. However, a recent report discovered that many Albanian females present false sex trafficking claims in order to get asylum in the country.<sup>195</sup> In Germany, Albanian organized crime groups are reported to have taken under control the trafficking of women for purposes of exploitation in Aachen, which is on the border with Belgium and the Netherlands.<sup>196</sup>

## **Use of technology**

In the last three years in Albania, there has been an increase in the use of the social network Facebook for the purpose of recruiting and controlling trafficking victims. This platform is also used by victims pushed by traffickers to recruit other potential victims.<sup>197</sup> A decision of 2011 of the Serious Crimes Court shows that the defendant managed through the social network to conduct the recruitment, smuggling through Greece and eventually trafficking to Italy, as well as control the incomes gathered from the sexual exploitation of the victim for three months. Moreover, the defendant had conducted all these actions during the time he was serving a prison sentence in the country.<sup>198</sup>

During the period September 2013 – September 2014, it results that the Serious Crimes Prosecutor's Office has received 60 referrals for the criminal offences of "Trafficking of adults" and "Trafficking of minors." There were 58 referrals to judicial district prosecutor's offices for "exploitation of prostitution." Many of these persons identified as potential victims of trafficking were encountered by the 3 Mobile Units established in Tirana, Elbasan, and Vlorë. Besides the number of

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192. Interview with police expert (code 11), October 2014

193. In July 2011, based on the results of a report that observed street children in Kosovo, conducted in the context of the MARIO project (in protection of children on the move in Europe from exploitation and trafficking), the Governments of the Republic of Albania and of Kosovo signed an 'Additional Protocol for the Intensification of Cooperation in the Fight against Trafficking in Human Beings and the Improvement of the Identification, Notification, Referral, and Return of Victims and Persons Suspected as Victims of Trafficking in Human Beings, especially children, to complement the Agreement between the Council of Ministers of the Republic of Albania and the Government of the Republic of Kosovo "On Cross-Border Police Cooperation"

194. UK child sex abuse trafficking doubles – National Crime Agency: <http://www.bbc.com/news/uk-26234092>

195. Albanian women seek UK asylum with false sex trafficking claims, says expert, Thomson Reuters Foundation, November 2014, accessed online at <http://www.trust.org/item/20141110172225-y5yir/?source=fiOthernews2>

196. Interview with police expert (code 21), November 2014

197. Interview with police expert (code 11, 21), October-November 2014

198. Serious Crimes Court Decision No. 4, 21.01.2011

referrals and cases registered and adjudicated by the First Instance Court for Serious Crimes, it is reported that there has been an increase in the number of persons who have been arrested, criminally prosecuted, and sentenced for trafficking of persons. According to the National Coordinator for the Fight Against Trafficking, during the year, the Serious Crimes Court has issued 7 sentences for the criminal offences of “Trafficking of adults,” “Trafficking of women,” “Trafficking of minors,” and a total of 10 persons have been sentenced.<sup>199</sup> In spite of stereotypes created in Albania regarding the origin of trafficked victims, based on interviews with experts and the reviewed court rulings, it does not result that victims of trafficking, inside or outside the territory of the Republic of Albania, are from certain districts of the country. The only regional feature of this phenomenon in Albania is that of the location of victims exploitation, which coincides with the main urban areas and coastal cities during the summer season.

### Threat assessment of trafficking in human beings

- *Women and children are exploited inside the country for purposes of prostitution and forced labor.*
- *Divorced women and young girls are exploited sexually in different apartments, villas, hotels, and bars.*
- *‘Luxury prostitutes’ are exploited for offering sexual services to businessmen, VIPs, and foreign tourists.*
- *During the summer, sexual exploitation and begging by females and minors in coastal areas increases.*
- *In some cases, employment in different bars serves as a cover for exploitation of prostitution.*
- *Females from Albania are recruited through fake promises for jobs as dancers and singers in Kosovo.*
- *Fake job offers and promises for engagement and marriage are used to recruit and exploit for prostitution young girls in Germany, Belgium, France, and the United Kingdom.*
- *The social network Facebook is used to recruit, instruct, and control trafficked women.*
- *Trafficked victims do not collaborate sufficiently with law enforcement bodies due to the lack of confidence that perpetrators will be punished and from fear of revenge by them. Also, ‘partnership with the victim,’ which involves the sharing of part of profits, purchase of gifts and absence of violence on victims, prolongs the relationship of exploitation and reduces the number of denunciations against traffickers.*

TABLE NO. 7

Trafficking in Persons	1990-2000	2001-2014
Position of country	Country of origin and transit	Origin
Destinations	Italy, Greece, and other EU countries	Domestically, Kosovo, England, etc.
Victims	Females and minors	Females and minors
Forms of exploitation	Prostitution, forced labor, stealing	Prostitution, forced labor
Recruitment	Fake promises of marriage, jobs, kidnapping, etc.	Fake promises of marriage and jobs, partial cheating
Use of technology	-	Facebook, e-mail, mobile phones for recruitment and control of VoTs
Control of victims	Physical, psychological violence, rape, injury and even murder.	Mainly psychological violence, coercion and ‘partnership with victim’

199. Statement by the Deputy Minister of Interior, who is also the National Coordinator for the Fight Against Trafficking, ElonaGjebrea, at the start of the National Anti-Trafficking week: <http://www.punetebrendshme.gov.al/al/te-rejat/fjalime/gjebrea-trafikimi-i-personave-eshte-krim-bashkohu-edhe-ti-per-ta-ndalur-ate>



### 3.3. Smuggling of migrants<sup>200</sup>

#### 1990-2000

Smuggling of migrants is a global crime that jeopardizes the lives of many people and challenges the international integrity of borders.<sup>201</sup> This crime, which is known in Albanian criminal legislation as ‘Assistance for illegal border crossing,’ unlike trafficking in human beings, does not have as main purpose the exploitation of migrants but profit for facilitating the provided assistance. However, the situation of migrants before, during, and after the smuggling is very vulnerable. Smuggling networks exploit facilitating social, political, and economic factors to ensure very high payments from people who want to leave. During the illegal crossing, migrants are subdued to forms of power and exercised pressure by smugglers and are exposed to exploiting situations.<sup>202</sup> The inability to pay the amount of money for the services (‘debt bondage’) and the illegal status in the destination country increases the risk of exploitation of the illegal migrant and transformation into a victim of trafficking.

Smuggling of migrants in Albania appeared, was encouraged by and reflected the political, economic and social situation in the country at certain periods. For ease of research, illegal migratory outflows from Albania toward neighboring countries and beyond have been divided into two main periods, considering the special characteristics of used channels and the smuggling methods in each period. The first period, characterized by two massive waves of illegal migration, begins in the middle of 1990 and ends in year 2000. The second period begins in 2001 and continues to date.

*‘Forty years of isolation from the rest of the world, accompanied by economic, social, and political devastation has brought a traumatic effect on Albanians. The internal situation in Albania plunges into despair while Albanians aspire to start a new life abroad after hearing about other countries through Italian television.’<sup>203</sup>*

That is how the Council of Europe described the situation of post-communist Albania with a general population of 3.2 million inhabitants and gross domestic product per capita of 207 dollars per year (less than 20 dollars per month per person) in 1992. The report of this international organization ‘on the exodus of Albanian citizens’ deemed that from July 1990 until December 1991, the number of Albanian citizens who had moved abroad was over 200,000. The collective psychosis of leaving the country caught on many Albanian citizens who rushed inside the walls of embassies of western countries in Tirana, in July 1990, and their surroundings, in March 1991. Massive flows of migrants reached the southern ports of Italy where within three days alone, March 7-10, 1991, 20,000 Albanians landed in Bari and on August 8 another 10,000. For different payments, fishing boats with clandestine migrants aboard left the ports of Durrës and Vlorë. At the same time, about 23,000 Albanians entered the Greek territory through the land border, without encountering any opposition by the Albanian border guard. By October 1992, the number of those who had left the country reached 300,000 persons.<sup>204</sup> This was equal to 9% of the general number of the population, which was 3.2 million inhabitants in 1990.<sup>205</sup>

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200. In Albanian criminal legislation, these criminal offences are known as ‘Trafficking in persons’ and ‘Assistance for illegal border crossing.’ The term ‘smuggling of migrants’ is used in the United Nations Convention against Transnational Organized Crime and the second additional protocol.

201. <http://www.iom.int/jahia/wëebdav/shared/shared/mainsite/activiteis/ibm/10-IOM-IBM-FACT-SHEET-People-smuggling.pdf>

202. Europol 2005: 15

203. Council of Europe (1992), Rapport sur l'exode de ressortissants albanais. Document of the Parliamentary Assembly no: 6555 (Ref. 1402-27/1/92-2E), January 27, 1992

204. Van der Pol, Analysis of Migrations, Research Report, Tirana 1992 in Ilir Gedeshi, Role of Remittances from Albanian Migrants and their Influence in the Country's Economy, p. 11 (referred to in Piperno. F, From Albania to Italy: Formation and basic features of a binational migration system. CESPI, May 2002

205. International Migration from Countries with Economies in Transition: 1980-1999, Population Division, Department of Economic and Social Affairs- United Nations Secretariat ESA/P/wP.176, September 2002

From the end of 2002 until 2006, the flow of persons leaving the country decreased and at the end of this period, it was estimated that 350,000 Albanians were resident out of Albania.<sup>206</sup>

In literature, the 'calm' and 'controlled' character of migratory movements during this period is explained by the improvement of social-economic conditions in the country, political stability, the increase of the GDP by 9% annually, and the improvement of living conditions, thanks to increasing remittances, which represented 25% of the gross domestic product.<sup>207</sup>

Following the collapse of the pyramid schemes, a second wave of exodus of Albanian citizens was caused by the social and political instability of the country. During the period March 1996 – April 1997, 70,000 Albanians migrated toward Italy (40,000) and Greece (30,000).<sup>208</sup> The peak month was March 1997 during which 17,000 Albanians left for Italy. In itself, the month is divided into two parts because of their characteristics. Thus, during the first half of the month, families from Vlorë and the surrounding areas organized themselves travels to Italy to escape violence. Whereas during the second half of March 1997, there is a marked criminal organization of smuggling of many youths from different areas of the country. Smuggling networks transformed the emergency situation into a very profitable business. At the end of March 1997, maritime channels of smuggling of migrants and the flows of spontaneous migrants were limited by the intervention of the international community through a multi-national protection force, which under Italian leadership, patrolled and took control of international waters and Albanian territorial waters.<sup>209</sup>

From the end of 1997 until 2000, the situation began to stabilize, following the economic and social collapse, and there was a slight economic growth, reduction of the state deficit and inflation. However, per capita incomes remained low, the unemployment level high and there was a lack of security of life. About 5,000 persons every month left Albania during this period.<sup>210</sup> The war in Kosovo in 1999 and the conflict in Macedonia in 2001 had a considerable influence on the flows of smuggled war refugees and clandestine persons. Concretely, 37,000 persons migrated to Italy from Albania in 1999. This figure was three times higher than the previous year.<sup>211</sup> Besides Kosovar citizens, Albanian citizens also migrated by presenting themselves as war refugees. Two years later, the armed conflict in Macedonia led to the entry of 3,000 persons in March 2001 into the Albanian territory to move toward Kosovo or other Western countries.<sup>212</sup> At the end of the ten-year period of migratory movements, it is estimated that the general number of Albanian citizens who had entered and were staying in Italy in 2000 was about 127,000,<sup>213</sup> and 443,550 in Greece in 2001. This means that during this period in Greece, Albanians made up 60% of the general number of migrants and 4% of the general population.<sup>214</sup>

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206. UNDP, Albanian Human Development Report 1996, p. 3

207. Piperno, F, From Albania to Italy: Formation and basic features of a binational migration system. CESPI May 2002, referred Economist Intelligence Unit, Country Profile, 2001, p. 22

208. Ibid.

209. *Ibid.*

210. Council of European Union, High level working group on Asylum and migration. Draft action plan for Albania and the neighboring region, June 2000: 13

211. Piperno, F, From Albania to Italy: Formation and basic features of a binational migration system. CESPI May 2002 referred OECD, Trends in international migration, SOPEMI, 2001, p. 72

212. Economist Intelligence Unit, Albania Country Report, April 2001, p. 9

213. International Migration from Countries with Economies in Transition: 1980-1999, Population Division, Department of Economic and Social Affairs – United Nations Secretariat ESA/P/wp.176, September 2002: 40

214. Baldwin-Edwards, M Immigration into Greece, 1990-2003: A Southern European Paradigm? European Population Forum UNECE Geneva, January 2004: 5, Bonifazi C, Conti C and Mamolo M, Balkan International Migration in the 1990s, Roma 2006: 16

## 2001 - 2014

During the period from 2001 until the present day, smuggling of migrants has undergone a constant process of adjustment and change, mainly influenced by tightening measures by law enforcement agencies, migrants' demands on preferred destinations as well as other external factors. During this period, compared to previous ones, there is an increase of persons using legitimate ways instead of clandestine ones as well as an increase in demands to migrate toward destinations such as the United States of America, Canada and Australia. It is believed that the imposition of the domestic moratorium for the prohibition of the circulation of speed boats and the tightening of policies on migration, the reception of immigrants and their stigmatization by media in the receiving neighboring countries have had an impact on this situation. However, the flow of illegal migrants toward Italy and Greece continued until the eve of the liberalization of the visa regime, in December 2010.<sup>215</sup> The path followed to smuggle into Greece was by walking, led by guides through the 'green border,' but also through the border crossing points, by false documents and the crossing when the 'desired persons' were on duty in control points. Maritime channels for smuggling migrants to Italy from the shores of Vlorë, Durrës, Shëngjin and the coast between Shkodër and Ulqin with the coasts of southern Italy were active until 2006. Migrants were transported by rubber boats throughout their journey or, after assembling in not much used areas (delta of the Mat river, Patok lagoon and Rrushkull), they were transported by speed boat to a fishing boat and then onto another ship that awaited them at open sea.<sup>216</sup>

Judicial decisions clearly indicate the change of routes and means used for smuggling migrants toward Italy from maritime ones to land ones. Migrants, after assembling in certain points in Tirana, would leave on vans toward the north of Albania (Bajzë of Malësi e Madhe and Kukës) to cross the 'green border' into Montenegro, on foot, or through Morina into Kosovo, in order to continue transiting through Croatia, Slovenia and to arrive in Italy. In Kosovo, migrants were transported by private vehicles or vans; walking through the mountain border usually took up to 5 hours and the journey to Italy, hidden in transportation trucks, lasted from 2 up to 3 days. During the journey, smugglers stopped migrants in different cities of the transit countries in order to unite them with other migrants. Usually, migrants complained about the long periods of waiting and poor conditions, having to do mainly with lack of food and beds.

The liberalization of the visa regime for Albania toward the Schengen area countries in December 2010 influenced the nature, degree, and destination of smuggling of migrants from Albania. Albania's position as a source country for illegal migrants has weakened, although the illegal crossing of Albanian citizens toward the United Kingdom and the United States of America remain a concern. Recently, there have been tragic cases of the loss of life of Albanian citizens while traveling in transportation trucks to the United Kingdom.<sup>217</sup> Albania's role from a mainly source country of illegal migrants to a country used as a transit for the movement of illegal migrants of other nationalities has also changed. Criminal groups of migrant smuggling have intensified movements on the Serbian-Hungarian border since the start of 2011.<sup>218</sup> In the same year, while it confirmed the decline in the flow of illegal emigrants from Albania to Greece for seasonal work, Europol also notified that illegal entries into Greece from Turkey had increased by 500 percent.<sup>219</sup> It was also reported that 'Albanian-speaking' organized crime groups are among the most involved in smuggling of migrants. These groups may subcontract parts of the transport or production of fake documents, but preserve effective control

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215. The latest case presented to the Serious Crimes Court for a structured criminal group dealing with smuggling of migrants toward Italy was adjudicated in 2012 for events that had taken place in 2009 and October 2010 (two months before visa liberalization)

216. See Decision No. 40 of 2010 by the Serious Crimes Court of First Instance

217. <http://www.balkanweb.com/site/tentuan-emigrimin-ilegalisht-ne-angli-w-shqiptare-karbonizohen-ne-kamion-2/>

218. <http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/ibm/10-IOM-IBM-FACT-SHEET-People-smuggling.pdf>

219. Europol 2011: 22

over smuggled migrants during transportation.<sup>220</sup> Reviewed judicial decisions indicate that criminal groups consisting of Turkish and Albanian citizens exploited the Albanian territory for the transit passage of Turkish citizens toward Kosovo, and then the European Union countries as final destination. The airport in Rinas was used as an entry point.

At present, the situation of illegal border crossing by Syrian citizens, seeking European Union countries as war refugees remains disturbing. Albanian media report almost daily on cases of the detention of these citizens in Gjirokastrë and their return to Greece. Arrests by police of some Albanian citizens who helped and sheltered migrants for profit purposes indicates that the flow of illegal migrants is not independent but are assisted and instructed by other persons.<sup>221</sup> This is confirmed also by interviews with experts who report that in spite of difficulties in translation and the lack of information on the names of guides, detained migrants confirm that they have been instructed about the places where they will cross and rest during the journey.<sup>222</sup> Proactive investigations are needed to discover criminal groups involved in this activity.

### ***Structure of smuggling groups***

Based on information obtained from judicial decisions issued for structured criminal groups involved in smuggling of migrants as well as different research studies,<sup>223</sup> we are able to build a general profile of criminal groups that deal with smuggling of migrants, according to the duties and responsibilities of every member. However, we need to keep in mind that the roles and duties of every member change depending on the type of activity, time, place, and the different groups involved in the smuggling of migrants. Also, in some cases, one member of the group may have more than one given duty or role. Usually, the following roles are seen in groups involved in smuggling of migrants:

*'Leader'* Every criminal group involved in smuggling migrants is led by one or two persons, who have a coordinating and managerial position. The leader deals with planning the different phases of the activity and secures the persons responsible for every phase. The person also maintains contact and collaborates with leaders of smuggling groups in other countries.

*'Recruiter'* This is the person responsible for the identification and recruitment of clients. Sometimes, it is the persons seeking to migrate or their family members who contact the recruiters, in certain areas of the country. In some cases, the recruiter collects in advance or secures a sufficient amount of money from the migrants. Before departure, the recruiter assembles the migrants in the given time and place.

*'Transporter/guide'* Takes the migrants under custody from the recruiter and conducts their transportation through different means, such as trucks, buses, vans, and taxis. In cases of illegal crossing of the 'green border,' one or two persons serve as guides and escorts of the migrants. In the cases of smuggling toward Greece, taxi drivers waiting in the Greek territory, near the border, served as transporters of illegal migrants inside the country. When the crossing is done through border control points, through fake documents, the escort guides or instructs migrants to go through the control post when the corrupt official is on duty. Escorts may be armed and guarantee the submission and full obedience of migrants through psychological violence, showing arms and threats.

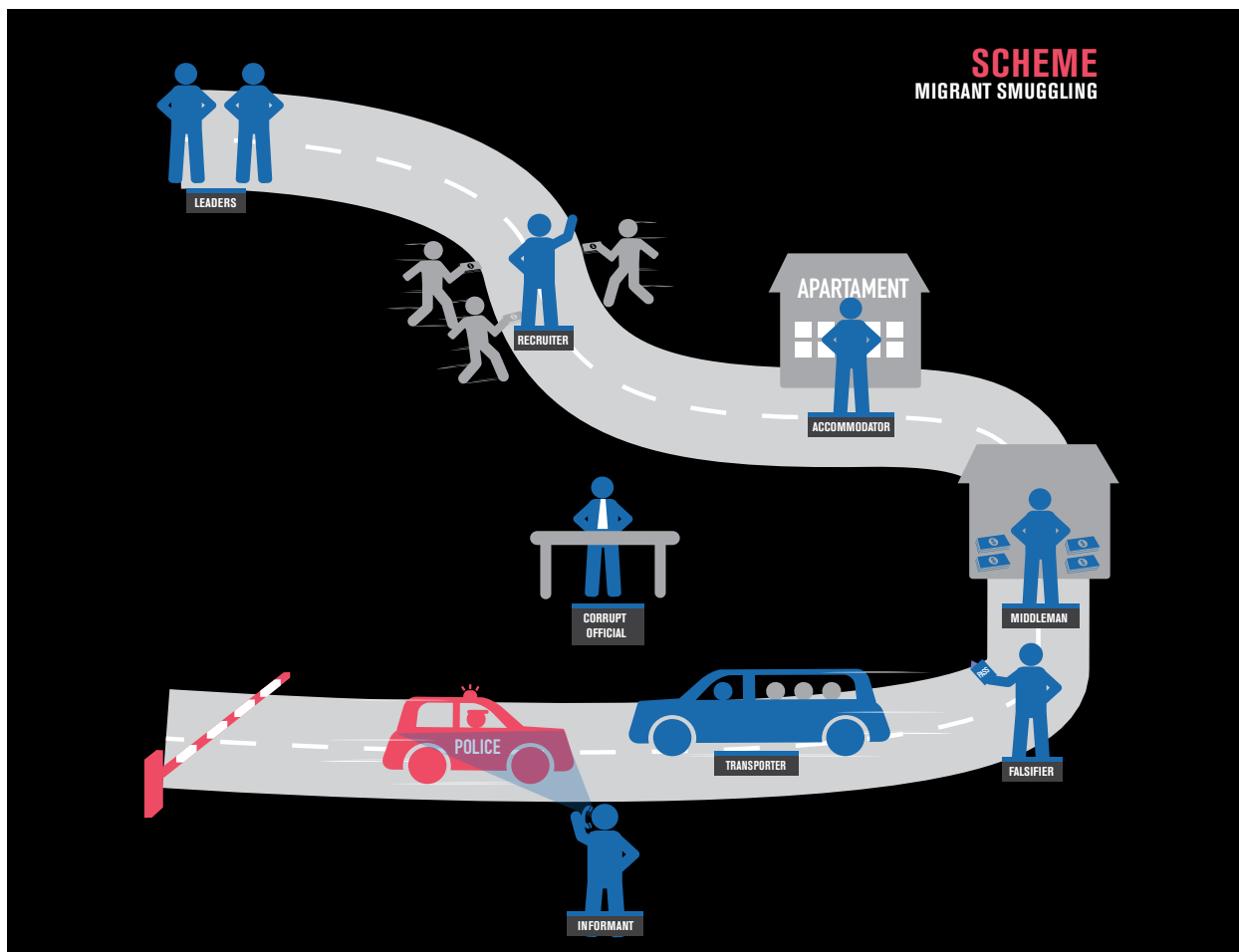
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220. Ibid.

221. <http://www.asp.gov.al/index.php/historiku-i-trajnitimit-poligor/17-shqip/lajmet-e-fundit/6499-gjirokastrer-dy-te-arrestuar-me-akuzen-e-dhenies-ndihme-per-kalim-te-paligjshem-te-kufirit>

222. Interview with judge (code 37), July 2014

223. Antonopoulos, G.A. and Winterdyk, J. (2006) 'The smuggling of migrants in Greece: an examination of its social organization,' *European Journal of Criminology*, 3 (4): 8



*'Informant and external collaborators'* These persons collect information about the presence of police forces, coast guard, military and police checkpoints in different roads. Albanian citizens living in transit or destination countries, as well as citizens of these countries, may carry out this duty.

*'Middlemen/guarantors'* These are persons who serve as points of connection and a guarantee between the family members of the migrant and the smugglers. Practice has shown that these are owners of bars or some commercial activity, where family members of migrants deposit money as guarantees that are given to the smugglers upon arrival of the migrants at the destination. Often, these persons claim they are never involved in criminal activities, but just know the different parties. However, they get a commission or percentage for their services.

*'Accommodators'* are owners of hotels, motels or private residences that secure the shelter and stay of migrants, during their transit passage in a given country.

*'Falsifiers'* are members or not of the groups that smuggle migrants. They realize the falsification of identification documents and visas toward different destinations for illegal migrants.

Corrupt public officials, although they may not be members of these groups, through their active (embassy/consulate employees) and passive (police officers in border crossing checkpoints) assistance play an essential role in the successful realization of the smuggling of migrants.

### ***Illegal profits***

Profits from the smuggling of migrants are very high compared to the risks and costs involved. The criminal offence of ‘assistance for illegal border crossing’ is considered less dangerous than other offences such as trafficking of persons, drugs, and arms and, as a result, bears lesser sentences than the latter. Also, in case of police pursuit, smugglers abandon their clients immediately and have no financial losses if the payment for the offered services has been done upfront. Due to different factors, such as the distance between the country of origin and the destination, means of transport used, period of the year, weather, presence of extra police and border controls, and others, there may be no standard tariffs for smuggling of migrants. However, relying on information obtained from judicial rulings for structured criminal groups that have carried out this activity, interviews with experts, and different research studies in receiving countries, we are able to make an approximate estimation of tariffs paid by migrants for being smuggled toward different destinations. Thus, for 2006, assistance for illegal border crossing into Greece cost between 150 and 600 dollars. Transportation to inland Greece cost 500 up to 1,000 dollars.<sup>224</sup> Reviewed judicial rulings indicate that on the eve of visa liberalization, the price had increased considerably and varied from 1,000 to 1,200 Euros per person. Payments for smuggling toward Western Europe countries were from 2,500 to 6,000 Euros.<sup>225</sup> Smuggling toward Italy through Northern Balkan countries cost 3,000 – 3,500 Euros.

For farther destinations, such as America and Canada, payments are estimated up to 16,000 Euros, including falsification of identification documents and visas. Information on smuggling tariffs, accompanied by the number of persons that exploited the illegal channels to arrive in the selected destinations, helps us realize and estimate approximately the profits and economic power of criminal networks involved in smuggling of migrants. As in the case of trafficking in human beings, the clandestine nature of the activity of smuggling of migrants makes it almost impossible to have an accurate figure on the number of smuggled persons. According to the national census of 2011, it is estimated that about 500,000 persons have emigrated from 2001 until 2011.<sup>226</sup> At present, there are no official statistics on the percentage of persons who have emigrated legally and the remaining difference of smuggled persons. Nevertheless, various international reports and research studies have reported for quite some time different figures, referring to annual criminal profits of migrant smuggling networks. Thus, for sending speed boats to Puglia, one speed boat owner in Vlorë admitted that he won about 10,000 dollars per night.<sup>227</sup> Annual incomes from smuggling of migrants for a criminal group could reach up to 45 million Euros.<sup>228</sup> Criminal incomes from this activity, according to UNDP, were even higher, going up to 250 – 300 million dollars only for the city of Vlorë.<sup>229</sup> During the period 1998-2005, according to data from Italian police, 95,822 persons emigrated illegally toward Italy. Each of them paid from 500 up to 1,000 Euros, which means an average criminal profit of about 80 million Euros from this activity. According to the same sources, of these, 22,815 illegal migrants were Albanian citizens. During the same period, Albanian authorities reported that payments toward

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224. Ibid

225. FATF Report Money Laundering Risks from Trafficking in Human Beings and Smuggling of Migrants, July 2011: 16

226. INSTAT, Census of Population and Households 2011: 7

227. Hysi, V, ‘Organized Crime in Albania: The ugly side of capitalism and democracy,’ p. 548 (citing Renton 2001: 20) in Paoli L, Fijnaut C ‘Organized Crime in Europe: Concepts, Patterns, and Control Policies in the European Union and Beyond,’ 2004

228. Ibid

229. UNDP 2001: 41, referred in Paoli L, Fijnaut C ‘Organized Crime in Europe: Concepts, Patterns and Control Policies in the European Union and Beyond,’ 2004

different destinations varied from 300 to 3,000 Euros.<sup>230</sup> On the eve of visa liberalization for Albania, judicial rulings indicate that the average payment for being smuggled toward Italy, through land routes, was 3,000 – 5,000 Euros per person.

### ***Consequences of smuggling of migrants***

Smuggling of migrants, aside from illegal profits for the involved criminal groups, has also brought incalculable costs for illegal migrants and the Albanian state. Although at present, the accurate number of Albanian citizens who tragically lost their lives or appear missing, during their efforts to arrive and start a new life in other countries, only during the period March 1997 – January 2004, about 455 persons had a tragic fate.<sup>231</sup> Among the panoply of news stories about capsizing rubber boats of emigrants and killings of migrants from Albania at the border, common social memory has registered indelibly the sinking on March 28, 1997 of the ship ‘Kateri Rades’ after colliding with Italian military ship ‘Sibilla,’ and the appeal for help by the guides of a rubber boat to a private television station on January 9, 2004. In this case, 21 persons were found dead in the rubber boat from the cold and 7 others disappeared. In its beginnings, the uncontrolled character of illegal migration has caused also political tension between Albania and neighboring countries, such as Italy and Greece.<sup>232</sup> These migrant flows have been accompanied by statements of politicians with racist tones that, inflated by the media, have encouraged the appearance of stereotypes and discrimination of Albanian immigrants in these countries.<sup>233</sup>

#### **Threat assessment of migrant smuggling**

- *The possibility to move freely toward Schengen area countries, following visa liberalization for Albania in December 2010, has naturally reduced the demand for exploiting illegal channels of smuggling to and through these countries.*
- *At present, desired destinations for clandestine migrants from Albania are the United Kingdom and the United States of America. In the last year, unfortunately there has been loss of human lives during efforts to arrive in the UK.*
- *International smuggling networks are exploiting our country for transit passage of Syrian, Sudanese, Congolese, and other citizens.*
- *Entry into the Albanian territory is mainly done through the country’s southern border but also through the international Rinas airport. In some cases, corrupt officials in border crossing points facilitate illicit activity.*

230. Carpo Regional Project ‘Situation Report on Organized and Economic Crime in South-Eastern Europe,’ 2006: 77

231. <http://www.shqiptariitalise.com/component/content/article/46--mars-1991-edhe-une-isha-ne-anije/1054-varreza-otranto.html>

232. Piperno, F. From Albania to Italy: Formation and basic features of a binational migration system. CESPI May 2002

233. UNDP, Albanian Human Development Report 1996, p. 40, Baldwin-Edwards, M Immigration into Greece, 1990-2003: A Southern European Paradigm? European Population Forum UNECE Geneva, January 2004: 3

### 3.4. Trafficking of arms

Criminal organizations use arms mainly for self-protection or for attacking opponents, as well as for making profits from their illegal trafficking. These arms fare of different types and nature and include pistols, semi-automatic arms, machine guns, explosives, and typical combat arms.

#### **Trafficking of arms by criminal groups**

Trafficking of arms presents an *eloquent demonstration of the unifications realized through different sectors of illicit activities* and the further consolidation of ties, *mutual alliances and operational collaborations between criminal organizations that have empowered their potential and social danger in certain criminal activities.*<sup>234</sup> Trafficking of arms from Albania was initially conducted in collaboration with Italian mafia organizations. The first Albanian criminal groups were allowed to exploit certain territories in Italy, controlled by Pugliese criminal groups of the *Sacra Corona Unita* in exchange for arms from Albania.<sup>235</sup> Criminal collaboration in trafficking of arms was further expanded with the mafia groups of *Ndragheta*.<sup>236</sup> This trafficking had contact points with trafficking of drugs, human beings and smuggling of migrants and various goods.

The first Albanian elements involved in illegal activities of smuggling and trafficking were former agents of the secret services of the (former communist secret service) *Sigurimi*.<sup>237</sup> The disintegration in 1991 of the *Sigurimi*, which counted about 10,000 agents and its replacement with the *National Informative Service* led many agents to lose their jobs and some of them began to engage in illegal activities to secure an income.<sup>238</sup> Their training, acquaintances, and skills in using arms and violence were necessary and useful elements for engagement in dangerous organized crime activities. This fact is also confirmed by Europol, which in 2011 reported that most of the members of Albanian-speaking criminal organizations had previously worked in the police, secret services, and para-militia.<sup>239</sup> Trafficking in arms is conducted by ‘*poly-criminal*’ groups in collaboration with criminal networks of international trafficking of drugs and human beings.

#### **Structure of groups**

Organized criminal groups involved in this activity on average consist of 4-6 members. One or two of them serve as key persons in organizing the trafficking and mediating with other groups in Montenegro and Kosovo. These persons have ample knowledge of the types and prices of different arms. When the arms and explosives are acquired domestically, one or more persons are responsible for finding and collecting them from different regions of the and armament depots of the country, through collaboration with or corrupting of officers, warehouse people and other persons tasked with guarding them. The transportation of arms and munitions from outside or inside the country may be done by the organizers themselves or some other member of the group. Another member is tasked with finding potential buyers and the realization of the sale. Acquaintance between members is social and in some cases family ones. Some of the key persons in arms trafficking groups appear to have gotten

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234. Poda, Z, *Organized crime*, 1998: 72

235. Europol 2004: 22, Interview with prosecutor (code 29), June 2014

236. Europol 2011: 38

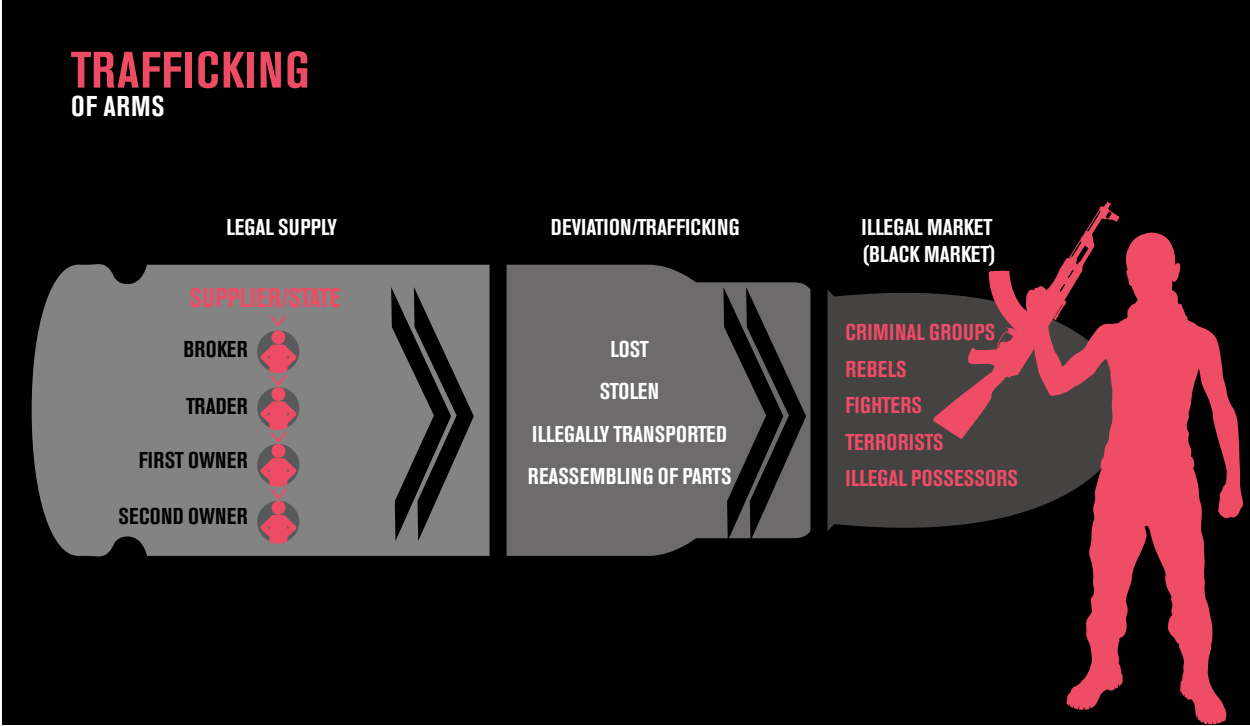
237. Hajdinjak, M. ‘Smuggling in Southeast Europe: The Yugoslav wars and the Development of Regional Criminal Networks in the Balkans.’ Center for the Study of Democracy 2002: 18, referred ‘The Library of Congress Country Studies, b April 1992. <http://lcweb2.loc.gov/frd/cs/altoc.html>’

238. *Ibid*

239. Europol 2011: 39



to know one another while serving prison terms in the past. Communications between them are reserved, often coded, and since they have created the main necessary ties, they chose to conclude agreements for the supply and sale of arms in personal meetings. During these meetings, members also conduct the demonstration of samples for interested persons. However, it may happen that some of the wiretapped conversations are careless and contain concrete terms and names. This often happens among persons who have not been convicted before.<sup>240</sup>



**Ways of trafficking**

The routes used are those of drug trafficking the most frequent ways are by hiding arms and component parts in private vehicles and loading on ferries, smuggling them through the green border, and the exploitation of bus lines Albania – Greece and Albania – Kosovo – Germany as far as Sweden. Arms traffickers exploit international transport companies, using bribes or coercion on drivers.<sup>241</sup> Also, there have been cases of trafficking of arms and component parts from the U.S. and Canada through mail packages.<sup>242</sup>

Trafficking during conflicts in the region

Trafficking of arms has turned into an illegal, very profitable business for Albanian criminal groups inside and outside the country, during the periods before and during armed conflicts in the region. The same criminal net-

240. Interview with police expert (code 12)  
 241. Ibid  
 242. Ibid, interview with police officer (code 12)

works that supplied arms to ‘criminals’ have also trafficked arms for the ‘fighters.’ In practice, kneeling before the nature of the market, ‘state’ arms have deviated toward criminal undertakings, just as arms possessed by citizens have been sold to armed conflicts and criminal activities. However, it should be noted that in most cases, the final goal of these transactions is the monetary profit and not the purpose these arms will be used for.<sup>243</sup>

Concretely, such phenomena have been reported before and during armed conflicts in Kosovo, in 1999, and in Macedonia, in 2001. Since 1994, ethnic Albanian organized crime groups, operating in Western Europe, have been supplied with arms and drugs by criminal groups in Georgia and Armenia. With the money secured from the sale of drugs, more arms were bought, which were trafficked toward the conflict that was being prepared in Kosovo. Arms were also secured from Russian soldiers, in exchange for heroin.<sup>244</sup> The United Nations Office on Drugs and Crime (UNODC) has also reported the supply of the Kosovo Liberation Army with arms bought through money earned from drug trafficking, as well as with the support of the diaspora in Italy and Switzerland. Also, arms looted from arms depots in Albania also made it Kosovo.<sup>245</sup> It was estimated that from the arms depots, about 550,000 arms were looted, of which 38,000 were hand arms, 226,000 Kalashnikovs, 25,000 machine guns, 2,400 anti-tank rocket launchers, 3,500,000 hand grenades, and 3,600 tons of explosives.<sup>246</sup> Of these, at least 6,000 AK-47s (Kalashnikovs) went to Kosovo.<sup>247</sup>

After the end of the conflict in Kosovo, arms stocks from there were trafficked to Macedonia, before and during the conflict of 2001. The number of Kalashnikovs transported to Macedonia from Kosovo reached 12,000.<sup>248</sup> Of course, the flow of Albanian arms or the transit use of the Albanian territory happened because of the lack of control on large parts of the territory by the Albanian government and institutions, during the period 1997-1999. At that time, Northern Albania looked more like a very profitable arms market for different groups.<sup>249</sup> Beyond unconfirmed data, it is not proven that the trafficking of arms from Albania to Kosovo or to Macedonia has been done in the context of the idea of ‘Greater Albania,’ which interviewed experts generally do not see as a policy directed by Tirana.<sup>250</sup> Moreover, experts add that the lack of control over the territory led to arms looted from depots being trafficked at the same time toward Greece.<sup>251</sup> At least 1,500 Kalashnikovs are estimated to have been trafficked toward the southern neighbor during the time of turmoil in the country.<sup>252</sup> It has been argued in literature that *even if arms suppliers made political distinctions*, for instance supplying allies with weapons through covered operations, *there is very little probability to guarantee that the arms will stay on the hands of expected receivers.*<sup>253</sup>

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243. Vuurwapens: legaleen illegale kanalen, Tijdschriftvoor –Criminologie, Ed. H. J. Frankie; E.S. de wijs., Vol 32, No. 1, 27-41, March, 2001: 2

244. The New York Times ‘Albanian Groups at Center of Huge Traffic, Report Says: In Balkans, Arms for Drugs.’ Barrey, J. June 1994. See: <http://www.nytimes.com/1994/06/06/news/06iht-drugs.html>

245. The Globalization of Crime: a transnational organized crime threat assessment. UNODC, 2010: 256

246. Gjoni, I ‘Organized Crime and National Security: the Albanian Case,’ 2004: 32

247. Castle. R. and Musah, 1997; Kushti N. Public Awareness Information Officer for the UNDP Project in Albania provided to S. Shropshire referred in ‘Border Controls in Canada: Impact on Illicit Trafficking and Public Safety’ Brief to the Sub-Committee on International Trade, Trade Disputes and Investment of the Standing Committee on Foreign Affairs and International Trade. Coalition for Gun Control, October 29, 2001: 13

248. Ibid

249. ‘Turning the page: Small arms and light weapons in Albania’ Center for Peace and Disarmament Education and Safer world, December 2005: 7

250. Ibid

251. Interview with judge (code 29), June 2014 and reporter (code 18), October 2014

252. ‘Border Controls in Canada: Impact on Illicit Trafficking and Public Safety’ Brief to the Sub-Committee on International Trade, Trade Disputes and Investment of the Standing Committee on Foreign Affairs and International Trade. Coalition for Gun Control, October 29, 2001: 13

253. Vuurwapens: legaleen illegale kanalen, Tijdschriftvoor –Criminologie, Ed. H. J. Frankie; E.S. de wijs., Vol 32, No. 1, 27-41, March, 2001: 2

## Trade through official channels

Keeping in mind the difference between trafficking of arms by criminal networks and the international arms trade, with the main actors being states, it results that arms and munitions from Albania have gone also to other areas for different purposes. According to the *United Nations Register for Conventional Arms*, Albania transferred munitions toward the U.S. and Bulgaria, for purposes of dismantling and demilitarization.<sup>254</sup> High caliber artillery systems have been sent to the armed forces of Burkina Faso and the Democratic Republic of Kongo.<sup>255</sup> Also, it has been documented that 115,510 cartridges of the 12.7 mm caliber have been sent from Albania to Burundi.<sup>256</sup> During the last year, arms and munitions from Albania have been donated to the Afghan government and the Kurdish forces in Iraq, in the context of efforts of the international coalition against terrorism.<sup>257</sup>

However, citing prestigious newspaper The New York Times, *“the international arms business operates partially in the light and partially in the shadows and has been littered by short-lived ‘shell’ companies, middlemen and official corruption.”*<sup>258</sup> Concretely, in the story, the American daily referred to the transfer from Albania of Chinese munitions to Afghanistan. The transfer had been enabled through the contracting by Albanian authorities of a middle company, which appeared registered in Cyprus on behalf of a Swiss citizen, raising suspicions of official corruption. According to a report by the United Nations Security Council, 800,000 12.7 mm cartridges ended up from Albania to the civil war in Libya in 2011, in violation of the established arms embargo.<sup>259</sup> Although local authorities denied having any knowledge on the change of destination of the flight outside the airspace of the Republic of Albania, in this case too, it results that an Armenian *‘facilitating agent’* was involved in the chain of export of the munitions. This time, Albanian authorities chose to sign a contract with a state entity not an independent mediating company, and this led to the involvement of UKRAINMASH, which was under the Ukrainian state agency Ukrspelexport.<sup>260</sup> Armaments from Albania are reported to have been trafficked also to Rwanda, during and after the genocide there, thanks to the mediation of British company Mil-Tec. These weapons were sold to the Government of Rwanda forces, east of Zaire.<sup>261</sup> Recently, arms and munitions from Albania may have been trafficked to Syria. In November 2014, after a police operation that led to the arrest of 8 persons suspected of involvement in arms trafficking, it was reported about reasonable suspicions that the criminal group had trafficked

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254. The Global Reporter Arms Trade, the Un Register of Conventional Arms: <http://www.un-register.org/Heavyweapons/CountrySummaryReports.aspx?Col=2>

255. Ibid.

256. Wezeman, P. 'Arms Flows and the Conflict in Somalia' October 2010: 9, referring to the United Nations Register of Conventional Arms (UN-ROCA) database

257. Balkaninsight, Likmeta, B 'Albania Starts Shifting weapons to Iraqi Kurds,' August 2014 accessed online at <http://www.balkaninsight.com/en/article/albania-starts-deliver-of-weapons-to-iraqi-kurds>. See also the Council of Ministers Decision No. 542, 15.8.2014 'On the contribution of the Council of Ministers of the Republic of Albania to the Government of the Republic of Iraq, in the context of the efforts of the international coalition in the fight against terrorism, and for a change to decision no. 987, dated 1.12.2010, of the Council of Ministers, 'On the contribution of the Council of Ministers of the Republic of Albania for the Afghan Government, in the context of the efforts of the international coalition against terrorism.'

258. The New York Times 'Supplier Under Scrutiny on Arms for Afghans,' March 2008. <http://www.nytimes.com/2008/03/27/world/asia/27ammo.html>

259. United Nations, Security Council, Report of Panel of Experts on Libya established pursuant to resolution 1973 (2011) S/2013/99 p. 19. [http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2013\\_99.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2013_99.pdf)

260. Likmeta, B. 'Albania Faces Questions Over Arms for Libya,' taken online at <http://www.balkaninsight.com/en/article/albania-weapnos-diverted-to-libyan-rebels-reports-says>

261. 'Turning the page: Small arms and light weapons in Albania' Center for Peace and Disarmament Education and Safer world, December 2005: 83.

arms to Syria even before. However, these claims were opposed by the Prosecutor's Office.<sup>262</sup> Although there is no information about the use of official channels for trafficking of arms, it results that arms and munitions were stolen from police and military depots by employees involved directly or indirectly in this organized criminal activity.<sup>263</sup>

### **Current situation**

Based on interviews with experts and on the review of judicial decisions of recent years, we notice that trafficking of arms and munitions from, through, and to Albania is conducted by small sporadic groups inside the country, in collaboration with groups from neighboring countries such as Montenegro, Kosovo, Greece, and Italy. Generally, it is accepted that the continued strikes against groups of arms traffickers and sentences issued for these groups by the Serious Crimes Court have weakened this form of organized criminality in the last three years.<sup>264</sup> Moreover, experts add that at present this criminal activity does not appear to be very profitable for these groups, which often exploit it as a secondary source of illegal incomes.<sup>265</sup> Unlike years ago, when routes and final destinations of trafficked arms and munitions could be clearly seen because of armed conflicts in the region, at present, trafficking channels are generally scattered.<sup>266</sup> Nevertheless, we notice a relatively more emphasized feature in the flows of trafficking of arms in Albania's northern border with Montenegro and Kosovo. Albania serves as a source country mainly for Kalashnikovs and munitions trafficked through the border crossing points or the green border with these countries that serve both as transit countries and as destinations. After being loaded on private vehicles or through bus lines, arms arrive in Austria, Germany, Sweden, and other countries of the European Union.<sup>267</sup> Although not in large quantities, Kalashnikovs, component parts of arms and munitions hidden in private vehicles loaded on ferries are trafficked to Italy through port border control points.<sup>268</sup> In most cases, these arms have been purchased and transported toward the neighboring country by Italian citizens. In the past, especially during the period of turmoil in the country, considerable amounts of Kalashnikovs and cartridges have been trafficked to Greece. This trafficking continued intensively until 2005-2006 and has declined considerably in recent years. In this case too, Greek criminal groups came themselves to Albania to purchase weapons, which were then trafficked to Greece through Korçë and Pogradec.

With regard to needs of the domestic market for arms and munitions, it is difficult to estimate because one cannot rely entirely on the quantities of arms seized by police. A considerable part of these arms come as a result of 'stimulated purchases.' During police operations of 'stimulated purchases,' the quantity of requested arms is determined by the covert police agent. This quantity of seized arms may serve as an indicator of the potential and capability of these groups to secure and smuggle weapons, but it may not be a real indicator of the domestic demand for arms.<sup>269</sup> Also, experts claim that aside from usual arms seized from persons involved in criminal activities, organized criminal groups inside the country are equipped also with sophisticated arms. In their opinion, the lack of discovery and seizure of these arms at border entry points reflects the lack of successful investigations in this regard.<sup>270</sup>

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262. 'Trafficking of arms, Prosecutor's Office opposes police: Not headed for Syria,' Top Channel, 15.11.2014, taken online at <http://www.top-channel.tv/lajme/artikull.php?id=287908>

263. Likmeta, B. 'Albania Arrests Six for Arms Trafficking,' February 2014, <http://www.balkaninsight.com/en/article/albania-arrest-six-for-arms-trafficking>

264. Interview with lawyer (code 2), prosecutor (codes 3, 25, 29), judge (code 34), and reporters (codes 17, 18)

265. Interview with police expert (code 12) and reporter (code 18), October 2014

266. Interview with prosecutor (code 22), June 2014

267. Interview with police expert (code 12) and judge (code 35), June 2014

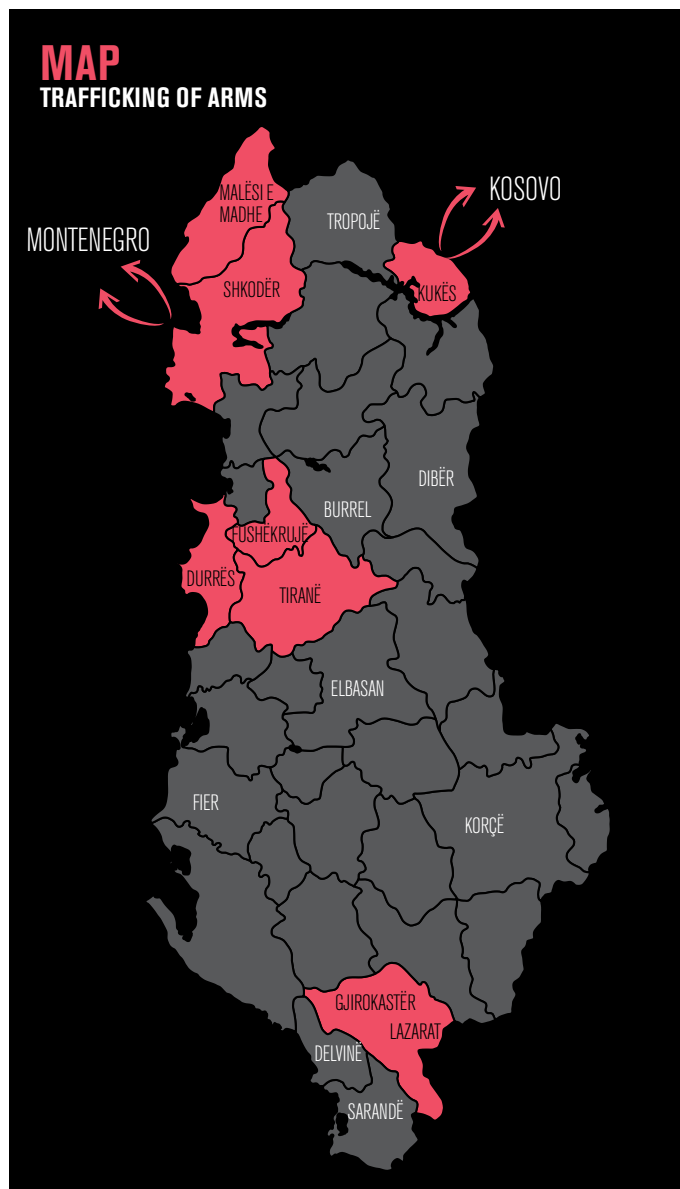
268. Interview with prosecutor (code 29) and judge (code 33), June 2014

269. Interview with prosecutor (code 28), June 2014

270. Ibid.

At the beginning of 2014, there was a disturbing raise of trafficking, sale, and use inside the country of explosive substances, such as remotely controlled mines, C4 and dynamite. A considerable part of explosives were produced and are inside the country's territory. In some cases, it has been proven that these materials were stolen by employees of military warehouses, and explosive substances that legitimate businesses need, such as mines and quarries, have been misused. However, part of the explosives was imported to Albania from neighboring countries. Amounts of C4 explosive have been imported from Montenegro, where it is believed they were stolen from a military plant. Experts state that trafficking of explosive ordinance is also conducted with Kosovo. The illegal use of explosive ordinance in Albania is done for the purposes of threats, terror, and physical elimination. The lack of evidence in the killings by explosives has made the work of investigation bodies more difficult to discover perpetrators and criminal motives.

At present, the main tendency in the trafficking of arms is the import from Montenegro and Kosovo of different types of pistols, mainly "Mini-Blow," Zastava, Beretta, but also Ekol special, Brazilian Taurus and Czech VZOR. It is reported that Yugoslav Zastava pistols mainly come from Serbia whereas other types transit after import from Turkey. Albania is exploited also as a transit country for these pistols and their munitions. 1088 arms were seized in Albania during the last year, of which 748 automatic arms, 117 hunting arms, 162 pistols, 59 machine guns and two snipers. Also, an amount of 416,000 cartridges, 2661 TNT sticks, 118 kilos of C4 and 24 remotely controlled mines.<sup>271</sup> Of these, in the village of Lazarat alone, police seized 426 automatic weapons, 27 pistols, 2 snipers, 1 anti-aircraft machine gun with the base, 30 light machine guns and 6 heavy machine guns.<sup>272</sup> For the period January 1 – September 30, 2014,



271. General Directory of State Police, accessed online at <http://www.asp.gov.al/index.php/en/component/content/article/88-policimi-ne-komunitet/aktivitete/444-mbi-treguesit-ne-luften-kunder-krimit-te-organizuar-prezantimi-i-zj-toska>

272. <http://www.asp.gov.al/index.php/rezultatet-e-operacionit-ne-lazarat>

there were 26 cases of trafficking of arms and 5 cases of explosive ordinance.<sup>273</sup>

The prices of arms and munitions in the domestic market vary in time and by type of arm. Thus, for instance, one Zastava pistol in 2009 cost about 21,000 Lekë, in 2011 it cost 70,000 Lekë, and in the recent year, one Zastava 7.65 mm caliber pistol, with a silencer, varies from 1,000 to 1,200 Euros. One Mini-Blow pistol costs at least 200-300 Euros, while one Beretta type of pistol may cost more than 1,500 Euros. One Kalashnikov may be purchased for 40,000-50,000 Lekë. One MP5 or Scorpion automatic weapon with a silencer sells for 1,500-2,000 Euros. Sniper rifles and remotely controlled mines are more expensive and they cost respectively 2,500 and 3,000 Euros.<sup>274</sup>

The areas most affected by trafficking of arms in Albania are Shkodër, Kukës, Tiranë, Durrës, and Fushë-Krujë for explosive ordinance. Lazarat village was supplied with different arms, including typical combat ones, discovered and seized during the police operation in June-July 2014. The reasons that explain the frequency of this activity in these areas have to do with the proximity with Montenegro and Kosovo, urban concentration and the domestic market in the capital, the presence of businesses using explosives in their work, and the presence of exiting border control ports.

### **Threat assessment for arms trafficking**

- *At present, trafficking of arms from, through and to our country is done by criminal groups of 4 to 6 members. Some of the members have good knowledge on the nature, types, and prices of arms, and have worked in the military or police in the past.*
- *Albania serves as a source country for Kalashnikovs, munitions and explosives. Kalashnikov automatic rifles, component parts and munitions head for Montenegro and Kosovo. Arms and their parts are hidden in private vehicles loaded on ferries headed for Italy. Kalashnikovs and pistols transit through Albania to Greece, through the green border and border crossing points.*
- *From Kosovo and Montenegro via bus lines, arms go also to Austria, Germany, Nordic countries, etc.*
- *Pistols and semi-automatic arms of different makes are trafficked toward Albania from Montenegro and Kosovo.*
- *Transport via mail parcels have been used for trafficking of arms and their parts from remote countries.*
- *Traffickers of arms exploit for their purposes international transport company trucks, using bribes or coercing drivers.*
- *Albania's most affected regions by the illegal arms trafficking and trade are border areas such as Shkodër and Kukës, the port city of Durrës and Tirana. Fushë-Krujë appears problematic in terms of the illegal trade of explosive ordinance.*

273. Interview with police expert (code 12)

274. Prices were taken from judicial decisions of the Serious Crimes Court and the prosecutor's office requests for arrests and security measures for persons suspected of involvement in trafficking of arms

### 3.5 Extortion

Extortion is one of the most developed forms of organized crime in the EU. Because of that, the Council of Europe established a strategy for the fight against this criminal activity since 2000.<sup>275</sup> The EU has ratified a series of directives in the past decade, which have been included in the national legislations of member countries.<sup>276</sup>

Based on typologies defined in literature, criminal organizations that deal with extortion are three. 1) 'Parasite' groups are criminal structures that dictate different payments in value on victims over a long period of time. 2) 'Symbiotic' groups are those whereby a long-term cooperation agreement is reached between the criminal group and the victim and both sides make illegal profits from one another. 3) 'Predator' groups are those criminal groups that extort only once on the same victim.<sup>277</sup> The second form is the most sophisticated form of extortion. The structure of the criminal organization in the cases of extortion, as in other crimes, is divided into 1) hierarchical structures and 2) in the form of a criminal network.<sup>278</sup>

Extortion continues to be a problematic criminal activity in Albania and, though not in very high numbers, it is a criminal form that has assumed organized features. In cases adjudicated by the Serious Crimes Court of First Instance, for the period 2008-2012, about 18% of the decisions had to do with "extortion."<sup>279</sup> For a criminal offence to be classified as 'extortion,' the criminal code (article 109/b) establishes two distinguishing elements, such as 1) obligation by force through threats and violence on someone for 2) purposes of material or other kind of benefit. Because of the danger that this criminal offence poses, it has been classified as an offence with serious consequences for the society and, as a result, is adjudicated by the Serious Crimes Court, even if one single person commits the offence. According to data obtained on the last three years, we notice that the numbers in this criminal activity have been on the rise, which shows that preventive measures against this criminal activity have not yielded the desired results in the last four years.

TABLE NO. 8

Year	Denounced Cases	Discovered Cases
2011	19	15
2012	21	18
2013	30	18
January-September 2014	22	17

275. See study of Transcrime (2010) "Study on Extortion Racketeering the Need for An Instrument to Combat Activities of Organized Crime," Transcrime, Joint Research Center on Transnational Crime, p. 15, accessed on 19.11.2014 at [http://ec.europa.eu/dgs/homeaffairs/doc\\_centre/crime/docs/study\\_on\\_extortion\\_racketeering\\_en.pdf](http://ec.europa.eu/dgs/homeaffairs/doc_centre/crime/docs/study_on_extortion_racketeering_en.pdf)

276. See study of Transcrime (2010) "Study on Extortion Racketeering the Need for An Instrument to Combat Activities of Organized Crime," Transcrime, Joint Research Center on Transnational Crime, p. 17, accessed on 19.11.2014 at [http://ec.europa.eu/dgs/homeaffairs/doc\\_centre/crime/docs/study\\_on\\_extortion\\_racketeering\\_en.pdf](http://ec.europa.eu/dgs/homeaffairs/doc_centre/crime/docs/study_on_extortion_racketeering_en.pdf)

277. See study of Transcrime (2010) "Study on Extortion Racketeering the Need for An Instrument to Combat Activities of Organized Crime," Transcrime, Joint Research Center on Transnational Crime, p. 14, accessed on 19.11.2014 at [http://ec.europa.eu/dgs/homeaffairs/doc\\_centre/crime/docs/study\\_on\\_extortion\\_racketeering\\_en.pdf](http://ec.europa.eu/dgs/homeaffairs/doc_centre/crime/docs/study_on_extortion_racketeering_en.pdf)

278. A criminal network shall refer to a connecting system between criminals, such that each of the members may directly or indirectly contact the other criminal, and this way the network turns into a fluid structure relying on illegal standards, whereby members / collaborators exchange information and services with one another. For more information, see Lemieux, V (2003) "Criminal Networks," Royal Canadian Mounted Police, accessed on 19.11.2014 <http://cpc.phippsinc.com/cpclib/pdf/56312e.pdf>

279. Interview with judge (code 38/1), June 2014

## **Profile of extortionists**

There is still no public data regarding the number or the profile of 'extortionists.' However, it is believed that this activity has begun to assume pure forms of organized crime. Although data is unconfirmed, it is believed that in the city of Tirana alone there are several criminal groups, with over 20 members each. These are criminal groups with varied activities that do not focus on extortion alone. This typology of criminal organization mainly has strong ties with the political elite and powerful businesses. This form of criminal organization is among the most dangerous, because of ties inside and outside the country, economic power, and organization.<sup>280</sup>

During the period 1993-2005, extortion was dominated and run by known criminal organizations. It is believed that most of the gangs of 1997 used the above three typologies of extortion. In fact, the 'symbiotic' form was similar to forms used by the Italian mafia, with the criminal organization providing security for certain businesses in exchange for a fixed fee, according to an agreement between the sides.<sup>281</sup> During 1997, extortion was localized and dominated by gangs that controlled a certain territory.<sup>282</sup> Extortion was not their only activity but one of the main criminal activities.

After 2005, many of the above gangs were tackled with and extortion cases dropped. On the other hand, this criminal activity began to be sophisticated.<sup>283</sup> Although they are not yet identified, it is thought that criminal groups that have begun to 'specialize' in extortion were formed during 2005-2014. These groups usually become known thanks to their leaders, who stand out with a colorful 'career' in the areas of drug trafficking and killings. Extortion is not their primary activity, but they still use it for two reasons. First, to benefit their criminal organization; second, as a form of service contracted by third parties and, third, they are contracted to avoid fines imposed by organizations or individuals weaker than them. One technique used by this type of organizations is the simulation that they themselves fabricate in order to trap the victim. A third person pretends to impose a fine and then the criminal organization offers itself to the victim to resolve the conflict for a certain payment.<sup>284</sup>

It should be noted that 'extortion' is a phenomenon that is present not only in legitimate businesses, but also in illegitimate activities. In the second case, this phenomenon is very difficult to distinguish because both the forms of blackmail and those of protection are informal. In the first case, someone may turn to public order bodies because his activity is legal, but in the second case, the victim cannot because of the illegal activity he's involved in and thus risks punishment.<sup>285</sup>

## **Characteristics**

Most of the prosecutors and lawyers who were interviewed think that extortion is a declining activity in the last three years. In their view, this phenomenon presently is characterized by the acquaintance between the extortionist and the victim.<sup>286</sup> As a criminal law lawyer notes, "extortion may never happen if this acquaintance does not exist."<sup>287</sup> One characteristic that stands out after 2005 is the case of extortion coming as a result of a conflict between parties connected through a contractual relationship for business purposes. If one of the parties termi-

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280. Interview with reporter (code 46), November 2014

281. Interview with police expert (code 15), October 2014

282. Interview with prosecutor (code 26), July 2014

283. Interview with prosecutor (code 38/4), May 2014

284. Interview with reporter (code 46), October 2014

285. Schelling, T.C. (1984). *Choice and Consequence*. Harvard: Harvard University Press

286. Interview with prosecutor (code 22), July 2014

287. Interview with lawyer (code 2), October 2014



nates the agreement, the other party may coerce the opponent to fulfill the obligation but also imposing an illegal coercive measure that is not anticipated in the contract.<sup>288</sup> According to an interviewed prosecutor, today, businesses themselves are using criminal groups to impose fines for competition reasons, with one business forcing the other, through extortion, to withdraw from a tender or an investment.<sup>289</sup> It is also noted that there is a growing tendency to use extortion on large businesses, but that is not reported. As one interviewee notes, “with regard to large businesses, I say again that there are no investigations, the extortions imposed by dangerous criminal groups are not reported... Harmed people lack the courage to report it... The confidence that their problem may be resolved is lacking because the risk is way too big.”<sup>290</sup>

Another fact that comes out of interviews is that powerful businessmen have created ties with known exponents of the crime world, using the latter for protection against other criminal groups. This collaboration may be of different forms, either through payment or through involvement in the commercial activity of criminal groups through shares.<sup>291</sup> This has led to the integration of criminals in the business field. These use threats and blackmail to avoid competition or to take away the commercial activity from someone, either through ‘buying out’ with low prices, or by forcing the business to launder the dirty money of these criminal organizations.<sup>292</sup>

After 2005, another characteristic of extortion that is used widely is deceit. So, criminal groups behave and use cheating schemes credible to the victim, e.g. introduce themselves to the victim like national or international secret service officers.<sup>293</sup> It is also noticed that racketeers have tendencies to increase the value of the fine progressively from the initial demand to ensuing ones.<sup>294</sup> There is also an extensive use of mobile phones for blackmails. In general, *sms*'s with a very heavy jargon, filled with name calling toward the victim. The latter is usually threatened with his life, but also of family members. On the other hand, requested amounts are very high, varying from 10,000 to 200,000 Euros.<sup>295</sup> It is also noticed that there is an increase in the number of women in groups exercising extortion.<sup>296</sup>

### ***‘Predator’ Extortion (trap)***

Another form being encountered often is extortion that pushes the victim to a trap. In general, powerful traders are preys of such criminal activity.<sup>297</sup> It is noticed that there is an increase in the number of females in this type of scheme. The group has a certain plan that includes studying the businessman’s profile, the way to approach him and the forms of blackmail. The female member of the group plays a primary role, serving as ‘bait’ and creates the possibility to establish contact with the victim. Then the ‘bait,’ through seduction, enters into intimate

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288. Interview with (code 26), July 2014

289. Interview with prosecutor (code 26), July 2014

290. Interview with prosecutor (code 28), June 2014

291. Read the testimony of justice collaborator Ndrçim Gjokona, according to whom “Two businessmen - brothers in the southern port of Vlora - faced a demand from racketeers late in 2013. They had to pay up to avoid being targeted by a gang. Instead of denouncing the gangsters to the police, however, the two brothers chose a safer option: hire another gang to protect them.” For more, see Karaj, V, ‘Justice collaborators discover ties between business and organized crime,’ Reporter.al, 02/12/2014, accessed on 23.12.2014 <http://www.reporter.al/te-penduarit-e-drejtisesise-zbulojne-lidhjet-mes-biznesit-dhe-krimite-organizuar/>

292. Interview with reporter (code 45), August 2014

293. See Decision of the Serious Crimes Court of First Instance no. 15, dated 27/03/2007

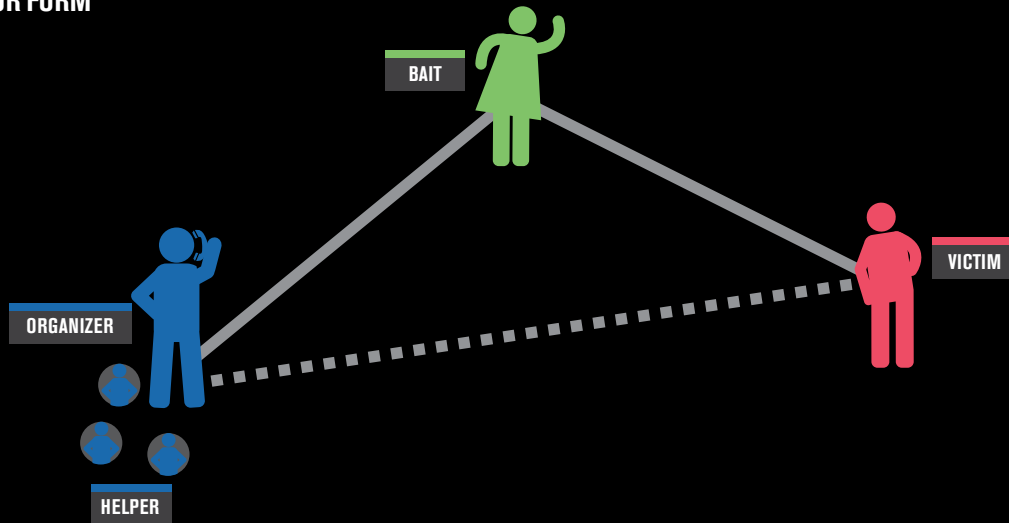
294. See above decisions, see also Decision of the Serious Crimes Court of First Instance, no 52, 29/12/2010

295. See Decision of the Serious Crimes Court of First Instance no. 44, dated 11/07/2012, Decision no. 27, 16.05.2011

296. See Decision of the Serious Crimes Court of First Instance no. 33, dated 01/06/2011

297. Interview with judge (code 34), June 2014

## EXTORTION PREDATOR FORM



relations with the victim and documents them. After the 'evidence' is secured, the other members of the criminal group blackmail the victim, requesting considerable amounts of money (up to 100,000 Euros) so they won't make the relationship public. In one case of extortion of this model, in 2012, it is noticed that the group consisted of four persons in the 21-24 years age group. The group members were not from the same city (two were from Bulqizë, one from Kukës and one from Memaliaj) and the female member had higher law school education.<sup>298</sup>

At present, there are at least two cases being heard in court that fall under the "trap" type of extortion. This form of extortion requires a clear plan of action, extension over time, study of the victim's profile and conceiving the blackmail strategy. The form of taking and laundering the money is also part of a well-studied plan. In this context, it is noticed that this typology of extortion falls under the simplest form of racketeering by organized crime, known as the "Predator" form. It should be noted that, in general, the Serious Crimes Prosecutor's Office and Court have considered organizational forms of these groups as simple collaborations between members and not criminal structures, arguments that leave room for debate.<sup>299</sup>

Organizational forms of the "trap" like extortion is usually done in cooperation with others. They are becoming increasingly sophisticated. This form of extortion was used since 2006. One of its characteristics is that collaborators have a social connection between them and, in general, the woman used as bait is the girlfriend of one of the organizers. Initially, information is collected about the victim regarding his economic status and financial capabilities to pay the fine. Another element of this category of extortion is that racketeers use physical, psychological violence, blackmail through arms or even threats to kill the victim or his family members, unless the ransom is paid within

298. Bakillari, L. (2012) "Gjoha 100,000 Euros, lawyer confesses: How we trapped the businessman," Mapo newspaper, 25/11/2012, accessed on 21/11/2014, <http://mapo.al/2012/11/25/gjoha-100-mije-euro-rrefehet-juristja-si-e-futem-ne-kurth-biznesmenin/>

299. Interview with judge (code 33), June 2014

a very short time (within some hours or days).<sup>300</sup> In general, the main person organizing the extortion has criminal precedents. What stands out in this category of extortion (“trap”) is that in some cases, there is an acquaintance between the racketeers and the victim. On the other hand, it is seen that in general, the targeted victims are people who have just obtained bank loans or there is information that they have large amounts of money hidden in places of residence.<sup>301</sup> This feature shows that racketeers obtain information about the victim. This phenomenon has been seen in criminal groups of racketeers who have acted both in the country’s northern cities and in middle Albania.<sup>302</sup>

### ***Extortion by minors***

One phenomenon that has begun to become very disturbing is extortion organized by groups of minors, 14 – 17 years of age, against peers or younger minors. We notice that the forms and techniques used by this category of racketeers are very similar to those used by adult groups. In this typology of extortion, the racketeering group collects information about the victim from acquaintances of the latter. The victim is usually a lonely child, “calm” and not aggressive, coming from a middle class family. Ties between group members are social and often these are youths living in a neighborhood or village. The reason of the extortion is usually linked with ‘harassment of relative or girlfriend’ of one of the group members. The age of the victim is younger than that of the racketeers. Mobile phone messages containing life threats are used as blackmailing means. The amount of requested money is in averagely small amounts of 150,000 Lekë (i.e. 1,000 Euro). If the victim responds to the request, the extortion risks turning from the ‘predator’ type to the ‘parasite’ type.<sup>303</sup>

### ***Well-organized ‘Predator’ extortions***

Schemes of extortion that may be considered to some extent well organized are those involving large amounts of money (over 100,000 Euros). They are initially accompanied with a high impact threatening act, usually big fire or explosives near the residences of victims or their relatives. Then, communication is established between the ‘racketeer’ and the victim through telephone or threatening letters (written letters accompanied with a bullet).<sup>304</sup> Racketeers may use several mobile phone numbers or may communicate through public telephones.<sup>305</sup> It is noticed that persons with close ties with politics or persons coming from the military are being involved in this activity. Taking advantage of their expertise and experience, they use counterintelligence techniques in order to hide traces and to make their seizure as difficult as possible. In general, the place for the exchange of money is in remote areas, the person taking the money is someone else, and the gang members monitor the entire action from a vehicle in a distance.<sup>306</sup> It is also noticed that online blackmail is on the rise and the use of internet or electronic equipment is increasingly spreading.<sup>307</sup> Based on collected data, this kind of blackmail is still at individual levels and not in organized forms. However, online “extortions” are spread among young ages and the phenomenon is escalating.<sup>308</sup>

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300. See Decision of the Serious Crimes Court of First Instance no. 49, date 18/12/2006

301. See Decision of the Serious Crimes Court of First Instance no. 27, date 16.05.2011

302. See Decision of the Serious Crimes Court of First Instance no. 49, date 16/12/2010

303. See above decisions, also see Decision of the Serious Crimes Court of First Instance no. 33, date 07/05/2012

304. Hoxha, A (2013) “Fatos Skeja, full history of the 100 million Lekë fine began with a bullet,” Shqiptarja.com, 18/09/2013, accessed on 21/11/2014 at <http://www.shqiptarja.com/aktualitet/2371/fatos-skeja-historia-e-plote-e-gjobes-100-mln-leke-nisi-me-nje-plumb-177436.html>

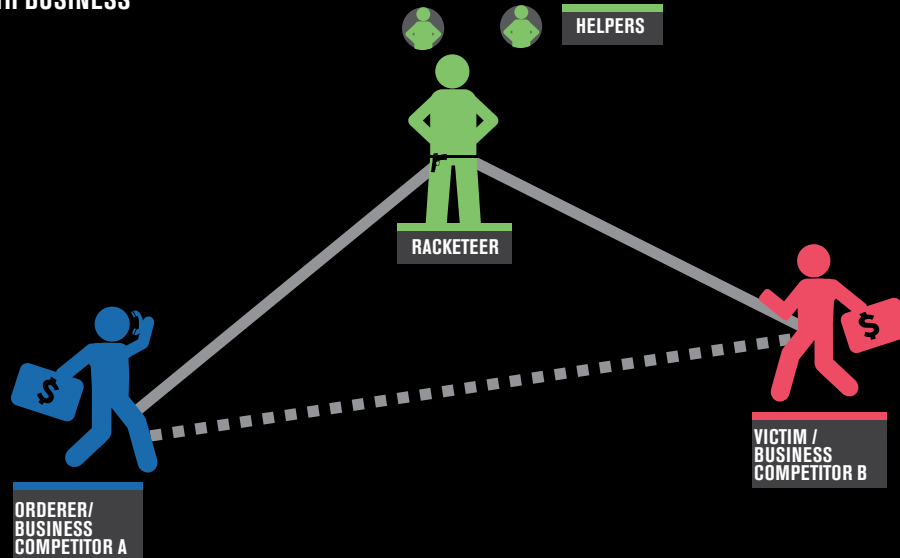
305. See Decision of the Serious Crimes Court of First Instance no. 44, dated 11/07/2012

306. Tirana Observer “Skeja goes on trial, used wife’s vehicle’s license plates in extortion vehicle,” 03/04/2014 accessed on 20/11/2014 <http://www.tiranaobserver.al/skeja-shkon-ne-gjyq-vuri-targat-e-makines-se-gruas-te-makina-e-gjobvenies/>

307. Interview with police expert (code 16), October 2014

308. Interview with police expert (code 15), October 2014

## EXTORTION SYMBIOTIC WITH BUSINESS



It should be noted that in the last three years, two categories of racketeers stand out. The first group includes ordinary extortion, conducted by unorganized groups. For these criminal groups, extortion is not the primary activity, but they do it for momentary profits. As noted above, only during the first 9 months of 2014, 22 persons were arrested, 19-27 years old, and 6 others are being followed at large. Most of them have high school education. The extortion amounts are relatively low, on average, 1 million Lekë per fine.<sup>309</sup>

The groups in the second category are organized criminal groups, which use extortion as a profit source, but also to create some kind of reputation in the criminal 'market.' In fact, some of the heads of criminal groups began criminal activity precisely with extortion. These individuals, after consolidating their position in the criminal organization, did not then use extortion as a primary 'business,' but as a 'trade mark' in the crime world to build reputation.<sup>310</sup> A characteristic of groups dealing in extortion is that they are small groups, with an average membership of four persons who operate in a certain city or area.<sup>311</sup> However, there is a contradiction between interviewees regarding control of territory. Most of the prosecutors and judges think that, at present, there are no criminal groups that control certain areas in the main cities.<sup>312</sup> However, sources that are not officially confirmed think that there are groups that not only have their own businesses, such as nightclubs, bars, and sports betting places, but also provide "protection" to some main businesses in the areas under their control in exchange for fees.

309. Interview with police expert (code 15), October 2014. See Top Channel 'Falling prey to blackmail stories, public cases in Albania,' 09/02/2015, accessed on 10/02/2015 at <http://www.top-channel.tv/lajme/artikull.php?id=292801>

310. Interview with reporter (code 18), October 2014

311. Interview with judge (code 35), June 2014

312. Interview with prosecutor (code 28), June 2014

TABLE NO. 8

Characteristics		
	Predator 'trap' extortions	'Well organized' Predator extortions
Acquaintance between the victim and the racketeer	✓	✓
Bait is a female	✓	✗
Group membership under 4 members	✓	✗
Age group 21-24 years	✓	-
Age above 25 years	✗	✓
Violent	✓	✓
Collaborators have social ties between them	✓	✓
Organizer has criminal precedents	✓	✓
Victims are persons with cash deposits in banks or homes	✓	✓
Fine amount is relatively large (under 100,000 Euros)	✓	✗
Fine amount is very large (over 100,000 Euros)	✗	✓
Accompanied with terrifying threatening acts	✗	✓
Racketeer establishes direct contact with victim	✗	✓
Racketeers are part of organized groups	✗	✓
Have good knowledge of counterintelligence techniques	✗	✓
Used by businesses to resolve conflicts	✗	✓

### **Threat assessment for extortion**

- *Extortion is not a spread phenomenon in numbers, but in terms of quality. Used forms of extortion are increasingly sophisticated.*
- *In the country, there appear to be two categories of criminal groups that impose fines (small unorganized groups and well organized groups). The most widespread form is the 'Predator' form, but it is thought that there are criminal groups using the more sophisticated form of extortion 'Symbiotic' in the main cities of the country, especially in Tirana.*
- *There is a tendency of fines by criminal groups on businesses, but these do not become known because they are not reported.*
- *It is noticed that ties have been created between powerful businesses and criminal groups, which use one another for illegal profit purposes. Businesses use blackmail on their competitors in exchange for payments or involvement of criminal organizations in their businesses.*
- *There is an increase of extortion by groups of minors who imitate schemes and mechanisms of adult criminal groups.*
- *An escalation of online 'extortion' is noticed, especially among young ages.*

### 3.6. Contract killings

According to the report by the General Directory of Police (GDP) for 2013, there were 107 intentional murders and 86 cases or 80.4% of them were resolved.<sup>313</sup> The GDP reports a decline by 10.4% in the number of intentional murders during 2014.<sup>314</sup> However, the GDP does not have public data about how many of these murders are suspected to be contract killings and what percentage of them has been resolved.

Today, there is no register or statistic from official institutions regarding contract killings. Therefore, we have mainly referred to the media in the last 20 years, as well as interviews conducted for this research. It should be noted that such a topic deserves a special study, but the format of this report does not allow for greater expansion or elaboration. For the purposes of this research and to create as clear an idea as possible about the tendency of developments and features of contract killings, we will first take a look at how the term ‘contract killer’ (hitman) has been elaborated in the literature. This is the first attempt to study contracted killing in Albania. It should also be admitted that studies regarding ‘contract killers’ (hitmen) are limited in international literature, because of the very special nature of this crime.

According to the Oxford dictionary, a contract killer is defined as ‘the person paid to kill someone for purposes of gain, especially economic and political.’<sup>315</sup> However, this definition may cause confusion, because even a member of the special forces or a special agent who kills for state interests may be considered a contract killer (hitman). According to Calhoun (2002), the same typology (commander – contract killer – target) may be used both in killings on behalf of the state (legitimate) and in those for illegal purposes.<sup>316</sup> In order to avoid confusion as to what is defined as a “contract killer” (hitman) and their categories, we will refer to the study of MacIntyre, Wilson, Yardley and Brolan (2014).<sup>317</sup> According to these authors, “a contract killer is the person who agrees to kill someone on behalf of someone, who is not known publicly as a state institution [or agency operating on behalf of the state].” The distinguishing feature of contract killing from other killings is precisely the connection between the killer and the target. This element, both from a legal standpoint (the causal relationship of the criminal offence) and a social standpoint (interaction between the killer and the victim), is one of the most distinguishing features of this criminal offence.

The payment for a killing in Great Britain varies from 15,000 GBP to a maximum of 100,000 GBP.<sup>318</sup> The majority of killings in Great Britain have been conducted by firearm.<sup>319</sup> According to research by Mouzos and Venditto, in 2003, in Australia, the least contract killing was \$500 and the most paid was \$10,000. The average payment per killing was about \$16,500.<sup>320</sup>

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313. Albanian State Police, “Annual Performance Analysis of State Police 2013, Report by the General Director of Police,” 20/01/2014, accessed on 10/10/2014: [http://www.asp.gov.al/index.php?option=com\\_content&view=article&id=5099%3AAnaliza-vjetore-e-policise-se-shtetit-2013-rapor-ti-i-drejtorit-te-pergjithshem-te-policise&catid=186%3AJanar-2014&Itemid=486](http://www.asp.gov.al/index.php?option=com_content&view=article&id=5099%3AAnaliza-vjetore-e-policise-se-shtetit-2013-rapor-ti-i-drejtorit-te-pergjithshem-te-policise&catid=186%3AJanar-2014&Itemid=486)sq

314. Albanian State Police, “Annual Performance Analysis of State Police 2014, Report by the General Director of Police,” 20/01/2014, accessed on 10/02/2015 at <http://www.asp.gov.al/index.php/home-2/275-slideshow-home/6831-analiza-vjetore-e-veprimtarise-se-policise-se-shtetit-per-vitin-2014>

315. Online Oxford dictionary, accessed on 20/10/2014

316. Calhoun, L. (2002) ‘The Phenomenology of Contract killing,’ *The International Journal of Human Rights*, Vol. 6, No. 1, pp. 1-18

317. MacIntyre, D., Wilson, D., Yardley, E. and Brolan, L. (2014), *The British Hitman: 1974-2013*. *The Howard Journal of Criminal Justice*, 53: 325-340

318. MacIntyre, D., Wilson, D., Yardley, E. and Brolan, L. (2014:9)

319. *Ibid*, 10

320. Mouzos, J. and Venditto, J. (2003) *Contract Killings in Australia*. Research and Public Policy Series No. 53, Canberra: Australian Institute of Criminology

### **Typologies of contract killers in literature**

MacIntyre, Wilson, Yardley and Brolan (2014) note four categories of contract killers:

- 1) *Beginner*. This category includes those killers who commit a crime for the first time and have no experience.
- 2) *Amateur*. This, unlike the first, has some experience, but does not have a criminal profile. So, besides contract killings, the person has not conducted other criminal activity. As a result, this category of hitmen has limited ties with the crime world, which makes it difficult for them to get a hold of guns and explosives. The amateurs accept contracts to cover their financial problems, but do not have contract killings as their primary profession. Amateur hitmen in general carry out one or two contract killings. They may commit these killings also to raise their reputation in the crime world. Unlike the 'professionals,' amateurs do not have contract killings as their source of living, but do it for a specific issue.
- 3) *Experienced*. This category includes hitmen who do not stand out for any special skills, but have a broad experience with killings. They are known and have ties with the crime world. They possess sufficient sources of arms and explosives. Police may discover them by using local sources in the areas they live in. The sole form of living is just through criminal activity and contract killings are not the only activity of theirs.<sup>321</sup>
- 4) *Professional (specialists)*. This category usually includes persons with a military career in Special Forces or police forces. This category is the most difficult to discover as they have no connections with the area they carry out the crime in. They are always on the move and very capable of hiding their traces. The professional killer considers killing a profession and a means of work. They are usually members of criminal organizations or they act in a lonely manner.

### **Albanian context**

For research purposes, we will divide the study period of time into two phases. The first phase (1990-2003) is that of the formation of local gangs and their consolidation, which covers mainly the first decade of the transition. The second phase (2003-2014) has to do with the strengthening to some extent of the rule of law, a factor that led to the re-dimensioning of organized crime, but also of the features of contract killings.

#### 1990 – 2003

Contract killers of this period may be categorized as 1) Beginner hitmen, who carried out one or two killings and did this to earn a status in the gang. 2) Amateur hitmen, who did not have a high criminal profile. 3) Killers who committed killings only on behalf of a gang and, for research purposes of this study, this category of killers will be called 'exclusive killers.' 4) Killers who were members of a gang, but carried out killings not only for their own gang, but also for third parties.

Although there is not yet any chronology or statistic related to the history of contract killings for this period, it is thought that they began to become known around 1997. A typical killing that remains unresolved to date is the killing of Ylli Myftari on December 30, 1997. He worked as foreign exchange agent in Tirana and is part of the series of foreign exchange agents who were robbed and killed continuously until 2009.<sup>322</sup> It is thought that this was the first killing that police identified as contract killing. Nevertheless, interviewees suggest that contract killings date back to around 1992 whereby rival groups, initially for territory and trivial issues, started the series of conflicts that ended

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321. Ibid, 18-20

322. Ora News, "Killed street exchange agents," 22/06/2014, accessed on 16/10/2014 at <http://arkivamediatike.com/lajme/artikull/iden/264118/Kambistet-e-vrar-historite-e-grabitjeve>



up in murders.<sup>323</sup> Initially, this is seen in the larger cities, especially in Tirana, whereby after a series of conflicts for insignificant motives between criminal gangs “neighborhood tough guys,” these conflicts concluded in murders. For instance, in Tirana, there were clashes between the “Rruga Bardhyl” guys with the “Treni i Vjetër” guys gang, the “Selita Gang” with the “Yzberisht Gang,” or in Vlorë, the “Gaxhai Gang” with Zani’s Gang, etc.<sup>324</sup>

It is that period of time that we can say that the first elements of the use of a third person to commit a killing, which may not be considered a typical contract killing, appear. The characteristics of the “hitman” of that period coincided with an individual who was a member of a gang or an individual with a marked criminal background. The individual, who may have committed a killing in his gang or even for personal revenge, could be ‘borrowed’ to commit a murder on behalf of another gang. At that time, in general, the ‘contract’ between the orderer and the killer could look more like an exchange of favors or honors. This favor served to strengthen ties between gang leaders or gang members themselves.<sup>325</sup> The hitmen of this period may be characterized as individuals with criminal precedents, known as violent, members of a certain gang. In this period, ‘paid’ killers may be included in the category of amateur killers. That is to say, contract killing was not their profession, but it was done as a favor. In general, killings of that period were conducted by arms used by the Albanian military and police, such as TT pistols and Kalashnikovs AK-47, Zastava Model 70, as well as automatic weapons, such as Scorpion. Although there is no official data, Naim Zyberi, one of the exponents of the “Old Train Gang,” according to these characteristics, may have carried out several murders on behalf of third parties during 1991-1997.<sup>326</sup>

It is in 1997 that the first signs of organized or well thought out killings began to appear, thus marking the start of killings with professional nuances. One of these killings is that of Naim Zyberi in Milan of Italy, in August 1997.<sup>327</sup> What is highlighted in these types of murders, are elements of organization, cold-bloodedness, determination to carry out the killing and the intent to achieve the result. In the case of Zyberi’s killing initially he was injured and then killed in the hospital by individuals who managed to enter the hospital covered as visitors and carried out a typical mafia-like killing. The killing drew a lot of attention in Italian media simply because of its form. Nevertheless, the factor that produced the main source, increased demand and created the market of paid or ordered killings emerged after 1997, when rivalry between gangs began to increase considerably.<sup>328</sup> The most typical conflicts that may be taken as an example are clashes between gangs. After taking hold of certain amounts of money, the groups got divided because of internal disagreements. One of the most typical gangs, where it is thought that contract killers were used for internal eliminations, are those of the “Durrës” gang and the “Kavaja Street Guys.” The latter, after being divided, began the series of killings in 1999 and within three years, the number of victims reached 20. The phenomenon of internal gang divisions had begun earlier in the districts too. For instance, the Otlak gang emerged from inside the Altini Dardha gang, which then sought to eliminate Altin Dardha himself.<sup>329</sup>

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323. Interview with reporter (code 46), October 2014

324. Interview with reporter (code 19), October 2014

325. Interview with reporter (code 18), October 2014

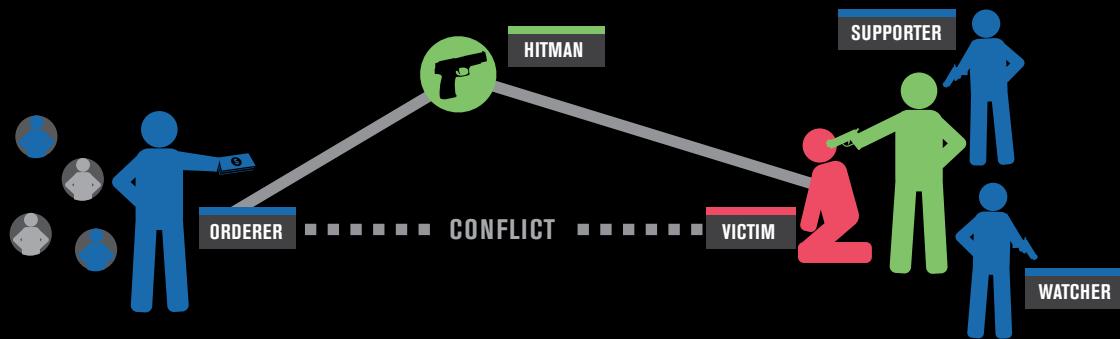
326. Dervishi, F. “Profession – contract killer,” *Korrieri* newspaper, 30/01/2003, accessed on 15/10/2014: <http://www.forumishqiptar.com/threads/11743-Vrasesit-me-pagese>

327. Rryci, L. “Story of the ‘Bardhyl’ Street Guys,” *Kavaja online*, 23/09/2006, accessed on 15/11/2014 at <http://www.kavajaonline.com/forumi/topic/3100-historia-e-djemve-te-rruges-bardhyl/>

328. Interview with reporter (code 19), October 2014

329. Halili, P. “Massacre of Ura Vajgurore in 1997, anti-tank war between DP and SP militants,” *Sot News Newspaper* 20/04/2013, accessed on 15/11/2014 at <http://www.sot.com.al/dossier/masakra-e-ur%C3%ABs-vajgurore-n%C3%AB-vitin-1997-luft%C3%AB-me-anti-tank-mes-militant%C3%ABve-t%C3%AB-pd-e-ps>

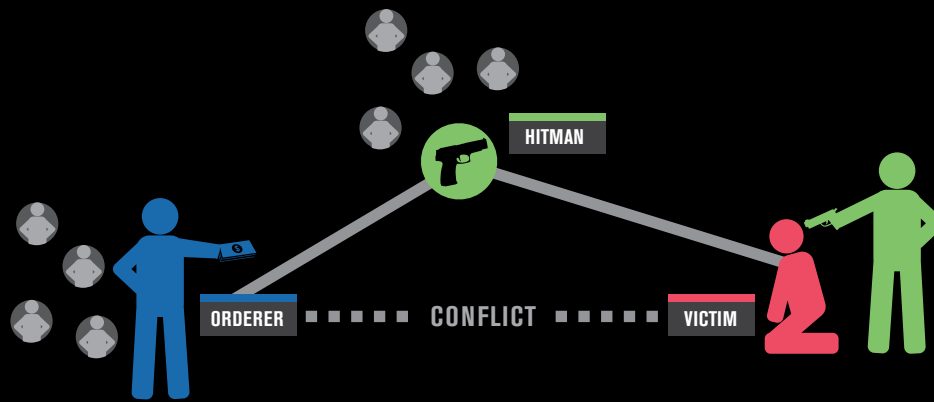
## 1997-2003 EXCLUSIVE HITMAN



In popular jargon, to refer to this category of killers the term “killer” is borrowed from English. The term “killer” although it translates as “vrasës” is used to show that the “killer” is an aggressive, brutal, and coldblooded individual.<sup>330</sup> In general, these individuals had the role of the killer on behalf of the gang. In general, those recruited by the gangs to carry out the killings were individuals with very low education level, from poor families, and did not stand out in their social circle. The time between recruitment and the commission of the criminal act was brief. For instance, in the case of Dritan Vila, (contract killer on behalf of the “Lushnje Gang”), the latter was contracted by Enver Dondollaku one of the leaders of the “Lushnje Gang” and only one month after knowing him, Dondollaku gave Vila the first errand. The main reason for the killings was the membership in the gang and the creation of a social status within the criminal organization, but also beyond in the social circle. Gradually, after some killings, contract killers began to consolidate their profile in criminal circles. In the beginning, this category of killers was paid negligible amounts, starting from 20,000 Lekë (i.e. 200\$) up to clearing type of payments (e.g., a four by four car/4WD). In any case, the form of payment should not be taken as a standard to determine the professionalism of the process of the contract killing. The entire killing procedure was built in such a way that the contractor would not know the killer and the latter would be notified of the target within a short period of time. Measures were taken for contractors to not have physical contact with the hitman. It should be stressed that the hitman, although considered part of the gang, did not participate in its criminal activities, but only when the group needed him to eliminate someone. The scheme of killings functioned this scenario: the orderer would show the killer the location of the weapon while information on the target were given a few days or hours in advance. The description of the target was done very simply, without providing detailed generalities (e.g. name, status, family status) to the killer. Some descriptions of targets were ‘you’ll hit the person driving that vehicle or the person holding that bicycle.’ In one case, the orderer (Dondollaku) instructed the hitman (Vila) by mobile phone,

330. Interview with reporter (code 17), September 2014

## 1990-1996 BORROWED HITMAN



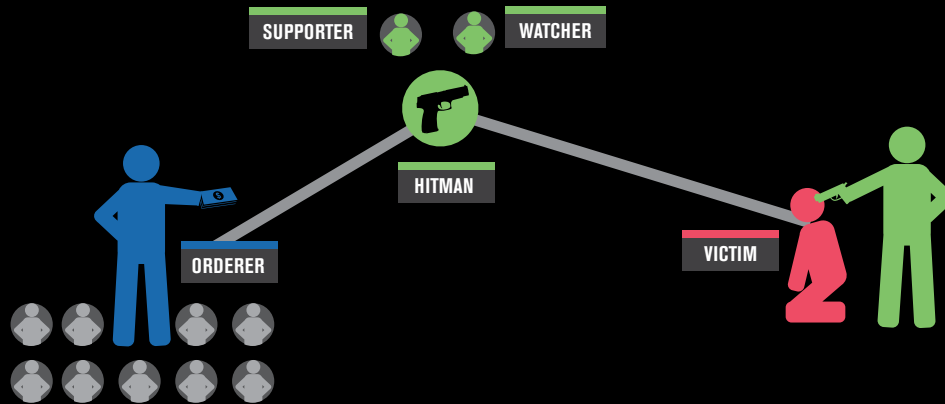
until the moment of the killing. The payment was done after the commission of the crime and the killer received the amount in a given place where he should also drop the crime weapon.<sup>331</sup> Payments for the killings were not very high and depended on the profile of the target; e.g. Vila was paid from 20,000 Lekë to 700,000 Drachmas (about 2,000 Euros). Other members of the criminal organization helped the killer too. Their duties were defined – someone watched the victim and notified the hitman at the right time (often, this person was the one assigned to recruit the hitman and kept close ties with him), someone waited for the killer with a car to take him away from the site, someone supported the hitman during the killing. A typical scheme was when several members of the gang were tasked to hit the target, but the hitman had the leading role, to ensure that the target had been executed.

The case of Vila is included in that category of contract killers that functioned as part of an organized group or stood by it. For study purposes, we'll consider this category of killers as 'exclusive' hitmen. The characteristics of this category of killers are as follows: they carry out ordered killings only on behalf of the criminal group and do not operate independently. They do not stand out for elaborate actions to eliminate traces and do not show much care to hide from public order forces or the general public. The killer does not participate in other activities of the criminal group. The killer is part of experienced killers because they carry out a series of killings (e.g. Vila's case).

However, during the period 1999-2000, the first elements of independent killers began to emerge. This is the category of hitmen who, because of their independence, managed to resist and become sophisticated. Nevertheless, contract killings were not their sole 'profession.' Unlike "exclusive" killers, this typology of killers usually did not live in the same area where the orderer and the target lived. Such typology is that of Arsim Lita, who is believed to have been hired by one of the fractions of the "Rruga e Kavajës Gang" to kill Ilir Borova in 2001, but in fact managed to elimi-

331. Interview with reporter (code 46), October 2014

## 1997-2003 INDEPENDENT HITMAN



nate Ilirjan Zhupani, leaving Borova seriously injured.<sup>332</sup> Lita committed the killing assisted by another person.<sup>333</sup> The case of killers like Lita may be included in the category of amateur killers, because the killings were their only criminal activity.

Nevertheless, during this period, two killers appear that may be included in the category of experienced killers. Besides physical and psychological capabilities, these kinds of killers also had higher level of education. One typical case is the killing of two police officers in Fushë-Krujë in 1999. The contract killer, Dritan Rexhepi, from Vlorë, was ordered by Shefqet Severi on behalf of the person who had had a conflict with the two killed police officers. Rexhepi was arrested in 2006, while a student of the law school in Tirana.<sup>334</sup> Rexhepi is accused of several contract killings. He was very capable of escaping public order bodies and had fled several times from high security institutions, both in Albania and in Pavia, Italy. On the other hand, in the Rexhepi case, the contract killings were not the only criminal activity, an essential criterion that distinguishes a professional killer from an experienced one. For instance, Rexhepi was accused of drug trafficking in Belgium and the Netherlands, as well as of bank robbery in Spain. In all three above categories (“Exclusive,” “Amateur,” and “Experienced”) it is to be emphasized that the contract killers of this period were individuals from rural areas or who moved from one region to another. Precisely this fact made them unknown and not very exposable to the public or the target. On the other hand, they carried out the killings in group, that is a group of killers of two persons did the hit rather than individually.

332. See Appeals Court ruling no. 91, 01.02.2012

333. Shekulli newspaper “Interpol extradites tough guy of Rruga Kavajës,” 15/01/2014 accessed at <http://www.arkivalajmeve.com/lajme/artikull/iden/1046981584/titulli/Interpoli-ekstradohet-atentatori-i-te-fortit-te-Rruges-se-Kavajes>

334. Shekulli newspaper “Life sentence for the contract killing of police officers,” 24/05/2013, accessed at <http://shekulli.com.al/web/p.php?id=23416&kat=100>

## 2003 – 2004

During this period, contract killers become sophisticated. The weapons they use are brought in from abroad and bought in the black market. Some types of arms, besides the Kalashnikov and the TT type of pistol, there are the 54 model, “Belgium” and Beretta, “Zastava model 1 54 and 57; American; “Uzi” PPS and PMSH, silencer, electric pistols. Besides arms, explosive ordnances, the contract killers of this period, detonators, nerve-paralyzing gas containers, cell phones and SIM cards, masks, license plates and fake IDs have been found when contract killers of this period were caught.

During this period, we notice all categories of contract killers described above. During this period too, killings are conducted in groups and not by one single individual. A characteristic is the use of vehicles with fake license plates and driving licenses. It is to be stressed that during this period, the purpose of killings is mainly for competition reasons in the business field.<sup>335</sup> “Experienced” killers are usually used by conflicting parties for upset deals on drugs or feuds, and target their opponents. For instance, Bledar Jambelli is suspected to be involved as a contract killer in the chain of killings between the Zanaĳ and Rama families in Vlorë; also, he is suspected to be the killer of Shpëtim Muka (a person with numerous criminal precedents in Vlorë) in 2006. As described above, the killer usually came from an area or other city and had no direct connection with the victim. Jambelli was from Mbrostar, Fier, and had committed a documented killing in Vlorë, but is also suspected of having committed several others in the city, as well as in Tirana, where Edvin Zanaĳ was killed by a bullet in his head in 2007. It is suspected that Jambelli was paid 10,000 Euros for this killing.<sup>336</sup>

“Exclusive” hitmen continue to operate during this period as long as there are rival gangs or gangs divided because of breach of deals. One such case was that of the “Durrës Gang.” This criminal group was fractioned in 2002. One fraction was led by Klodian Saliu and the other by Lulzim Berisha.<sup>337</sup> Adriatik Coli, part of the fraction of Klodian Saliu (8-year education, from Durrës, married, with two children, not sentenced before; accused of committing killings from 1997 to 2005). The fraction of Klodian Saliu hired a third person (Altin Olloni) to recruit some contract killers to kill Lulzim Berisha, in two assassination attempts in 2005.<sup>338</sup>

Based on the profile of the killers recruited by the fractions of this gang, they may be included in the category of beginner killers. In the first attempt on Lulzim Berisha, on 05/04/2005, the group of 6 persons, including the two contracted killers (Altin Hoxhosmani and Altin Neli) did not manage to carry out the killing because traffic police stopped their car in a routine check and their weapons were seized. The gang recruited the contract killers not only to commit killings, but also to then involve them as gang members. In general, the gang used a middleman to recruit contract killers. For instance, the gang had used several times Altin Olloni, who had recruited Selman Hetin. The latter, based on his characteristics, belongs in the “Beginner Killer” group. Heti, in collaboration with the previously contracted killer (Altin Hoxhosmani) did not manage to kill Lulzim Berisha, but only injured him on 05/05/2005.

The way in which ‘middlemen’ are contacted is also important in the typology of contract killers. In general, gang

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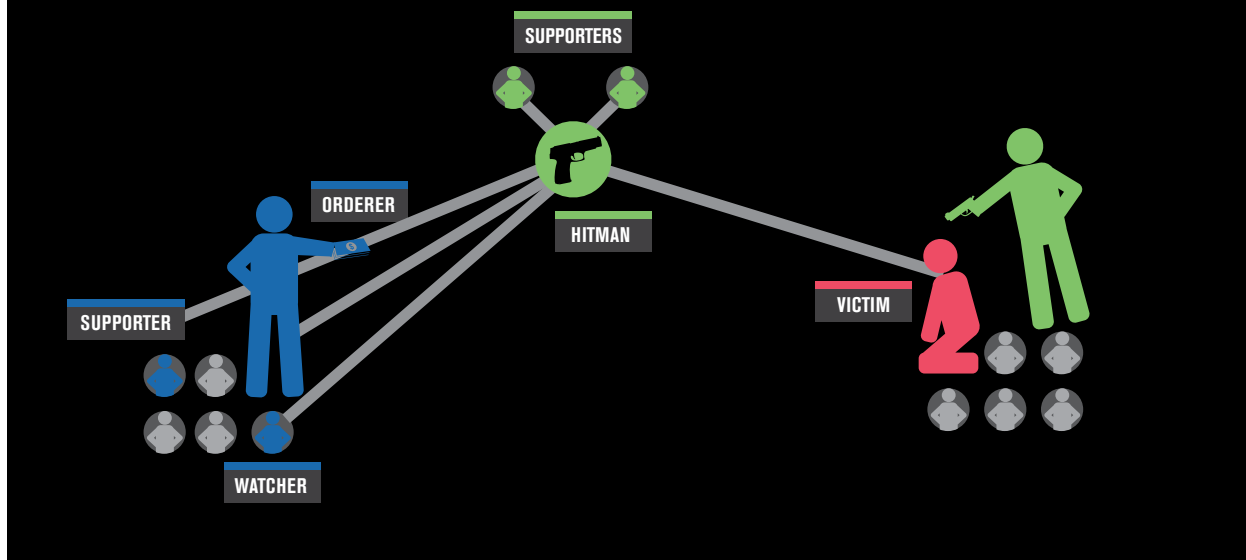
335. Look at the case of Akil Ceni in Shkodër, arrested by police shortly before the killing, <http://www.forumishqiptar.com/threads/66528-Telefona-taq%C3%AB-shp%C3%ABtoi-40-vje%C3%A7arin-Kapet-vrasesi-me-pagese>

336. Shqiptarja.com newspaper “Vlorë, Police: Jambelli suspected of having killed Shpëtim Muka,” 09/12/2012, accessed on 20/10/2014 at <http://www.shqiptarja.com/aktualitet/2731/vlor-policia-jambelli-dyshohet-se-vrau-dhe-shp-tim-muk-n-136372.html>

337. The activities of the gang continued even after its leaders were sentenced and the drug trafficking was conducted from inside the prison. For more, look at Shqiptarja.com newspaper “After life sentence, Endrit Dokle sentenced for another 16 years in prison,” 08/01/2013, accessed on 20/10/2014, at <http://www.shqiptarja.com/thashethem/1/pas-burgimit-te-perjetshem-endrit-dokle-denohet-edhe-16-vjet-burg-139195.html>

338. See Decision of the Serious Crimes Court of First Instance no. 1, 16.01.2011

## 2003-2014 CLASHES BETWEEN FRACTIONS OF THE SAME GANG



leaders are interested in middlemen they associate or have blood ties with. The latter, using their acquaintances, then create contacts with individuals who may take upon themselves the killing for a payment. Then, the “hitman” is put into contact with one or some of the gang members. They orient and support the “hitman” with regard to the target.

It should be noted that, in general, the typology of the “beginner” killer has some features in the form of recruitment.<sup>339</sup> Gang leaders usually use middlemen, such as Altin Olloni, to select individuals in economic difficulties and are inhabitants of another city. In the case of Heti’s recruitment, for instance, the gang members (Altin Hoxhosmani and Altin Neli (cousin of Heti) who were from the same area, Burrel) had helped Heti economically for some time and had rented a house for him in Tirana.

The “beginner” hitman is helped by persons who have ties with the orderer. They accompany him, describe the target and the most convenient exits in the area where the killing will take place or the area where the target moves most often. Another feature that determines the category of the “beginner” hitman is the result. “Beginner” hitmen in general do not achieve the result and are not repetitive, i.e. they do not continue with other contract killings. Heti did not manage to kill Berisha, after using all his bullets to no avail. The amount offered for Lulzim Berisha’s killing was 30,000 Euros, but because Heti injured him, he was only paid 25,000 Euros.<sup>340</sup>

### Hitmen borrowed from abroad

It is noticed that after 2005, we have one of the first documented cases of the contracting of hitman from abroad.

339. Interview with judge (code 33), June 2014

340. Balkanweb.com “Coli paid me to kill Lul Berisha” 17/12/2010, accessed on 15/11/2014 at <http://www.balkanweb.com/gazetav5/newsadmin/preview.php?id=90456>

This category of hitmen is connected with the profile of the “target.” The high social profile, but also the dangerousness of the target necessitates the recruitment of imported hitmen. However, it does not mean that hitmen recruited from above are necessarily “professionals.” They have also happened to be ‘beginners.’<sup>341</sup> This category of hitmen may be chosen even in those cases when the target is someone with a lot of influence and connections, which may jeopardize the exposure of the hitman and the failure of the operation. One typical illustrative case was the recruitment of two hitmen from Kosovo, conducted by the fraction that was the opponent of Lulzim Berisha, to kill the latter, on 30/08/2005. The contracted hitmen (Ahmet Ajeti and Osman Korpuzi) failed in their “action” because they were exposed in very banal circumstances.<sup>342</sup> Forms of contact with this category of killers is conducted through the relatives of the gang leaders, who are credible and have contacts with individuals interested in committing contract killings. Then, the gang assigns a person to take care of the “hitmen,” equips them with weapons and information about the target and the places the latter goes to most often.

### Professional hitmen

After 2011, we notice an increase of very sophisticated killings, moving gradually from killings for conflicts between gangs or within one gang to killings related more to competition in business or killings because of one’s position.<sup>343</sup> The use of contract killers by businessmen to protect themselves or to eliminate competitors is a growing and disturbing phenomenon.<sup>344</sup> It should be noted that contract killings of businessmen are thought to date back to 1997, with the killing of Abaz Ulliri or Florian Vila in 2003, both unresolved killings. Then come the series of sophisticated killings by explosives, which started to appear in 2005, with the killing of Vajdin Lamaj, continued in 2009 with the killing of Aleks Keka and until the killings by explosion of 2013 and 2014.<sup>345</sup> Killings by explosives saw a considerable spread after 2011, and looking at the location of the commission of the crime (e.g. center of town), time or form, it seems that the killing in itself, was not the sole purpose. The most important is the message the orderer seeks to convey to the opponents. The killings are organized in such a way as to happen in the center of town, at rush hours, and by explosive. The whole scenario is chosen so that the killing will be as noisy and will cause as much terror as possible. A typical case is that of judge Skerdilajd Konomi.<sup>346</sup> These characteristics of the killings are indications of the sophistication or the degree of professionalism, which appears to be on the rise when it comes to contract killings.<sup>347</sup> The use of explosives has seen broad use in this kind of killings due to the ease of use, hiding of traces and the ease it offers the hitman (distance, less psychological burden for the hitman, more sensational, etc.).<sup>348</sup> It is also noticed that sophisticated killing saw a considerable rise in the first six months of 2013. Only during this period, there were 12 killings (2 killings/month), which are still under investigation.<sup>349</sup> During 2014,

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341. Interview with prosecutor (code 24), June 2014

342. One of the killers entered into a banal fight in a bar near the one where the target was and pulled out his gun, which exposed him to the people guarding Berisha. One of the contracted killers shot himself (Ahmet Ajeti)

343. Interview with judge (32), June 2014

344. Karaj, V. ‘Justice collaborators discover ties between business and organized crime,’ Reporter.al, 02/12/2014, accessed on 23/12/2014 at <http://www.reporter.al/te-penduarit-e-drejtises-zbulojne-lidhjet-mes-biznesit-dhe-krimit-te-organizuar/>

345. Hoxha, E “11 killings without known killers in 6 months,” Shekulli newspaper, 29/06/2014, accessed on 20/10/2014 at <http://www.shekulli.com.al/p.php?id=49956>

346. Tirana Observer newspaper, “50 most notorious killings still unresolved,” 30/09/2011, accessed on 22/10/2014 at <http://www.tiranaobserver.al/50-vrasjet-me-te-bujshme-qe-jane-ende-pa-autor/>

347. Interview with prosecutor (code 22), June 2014

348. Interview with police expert (code 0), October 2014

349. Shqiptarja.com newspaper “In 6 months, 12 assassinations with 13 victims; no perpetrators” 29/06/2014, <http://www.shqiptarja.com/aktualitet/2731/ne-6-muaj-jane-12-atentate-me-13-te-vrare-pa-autore-223159.html>

one killer of the “professional” category was documented. He is Julian Sinanaj. It is believed that the killing of known bank manager Artan Santo in June 2014 was also carried out by hitmen of this category.<sup>350</sup> The Sinanaj case is under investigation and there is still no court ruling on his crimes. In this context for Sinanaj’s profile, we have relied on interviews with experts and information reported in the media. The discovery of Julian Sinanaj was achieved only after the denunciation by one of his collaborators to the Durrës Police Commissariat.<sup>351</sup> Sinanaj is from the city of Elbasan and had migrated with his family to Greece when he had been 14 years old. It is thought that Sinanaj has been involved in the crime world in the neighboring country, thus gaining experience in contract killings, also thanks to collaboration with Albanian, Greek, or Russian criminal groups. Sinanaj is suspected to be the author of about 27 contract killings in Albania, Greece, and Italy.<sup>352</sup>

### **Characteristics of a hitman**

One of the essential characteristics of the “professional” contract killers is that they consider the killing a profession. During the arrest, Sinanaj told police officers “you’ve left me jobless.” Another characteristic of this category is the fact that the professional hitman is always on the move. Thus, Sinanaj, after every killing, left the country to lose his traces.

In order to make his discovery as difficult as possible, Sinanaj made his weapon disappear after every killing.<sup>353</sup> He always rented several houses in the city or close to the location where he would commit the crime. Sinanaj had rented three homes in Tirana. He lived in one, kept his weapons in another, and another was rented near banks he had planned to rob. Sinanaj left few traces even in financial transactions, after sending his family part of the money, spent a good part of them in cash in casinos, and another in his moves outside the country.<sup>354</sup>

Another feature of this category of hitmen is organization and punctuality. Sinanaj kept a diary for the types of weapons he used, and the killings were always logged by date, time, and place it was carried out in.<sup>355</sup> Sinanaj documented some of the killings by filming them.<sup>356</sup> Besides these aspects, a distinguishing category is the high efficiency and the professional knowledge of the use of weapons, preparation of explosive and their mounting. Sinanaj never missed and could use weapons very well with both hands with high precision.<sup>357</sup> Sinanaj carried out killings both by shooting and by explosives.

Another characteristic of this category is the cold-bloodedness, individuality, lack of exposure in banal conflicts, and leading a double life. In public, Sinanaj was known to be a calm person without problems. Neither his clos-

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350. Shqiptarja.com newspaper “Artan Santo killed in ambush, killers ‘caught’ on camera” 26/06/2014, accessed on 30/10/2014 <http://shqiptarja.com/home/1/vritet-n--atentat-artan-santo-killerat-kapen-nga-kamerat-222428.html>

351. Tema newspaper “Julian Sinanaj was discovered after reporting by the man who secured TNT for him. 10-15,000 Euros per killing,” 30/01/2014 accessed on 25/10/2014 <http://grid.al/read/news/157408539/6166051/julian-sinanaj-u-zbulua-pas-denoncimit-te-njeriut-qe-i-sig-uronte-tritolin-5-10-mije-euro-per-vrasje>

352. Telegrafi.com newspaper “Contract killer admits 27 crimes,” 30/01/2014, accessed on 25/10/2014 <http://grid.al/read/news/157408539/6165044/vrasesi-me-pagese-pranon-27-krimet>

353. Top-channel.tv, “Julian Sinanaj, diary of killings” 07/03/2014 accessed on 30/10/2014 <http://top-channel.tv/new/lajme/artikull.php?id=272347>

354. Shqiptarja.com newspaper “Sheikh-like life of hitman, Julian Sinanaj” 01/02/2014 accessed at <http://www.shqiptarja.com/home/1/jeta-prej-sheikut-e-vras-sit-me-pages-julian-sinanaj-198670.html>

355. Top-channel.tv, “Julian Sinanaj, diary of killings” 07/02/2014, accessed on 21/10/2014 <http://top-channel.tv/new/lajme/artikull.php?id=272347>

356. Shqip newspaper, “Sinanaj registered three killings with video” suspicions of collaborating girlfriend” 02/02/2014 accessed at <http://gazeta-shqip.com/lajme/2014/02/02/sinanaj-regjistroi-video-tre-vrasje-dyshime-per-te-dashuren-bashkepunetore/>

357. Top-channel.tv, “Julian Sinanaj, diary of killings” 07/02/2014, accessed on 01/11/2014 at <http://top-channel.tv/new/lajme/artikull.php?id=272347>



est friends, nor his girlfriend knew that he was a professional hitman.<sup>358</sup> Sinanaj would be sure about his target through the ID card, photograph, home address, bars/places the target usually visited, and the license plate. Sinanaj conducted professional actions, observing his target and his moves, and photographed him to be sure about his identity and confirmed the identity with the orderer.<sup>359</sup> Sinanaj has committed different killings and in different cities. The periods of time from one killing to the other were somewhat well thought of. The time interval from one killing to the next was from three months up to one year.<sup>360</sup> Sinanaj accepted payments in cash, but also in real estate. Payments for killings were high (7,500 – 120,000 Euros), another characteristic for this category of hitmen.

### **Forms of communication**

It is to be noted that killers of this category are contracted, among others, also for high public profile “targets” as was the case of the bomb mounted in the vehicle of Vlorë former prefect, Besnik Dervishi, in 2014. We should mention here also the placement of an explosive in the house of the head of the Democratic Party branch for Vlorë Ardian Kollozi in 2013.

The communication and liaison scheme between orderers and the contract killer shows that presently, in Albania, the organization of contract killings functions as a hybrid structure between the criminal group and the criminal network. In the Sinanaj case, we notice that there is coordination between orderers, the hitman and the assistant, but this interaction is not structured in hierarchical structures of criminal organizations. The forms of communication between individuals are more like those of a criminal network.<sup>361</sup> On the other hand, the group uses almost sophisticated forms both in the recruitment of the contract killer and in the communication used to avoid wiretappings. For instance, the recruiter watches the contract killer, collect information about him, gets opinions from third persons. During the process of the killing, codes are used too (two mobile phone rings to confirm the killing or “what did you do with the car, my friend?” – with the “car” being the victim). Police operational moves are studied in similar cases in order to neutralize or avoid them.<sup>362</sup> Communication may be conducted in the form of a physical meeting between the “orderer” and the “hitman” or through virtual communication by e-mail or Facebook, using internet cafés. It is seen that Sinanaj uses communication techniques of terrorist groups highlighted since 2005 by the CIA and FBI.<sup>363</sup> This fact shows that the contract killers of Sinanaj’s category have information about counterintelligence techniques.

It is suspected that in the Sinanaj case, there are special individuals known in the crime world as “middlemen”

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358. Panorama newspaper, “Sinanaj’s girlfriend: didn’t know he was a killer; he hid the weapon” 04/02/2014, accessed on 05/11/2014 at <http://www.panorama.com.al/2014/02/04/e-dashura-e-sinanajt-se-dija-qe-ishte-vrases-armet-i-fshehu/>

359. Panorama newspaper, “Contract killer caught, photographed next victims,” 26/01/2014 accessed on 05/11/2014 at <http://www.panorama.com.al/2014/01/26/kapet-vrasesi-me-pagese-fotografonte-viktimat-e-radhes/>

360. Shekulli newspaper, “Career of a hitman,” 30/01/2014 accessed on 06/11/2014 at <http://grid.al/read/news/157408539/6165259/karriera-e-nje-vrasesi-me-pagese>

361. Balkanweb.com “Julian Sinanaj: I didn’t act as a criminal group, but for myself,” 27/10/2014, accessed on 07/11/2014 at <http://www.balkanweb.com/shqiperi/2685/julian-sinanaj-nuk-veprova-si-grup-kriminal-por-per-llogarine-time-218920.html>

362. See the testimony of one of the accused in the Sinanaj case, Ndrçim Gjokona, “Gjokona: Andon was suspecting Sinanaj was a SHISH agent: Samurai code for killing of Baraj,” Shqiptarja.com newspaper 12/11/2014, accessed on 15/11/2014 at <http://www.shqiptarja.com/Aktualitet/2731/gjokona-andoni-po-dyshonte-te-sinanaj-se-qe-agjenti-i-shish-251749.html>

363. Panorama newspaper “Sinanaj: I was drunk when I killed Agron Çela,” 17/11/2014 accessed on 20/11/2014 <http://www.panorama.com.al/2014/11/17/sinanaj-isha-i-dehur-kur-vrava-agron-celen/>. For more information about the form of Sinanaj’s communications by e-mail, see Frontline (2005) “The Terrorist Tricks and Counter Measures”, accessed on 20/11/2014 <http://www.pbs.org/wgbh/pages/frontline/shows/front/special/techsidebar.htm>

(Mëhillaj cousins). The latter mediated between the “orderers” and the “hitman.” It is not known yet whether the “middlemen” are part of an organized structure, but it is suspected that they used more than one contract killer, which do not know one another. According to media sources, other unresolved killings such as that of judge Konomi are similar to some killings or attempted killings by Sinanaj. Then, it is believed that the ‘brain’ of the criminal network eliminates the killers to lose traces. Sinanaj himself had planned to kill the “middlemen,” after realizing that he was being “used” by them.<sup>364</sup>

However, in the Sinanaj case, one notices that the “middlemen” (Mëhillaj cousins) initially had been orderers. The Mëhillaj were known as persons dealing with construction business in Vlorë. Initially they had used Sinanaj to eliminate opponents in business, and then had begun to ‘mediate’ for other ‘orderers.’ So, from a business structure, the Mëhillaj cousins had gradually moved toward running a criminal network.<sup>365</sup> As mentioned above, it appears that the role of “middlemen” was not just a contact point between the “orderer” and the “hitman”, but in the Sinanaj case, we see that the “middlemen” also played the role of the “orderer” and “helper” in committing the killing (case of killings of Agron Çela and Sokol Veizi), helped prepare explosive ordnance (mobile phone controlled mines and electronic “RL” and 9-v batteries), for which Sinanaj had been paid 20,000 Euros.<sup>366</sup> The killer also obtains little information about the reasons for the killings.<sup>367</sup> Sinanaj had a assistant that secured the arms and explosives or even helped him during the commission of the crimes.<sup>368</sup> Meanwhile, Sinanaj had an alternative contact point (continuous source) who secured him the arms and explosives.<sup>369</sup>

On the other hand, the Sinanaj case points to another phenomenon, that already ‘orders’ are placed also for competition reasons in the business field. These elements appear in the communication between hydrocarbons businessman Ilir Karçini (orderer) and Sinanaj to kill his competitor Pirro Bare. In this case, the “orderer” seeks to meet himself with the “hitman” to ensure the work will be as professional as possible.

One of our research questions was about the way in which contacts were established between interested parties and the contract killers in the last three years. It is thought that several contract killers have been known in the crime world and, according to media sources, there are about four such who operate in the district of Tirana alone.<sup>370</sup> So, there is a market of contract killers, known by criminal groups or their senior members. The most problematic cities where contract killers circulate are Tirana, Vlora, Burrel, Mamurras, and Krujë.<sup>371</sup>

It is thought that contract killers are linked with different criminal groups that provide some sort of security within the territory of their activities. On the other hand, contract killing requires collaboration in order to be as efficient as possible and to hide traces.<sup>372</sup> Unconfirmed sources indicate three forms of contact: first, through

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364. Balkanweb.com “Julian Sinanaj: I would kill ‘orderers’ Mëhillaj,” 04/02/2014, accessed on 16/11/2014 at <http://www.gazetatema.net/web/2014/02/04/julian-sinanaj-do-vrisja-edhe-porositesit-mehillaj-kane-lidhje-politike/>

365. Karaj, V. ‘Justice collaborators discover ties between business and organized crime,’ Reporter.al, 02/12/2014 accessed on 23/12/2014 <http://www.reporter.al/te-penduarit-e-drejtise-zbulojne-lidhjet-mes-biznesit-dhe-krimet-te-organizuar/>

366. Dita newspaper ‘Sinanaj’s testimony: confession for my 5 crimes,’ 25/02/2014 accessed on 16/11/2014 <http://gazetadita.al/ekskluzive-julian-sinanaj-rrefej-vrasjet-e-mia/>

367. Dita newspaper ‘A second killer in the group like Julian Sinanaj,’ 01/02/2014, accessed on 16/11/2014 <http://gazetadita.al/banda-e-tritolit-nje-killer-idyte-ne-grup-si-julian-sinanaj/>

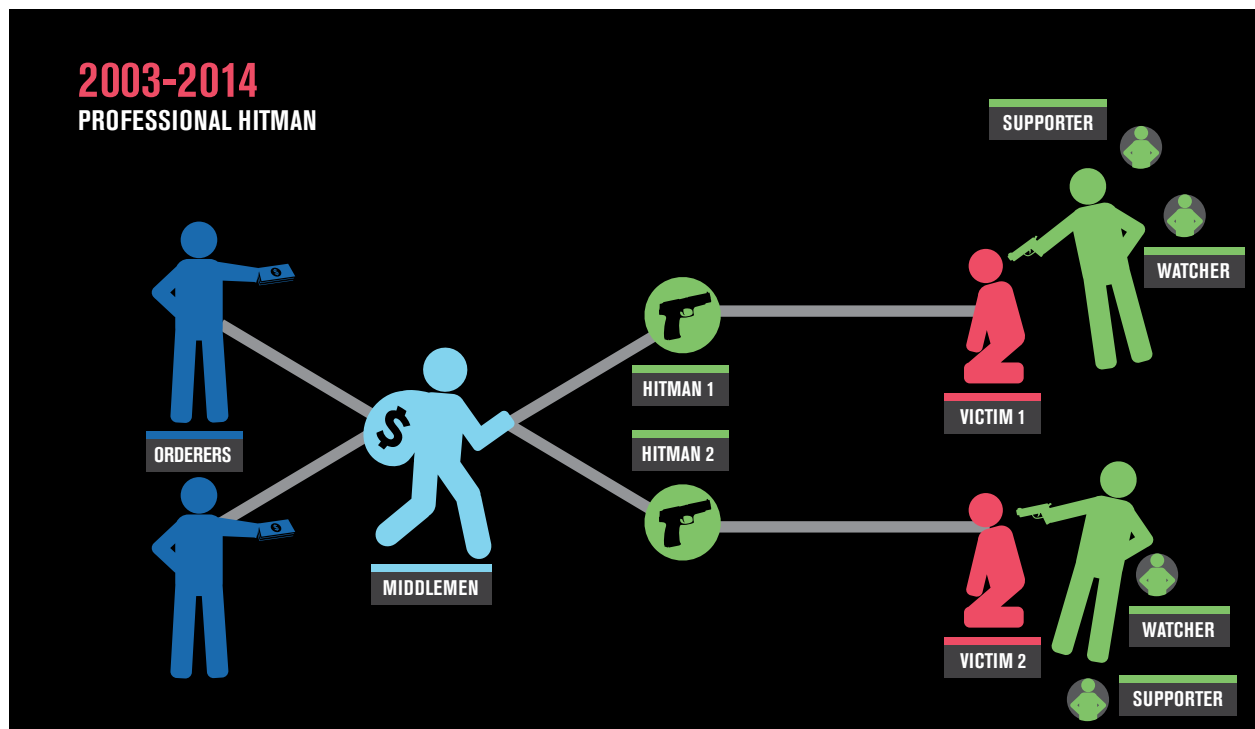
368. Dita newspaper ‘A second killer in the group like Julian Sinanaj,’ 01/02/2014, accessed on 17/11/2014 <http://gazetadita.al/banda-e-tritolit-nje-killer-idyte-ne-grup-si-julian-sinanaj/>

369. Panorama newspaper ‘Arms supplier of contract killings group discovered,’ 06/06/2014, accessed on 17/11/2014 <http://www.panorama.com.al/2014/06/06/zbulohet-furnizuesi-me-arme-i-grupit-te-vrasjeve-me-pagese/>

370. Interview with reporter (code 38/5), May 2014

371. Interview with reporter (code 17), October 2014

372. Interview with reporter (code38/5), May 2014



“middlemen,” which is the most sophisticated form. Second, establishment of communication between the orderer and the hitman through influential individuals (leaders of criminal groups). These serve time in prisons and preserve their ties with such hitmen. Third, through social ties with individuals who have acquaintances with the crime world. Through these persons, they establish contact with contract killers. The case of the arrested of the structured criminal group of contracted killers in February 2015 illustrates quite well how the mediation scheme functions through ties with influential inmates who are mainly sentenced to life imprisonment.<sup>373</sup>

### **Payment**

It is also noticed that the form of payment in contract killings looks like a civil “errand” contract, whereby one party has to carry out one or more actions on behalf of the orderer, according to the latter’s instructions. According to the errand contract, the ordered person is forced to carry out the errand personally (Civil Code, article 921) and the orderer is obliged to supply the ordered person with the necessary means and information to carry out the errand (Civil Code, article 923). A characteristic of contract killings is the down payment part of the payment, with the rest disbursed after the killing. In this aspect, the tendency has not changed. The same payment scheme has been used by the Lushnje Gang, the Durrës Gang, as well as by Sinanaj, when he was contracted by businessman Karçini (the latter paid a down payment of 50,000 Euros initially and the rest of 70,000 would be given after the killing).<sup>374</sup>

373. Panorama newspaper ‘Contract killings/ How Tafili ordered executions of businessmen from jail,’ 24/02/2015, accessed on 27/02/2015 <http://www.panorama.com.al/zbardhen-detaje-nga-grupi-kriminal-drejtosej-nga-admir-tafili-policia-e-shtetit-pergjegjes-edhe-per-shperthimet-me-tritol/>

374. Shqip newspaper “We’re investigating Karçini also for structured criminal group,” 06/02/2014 accessed on 18/11/2014 <http://www.arkivala-jmeve.com/lajme/artikull/iden/1047520968/titulli/Illir-Karcinin-po-e-hetojme-edhe-per-grup-te-strukturuar-kriminal#>

### **Albanian-speaking professional hitmen outside the country**

The category of professional hitmen includes also Albanian citizens or citizens of Albanian nationality who operate outside the country and are almost unknown for Albanian authorities. It is thought that these killers operate in Belgium, Greece, Spain, Italy and Great Britain.<sup>375</sup> In general, this category of hitmen is on the move. They are mainly residents of EU countries. This category includes also citizens of Albanian nationality, who have served in military formations or special troops. In 2012, two professional contract killers were arrested in the region of Calabria, Arben Ibrahim, 28 years old, born in Montenegro and Vasvi Beluli, 30 years old, a Macedonian citizen of Albanian nationality. They acted on behalf of one of the most dangerous criminal organizations in Italy, known as the Calabrese Mafia, “Ndrangheta.” Both Ibrahim and Beluli had participated in military formations as “snipers” during the conflict in the former Yugoslavia and had been recruited by the Italian mafia precisely for those skills.<sup>376</sup>

### **Recruitment of teenagers**

Another aspect of our research study points to a new approach related to the recruitment of teenagers (15-19 years old) as contract killers.<sup>377</sup> In general, teenagers with aggressive behaviors are selected, recruited and prepared to commit killings on behalf of the criminal organization, who then may commit contract killings. The teenagers are picked from families with a criminal background, so-called “tough.” Teenagers are kept close, are attracted through money by offering them a perverted life, are accompanied by organization members, and are taught to use guns. It is suspected that teenagers of this category are the subjects of several killings committed in high schools in 2013.<sup>378</sup> Another group is that of youths serving sentences in the probation service. The latter, after acquaintances with influential criminals in prison, or after accepting protection offered by the latter, may threaten or even kill on behalf of them.

**TABLE NO. 9**  
**PRICES FOR KILLINGS**

Euros	Albania	United Kingdom	Australia
Minimum	200	19,000	410
Maximum	120,000	127,000	13,500

375. Interview with reporter (code 17), October 2014. See also Lajmeonline.com “Two Albanians accused as contract killers,” 20/01/2009 accessed on 16/11/2014 <http://www.lajmeonline.com/sociale/dy-shqiptare-akuzohen-si-vrases-me-pagese.html>

376. Shqiptarja.com newspaper “Italy, 2 Albanian contract killers for the mafia arrested” 22/11/2012 accessed on 19/11/2014 <http://info.al/v5/2012/11/itali-arrestohen-2-shqiptare-vrases-me-pagese-per-mafian/>

377. Interview with reporter (code 19), October 2014

378. See case of killing by Endrin Varaku (15) of his school mate Adriatik Tota (17) in Shkozë, Durrës, in 2013. For more information, see Shqiptarja.com newspaper “Tota and Varaku, a life among arms and hashish,”

04/12/2013, accessed on 16/11/2014 <http://www.shqiptarja.com/aktualitet/2731/tota-dhe-varaku-nje-jete-mes-armeve-dhe-hashashit-189905.html>

TABLE NO. 10

Characteristics	Professional hitmen	Amateur hitmen	Exclusive hitmen	Beginner hitmen	Experienced hitmen
Organization	✓	✗	✓	✗	✓
Cold-bloodedness	✓	✗	✓	✗	✓
Determination		✗	✓	✗	✓
Use of counterintelligence techniques	✓	✗	✗	✗	✓
Come from different areas than target's	✓	✓	✗		✓
With criminal precedents	✓	✗	✗	✓	✓
Violent	✗	✓	✗	✓	✓
Gang members	✗	✗	✓	✓	✗
Killings not only for money, for exchange of favors	✗	✗	✓	✓	✗
Low education level	✓	✓	✓	✓	✗
Come from poor families	✓	✓	✓	✓	✓
Low social status	✓	✓	✓	✓	✓
Act on behalf of gang only	✗	✗	✓	✗	✗
Not very high payments	✗	✓	✓	✗	✗
Commit other criminal activity, besides contract killings	✗	✗	✗	✓	✓
Consider "killing" a profession	✓	✗	✗	✗	✓
Good user of arms	✓	✗	✗	✗	✓
Commits killings through different arms and explosives	✓	✗	✗	✗	✓
High payments	✓	✗	✗	✗	✓
Has collaborators	✓	✓	✓	✓	✓
Use sophisticated forms of communication	✓	✗	✗	✗	✗

### **Threat assessment for contract killings**

- *During the period 1998-2014, there are about five categories of contract killers: 1) Amateur hitmen, 2) Beginner hitmen, 3) Exclusive hitmen, 4) Experienced hitmen, 5) Professional hitmen.*
- *After 2011, there is a sophistication of contract killings.*
- *The most problematic category is that of “professional hitmen.” It is noticed that this category of killers is gradually assuming the organizational form of a criminal network, whereby the structure of “middlemen” seems to be the most organized one.*
- *There is an increase of collaboration between businesses and contract killers, who are used also for security issues by businesses or to eliminate their competitors.*
- *The category of “professional hitmen” uses weapons very well and carries out killings by weapons and explosives. The latter is more preferred as it facilitates the disappearance of traces.*
- *“Professional killers” have information about counterintelligence techniques used by terrorist groups.*
- *The category of “professional killers” includes two groups: “mobile” (those who are resident in one of the EU countries) and “resident” those returned to Albania. The first are more difficult to discover for Albanian authorities, hence a need for good coordination with partner institutions.*
- *The category of “professional killers” in general is imported from abroad and has been trained by criminal formations operating in the EU. This category of killers has assimilated very advanced techniques of crime.*
- *It is noticed that criminal structures are recruiting teenagers, preparing them to commit killings, and this appears to be a new approach.*
- *Recruited youths come from families with a criminal background or youths serving sentences for offences such as stealing or robberies and create ties with known figures of crime in prison, which then use them for threats.*

### 3.7 Organized cybercrime

At present, the use of the internet by organized crime at the international level is seen as an activity that is seeing considerable growth.<sup>379</sup> The use of the internet in Albania, in the last five years, has tripled from 20% in 2009 to 60.1% in 2014.<sup>380</sup> Over 80% of computer attacks in the world appear to be conducted by organized criminal groups, in informal markets created on a cycle of creation of malware, computer infections, botnet collection, collection of personal information and financial data, etc. The Norton Software Company goes further, by reporting that in 2011, about 90% of attacks came from organized crime.

Besides crimes such as credit card fraud, dissemination of child pornographic material or audiovisual pirating, the internet simplifies trafficking and distribution of drugs, recruitment of victims of trafficking, the distribution of fake goods and many other criminal activities, such as trafficking of drugs and human beings.<sup>381</sup> One typical case of Albanian organized crime is that of “MarioLine,” whereby an Albanian criminal organization of drug trafficking in the United Kingdom managed to sell cocaine through the ‘call center’ technology, worth 4 million pounds. The internet has been used by organized crime extensively as a tool also for the laundering of proceeds of criminal origin.<sup>382</sup>

In Albania too, the increasing use of the internet has amplified the risk of organized criminal forms, through the use of technology. Cybercrime has seen a progressive growth. At least 83 criminal offences, committed by 71 perpetrators, were discovered in 2012. 108 criminal offences were discovered in 2013, a rise of about 30% from 2012 and about 45% compared to 2010, when there were 65 cases.<sup>383</sup> 120 criminal offences were highlighted in 2013 and 180 criminal offences in 2014.<sup>384</sup>

Cybercrime in an organized manner is one of the crimes that, though seemingly not very widespread, tends toward sophistication, an element that has made it difficult to tackle it in Albania. This is seen also in the 2012 Progress Report that notes that “the number of criminal proceedings [related to cybercrime] has grown during 2012, but is still low.”<sup>385</sup> The first organized forms proceeded by State Police date back to 2008. There is no data as to whether criminal networks existed earlier in the area of computer crime. However, based on the statement by General Director of State Police at the time Ahmet Premçi, in the case of the operation against the first criminal structure so-called “Matrix 4,” it appears that police for the first time faced such a form of organized criminal structure. It should be noted that to date there is still a legal vacuum regarding the treatment of organized forms of cybercrime in Albania. This legal vacuum has led to a lack of addressing this phenomenon (organized cybercrime) by the Serious Crimes Court and Prosecutor’s Office.<sup>386</sup>

At present, there is a broad discussion about the forms and types of organization of criminal groups exercising this kind of activity. The diversity and numerous opportunities that the visible and invisible, or virtual, world offers in the cyber world (deep web or dark net), allow endless space for criminal forms to be diverse and out of the classic frameworks of organized crime.

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379. Transnational Organized Crime: A Growing Threat to National and International Security, retrieved from <http://m.whitehouse.gov/administration/eop/nsc/transnational-crime/threat>

380. See Internet World Stats, Albania, accessed on 13/11/2014, <http://www.internetworldstats.com/euro/al.htm>

381. Trafficking in Human Beings: Internet recruitment. 2007 Council of Europe

382. Europol 2011 cited Europol Strategic Analysis and EMCDDA

383. Interview with police expert (code 16), October 2014

384. Interview with police expert (code 16), October 2014

385. European Commission “Progress Report 2013, Albania,” p. 49

386. For more information, see World Vision Albania Report “A Study on Child Online Safety in Albania,” World Vision 2014, p. 48

Recent research indicates that organized cybercrime may be undertaken or managed by criminal organizations that also carry out such criminal activity, such as the Russian or Italian mafia, but may also be carried out by groups specializing in this activity. Broadhurst *et al.* (2014)<sup>387</sup> notes several characteristics of criminal groups in the area of cybernetics. Two of the main features have to do with the acquaintance among group member, which may be social, but may also come as a result of connections on forums. In general, Albanian hackers create links or exchange information in forums consisting of different nationalities. Another feature is the geographic proximity. So, in general, when this criminal activity assumes organized forms in groups of over 3 persons, they tend to be from the same country (e.g. Albania) or region (e.g. Western Balkans or Easter or Northern Europe). This kind of geographic proximity leads to the specialization of criminal groups. For instance, some groups specialize in cloned credit card and others in unauthorized access to computers or computer networks, through the use of ‘viruses,’ ‘worms’ and ‘logic bombs.’<sup>388</sup>

### **Typologies of organized cybercrime in literature**

To define the typologies of cybercriminal groups, we referred to literature by Broadhurst *et al.* (2014) and McGuire (2012).<sup>389</sup> We will refer to these typologies to conduct an analysis of organized criminal forms in computer crimes in Albania. McGuire (2012) defined three main groups that are then subdivided into subgroups, as follows.<sup>390</sup>

**Category I:** includes criminal structures that only conduct online activity. In this category, groups are divided into two large subgroups, with the first group (groups called “**Swarms**”) consist of many members, but are unorganized and do not have a leadership structure. The other subgroup, so-called “**centrifugal**” or “**central**” (hubs), includes those groups that are structured and operate under orientation from a centrifugal center. Criminal activities responding to this organizational structure have to do with unauthorized access through viruses (botnets), “phishing” and sexual offending, through the use of the internet.

**Category II:** includes hybrid groups that combine their online and offline criminal activity. This category also includes two subcategories. The first includes “**clustered hybrids**” consisting of small groups of members specializing in a criminal form, which combines online with offline activity. Typical groups include those involved in bank account stealing through cloned credit cards. The other subgroup of this category includes those groups called “**extended hybrids.**” Unlike the clustered hybrids, these consist of several subgroups that have some kind of coordination. They carry out a variety of criminal activities instead of those specializing in one direction.

**Category III:** includes those groups that carry out most of their criminal activity offline, but use online technology to facilitate their offline activities. This category is divided into “**hierarchies**” and “**aggregates.**” Hierarchies include typical criminal organizations that have moved their activities online, such as internet pornography, online gambling, extortion and blackmail online, by interfering with personal data and

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387. Roderic Broadhurst, Peter Grabosky, Mamoun Alazab & Steve Chon (2014), Organizations and Cyber crime: An Analysis of the Nature of Groups engaged in Cyber Crime, International Journal of Cyber Criminology Vol. 8 Issue 1 January - June 2014, accessed at <http://www.cyber-crimejournal.com/broadhurstetalijcc2014vol8issue1.pdf>

388. Zhilla, F., and Canaj, E. “Internet Piracy, a threat to the Albanian society too,” Jus&Justicia, 2010

389. McGuire, M. (2012). Organized Crime in the Digital Age. London: John Grieve Centre for Policing and Security

390. Roderic Broadhurst, Peter Grabosky, Mamoun Alazab & Steve Chon (2014), Organizations and Cyber crime: An Analysis of the Nature of Groups engaged in Cyber Crime, International Journal of Cyber Criminology Vol. 8 Issue 1 January - June 2014 p. 5-7.



blackmailing through them. The second subgroup, aggregates, are unorganized and operate in a confused manner. These kinds of groups use electronic equipment in an *ad hoc* manner without causing damage, such as use of mobile phones or social networks to organize a group for carrying out a robbery or attack. Nevertheless, the latest study by Europol highlights that the organization of cybercrime structures is heading toward service-providing structures (the Crime-as-a-Service). Europol also emphasizes that organized criminal structures in offline activities are gradually moving toward online activity, providing services in data theft, online fraud, massive data thefts to display or use later to steal bank accounts, etc. This phenomenon has led toward cyber-criminal markets, whereby hierarchic forms are being replaced by digital criminal groups, which interact through transactions (financial exchanges).<sup>391</sup>

### ***Typology of Albanian groups before 2010***

As mentioned above, the massive use of the internet in Albania sprang after 2009; however, the organized criminal activity through the use of technology began in 2008, when the use of the internet in Albania was still at very low levels, about 16%.<sup>392</sup>

The criminal activity of the first discovered group, “Matrix 4,” though not very sophisticated, was organized. Based on the analysis of this group, we notice that the features of “Matrix 4” show that the circumstances in Albania for organized cybercrime are adequate, even for an environment where the use of the internet is one of the lowest in the region. The motives and reasons are entirely for profit and criminal purposes. The activity of “Matrix 4” was specialized and concentrated on the stealing of bank accounts through cloned cards. In general, harms made by such groups are considerable. It is believed that “Matrix 4” caused a damage worth of 2 million Euros.<sup>393</sup> Almost all of the country’s main banks fell prey to these thefts. The scheme is not very sophisticated for this kind of activity as the cloned “Visa” and “Master Card” cards were incomplete and left traces that easily discovered the persons committing the crime.

### ***Characteristics of organized cybercrime groups***

The characteristics of these groups have to do with region-wide interaction and communication. The main members of “Matrix 4” collaborated with hackers out of the country, to whom they supplied data on Albanian citizens. Partner hackers, generally Russian and English, passed on to Albanian hackers data about bank accounts of citizens from their own countries, or even others who had bank accounts in these countries. As mentioned above, another characteristic of cybercriminal groups is the combination of criminal activity online and offline, such as money laundering. One of the main members of “Matrix 4” purchased luxury goods in neighboring countries to resell them in the Albanian black market at lower prices.<sup>394</sup> The number of members of these criminal structures is high and relatively young with intense criminal activity in brief periods of time. “Matrix 4” consisted of 17 members aged 18-47 years, and it is believed to have conducted at least 400 thefts, over a one year period. Incomes were divided among the group. “Matrix 4” belongs to the second sub-group, the hubs. The group did not have a hierarchical structure, but functioned more on a social basis. The group did not have a typical leader of a criminal organization, but was

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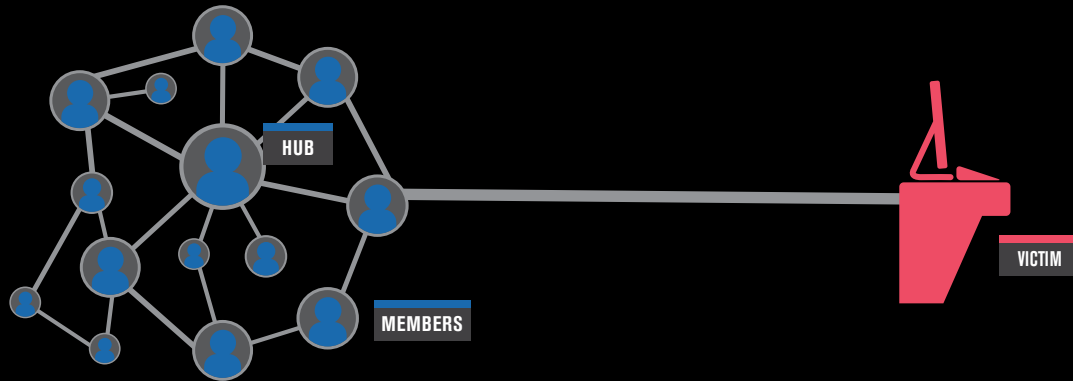
391. Europol “The Internet Organised Crime Threat Assessment (OCTA) 2014” p. 10, accessed on 13/11/2014 [https://www.europol.europa.eu/sites/default/files/publications/europol\\_iocta\\_web.pdf](https://www.europol.europa.eu/sites/default/files/publications/europol_iocta_web.pdf)

392. See Internet World Stats, Albania, accessed on 13/11/2014, <http://www.internetworldstats.com/euro/al.htm>

393. Koçi, A. (2008) “Matrix 4, How the 17 bank super-thieves were discovered,” Standard newspaper, 6/07/2008

394. Biçaku, D. (2008) “Matrix 4, cards of 400 thefts caught,” Panorama newspaper 05/07/2008

## ONLINE HUBS



led more through ideas rather than the force or authority of the leader, a characteristic of classical groups. It is thought that the “brain” of the criminal group was a 19-year old man who studied law and not computer engineering.

### ***Typology of Albanian groups after 2010***

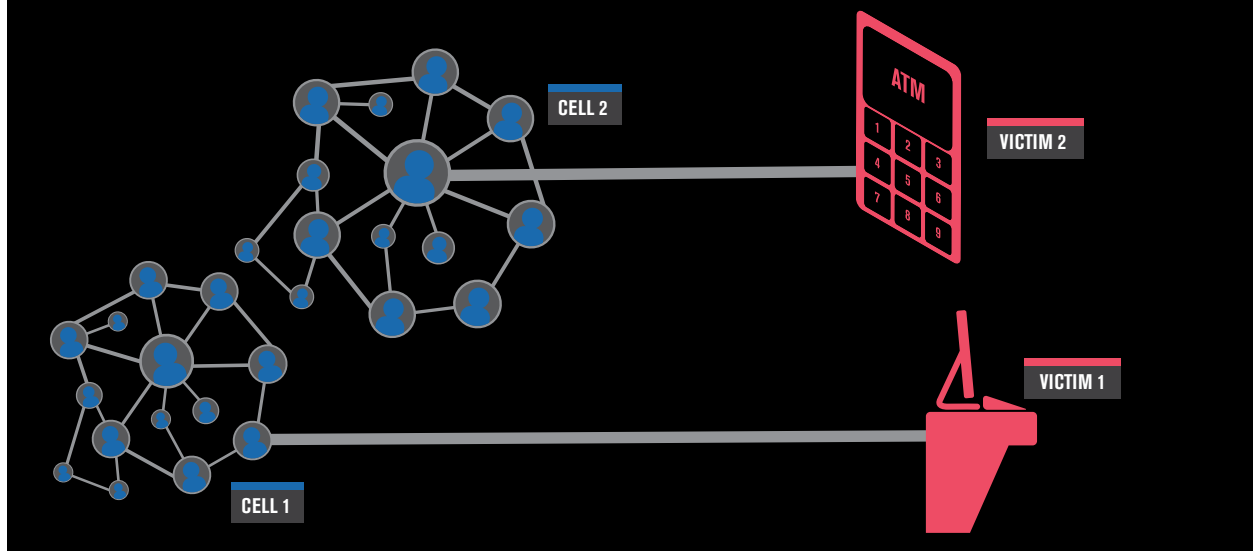
Although the number of cybercriminal groups has not seen much of a spread over a five-year period, about six groups have been tackled, consisting each of more than three persons. However, it is noticed that gradually, we are moving toward more consolidated groups with more developed computer skills. One notices the tendency that the groups are more structured and with less members. The ties between members are not just social ones, but also come from engagement in blogs. The makeup is more mixed. Groups consist of members coming from the cities of Elbasan, Laç and Skrapar. Based on the organization and connectivity of another group, the “Badboys” group, we see a tendency to move closer to the first subgroup of the second category of “clustered hybrids,” as in this case, there are two groups of hackers involved in an international hackers’ group, where they got errands from to break bank codes and then conduct the stealing of bank accounts.<sup>395</sup> Albanian groups acted on behalf of other (American) groups by sending “spam” emails to steal data.

It is also noticed that groups operating in Albania are choosing to conduct their thefts outside the country. The “Badboys” group stole bank accounts in EU countries and the U.S. We noticed that the age of involvement in this kind of activity has dropped down to 15 years, as was the case with the “Badboys” group.<sup>396</sup>

395. Tema newspaper “Albanian ‘patriotic’ hackers broke into EU and US banks,” 25/10/2014, accessed on <http://grid.al/read/news/96753227/1058782/hakerat-patriote-shqiptare-nderhynin-ne-bankat-e-be-dhe-shba-perfituan-4-milion-euro>

396. Çobo, S. “Albanian hackers group caught, interfered in EU and US banks,” 25/10/2012, accessed at <http://grid.al/read/news/96753227/1059619/kapet-grupi-i-hakerave-shqiptare-nderhynin-ne-bankat-e-be-se-dhe-shba-se>

## ONLINE & OFFLINE CLUSTERED HYBRIDS



Nevertheless, it should be noted that criminal structures are fluid and may move from one category to another. So, a group may move from a “clustered hybrid” to “swarm.” The “Badboys” group was involved in attacks on over 600 Greek and Serb pages for “patriotic” issues, in collaboration with other groups such as “Cyber Army” and the “Albanian Hackers Group.”<sup>397</sup> On the other hand, “Badboys” were subcontractors of more developed criminal networks, mainly in the U.S. and the EU.<sup>398</sup> A characteristic of groups operating in Albania, consisting of Albanians, is that in general they definitely have ties with hackers from countries of the region, such as Macedonia, and especially Kosovo. The use of the internet in Kosovo is the highest in the Western Balkans (76.6%).<sup>399</sup>

It seems that Albanian organized groups consist of individuals coming not only from major cities such as Tirana, Fier, Vlorë, or Berat, but also from small cities like Laç, Gramsh or even villages, such as Domje.<sup>400</sup> We notice that in recent years, there is a rise in blackmail or illegal entries in personal accounts in social networks, which is turning into a growing concern. However, this kind of criminal activity still has no organized dimensions.<sup>401</sup>

397. Tema newspaper, “Albanian ‘patriotic’ hackers interfered with EU and US banks,” 25/10/2014, accessed at <http://grid.al/read/news/96753227/1058782/hakerat-patriote-shqiptare-nderhynin-ne-bankat-e-be-dhe-shba-perfituan-4-milion-euro>

398. Panorama newspaper “18-year old member of “Albanian Hacker Group” arrested; attacked Serb and Greek pages,” 19/01/2013, accessed at <http://www.panorama.com.al/2014/01/19/krimet-kibernetike-arrestohet-18-vjecari-anetar-i-albania-hacker-group-sulm-faqeve-serbe-e-greke/>

399. Telegrafi.com “Kosovo, first for internet use in the Balkans,” 02/10/2014, accessed at <http://www.telegrafi.com/lajme/kosova-e-para-per-perdorimin-e-internetit-ne-ballkan-2-51650.html>

400. Interview with police expert (code 16), October 2014

401. Interview with police expert (code 16), October 2014

### **Recruitment through blogs**

A disturbing problem is the growing participation of Albanian hackers in forums/blogs managed by professional hacker groups, which may be part of criminal groups. The forum is opened by a group of hackers of about five persons, which may be foreign and from several countries, and publish their individual works in the form (code breaking of different pages of public institutions, such as pages of different ministries, police directories, prosecutor's offices, courts, etc.). Products of hackers, which they share with their virtual community, managed by professional hackers, may have been done even for patriotic reasons, for personal gain and personal grudges.

Yet, as an Albanian hacker, interviewed for this study, says, these forums may serve as recruitment centers because: "I, as a forum member from Albania, read the information and the news...and they ask whether I wish to publish one of my works and send it to them by e-mail and they decide whether to publish it or not. This is where the risk of exposure of the Albanian hacker begins to specialized criminal groups, because they may use it for their personal goals...another element for recruiting Albanian hackers is at the time when they use products put on the forum by foreign hackers (or representatives of criminal groups as they are not identified; when they communicate, they use nicknames and if you communicate on the web, they wear masks or turn off the lights). This is where they may use you. For instance, if they broke the password for the prosecutor's office page, they may ask you to try the passwords they discovered to enter the system and send them information (to the forum administrators) and this is where the Albanian hacker is exposed through his IP. Forum administrators are protected because they do not publish their own works, but those of the forum members."<sup>402</sup>

On the other hand, the way these forums are administered raise suspicions that criminal groups might as well use them. The administrators of these forums, through forms used to administer the forum, take care to filter information, identify member hackers and preserve their anonymity. And, as the hacker interviewed for this report notes:

"...It is not known who opens the forums, which may be under the control of organized crime. These forums manage considerable information... For instance in the forum I attend, there are breaches of institutions' pages. Administrators in publications place the comments where hackers discuss and try passwords, whether they worked. But, they delete the comments when you say that this code or parts of it function better; because their goal is to identify the hackers. They use slogans such as "We're not crackers, but real hackers" and "a real hacker is identified by the real code used to hack." They may use information also for blackmail. They test you and look at your professional skills. It should be admitted that they also provide fake information with which they do tests... The other side is the process of filtering that they use to control works but also publication on the forum, which may serve to recruit."<sup>403</sup>

According to Europol, these forums are administered by criminal structures organized in hierarchical manner that share duties and responsibilities. This kind of administration allows the forums to control information, membership, and conduct a sort of policing of the forum itself.<sup>404</sup> There is a growing risk that Albanian hackers may be recruited by cyber organized crime groups abroad and become part of powerful

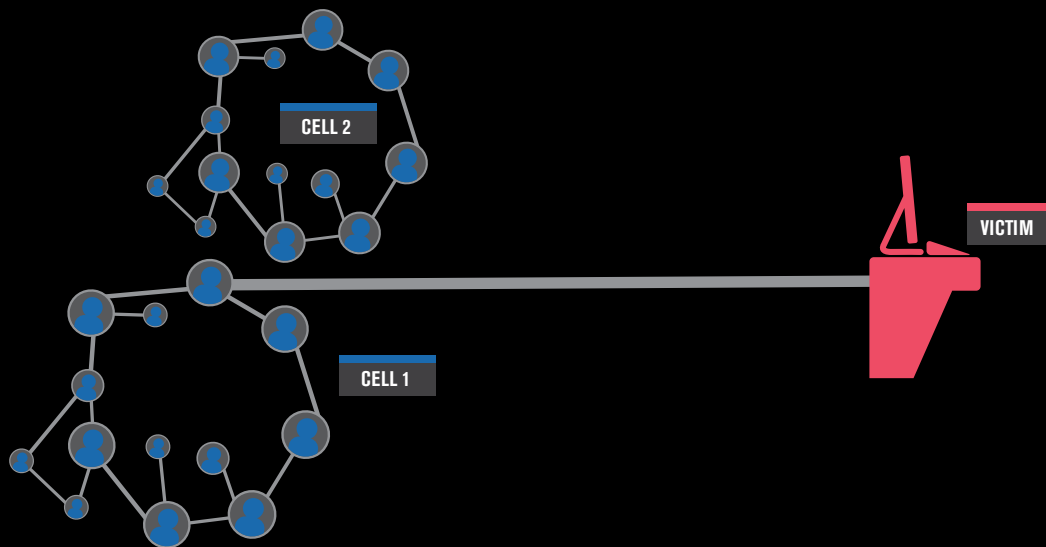
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402. Interview with Albanian hacker (code 39), November 2014

403. Interview with Albanian hacker (code 39), November 2014

404. Europol 3 "The Internet Organized Crime Threat Assessment," at chp.3, "Crime Areas," accessed on 13/11/2014 at <https://www.europol.europa.eu/iocta/2014/chap-3-1-view1.html>

## ONLINE & OFFLINE EXTENDED HYBRIDS



international networks. At present, the works of Albanian hackers are still at low levels and they are seeking to earn a status in professional forums or international criminal networks of very specialized hackers. Often, Albanian hackers carry out attacks on the pages of official and private (mainly banks) institutions to present them as high-level works in these forums. For that reason, Albanian hackers may cause damages and fall prey to organized cybercrime. For instance, they may break codes of banks and official institutions to demonstrate that Albanian hackers exist and are capable of something. On the other hand, since they are not very developed, they group with foreign hackers to learn techniques but also collect information. For these purposes, Albanian hackers may become easily exposable to international organized cybercrime. However, Albanian hackers are still not at a level to conduct serious organizations or even conduct broad-based attacks as Russian, Israeli or Chinese cybercriminal groups. Yet, this will not last long.

Another fact related to involvement in forums is online pedophilia. It is noticed that there is a rise of visibility of child pornographic materials from Albania.<sup>405</sup> There is not an Albanian pedophiles' forum using the internet been discovered yet.<sup>406</sup> However, the fact that there is a rise in visibility by pedophiles living in Albania indicates that soon international criminal networks that deal with the administration of online child pornographic materials, will seek material from Albania. Considering the scarce culture of the Albanian society about this phenomenon, the risk exists that in the near future Albanian children may be photographed for purposes of this nature by pedophiles resident in Albania, contracted by criminal organizations outside the country.

On the other hand, although no case has been discovered of the involvement of traditional criminal orga-

405. For more, see World Vision Albania report "A Study on Online Safety in Albania," World Vision 2014

406. Interview with police expert (code 16), October 2014

nizations in online crimes, it is thought that there may be criminal groups that combine their criminal activity with cybercrime and narcotics trafficking. In any event, it should be noted that there is a growing use of electronic means to facilitate or carry out crimes such as killing (e.g. use of mobile phones for mobile phone-controlled mines or the communication of gang members, through SMS and e-mail). We explained this in detail in the section on “Contracted killings.” This form of use is also included in the third category subgroup, “aggregates,” which are a characteristic of criminal groups with limited knowledge of the use of electronic equipment.

TABLE NO. 11

Characteristics	Criminal Cyber Groups before 2010	Criminal Cyber Groups after 2011
Criminal activity specialized mainly in one criminal offence	✓	✗
Considerable material damages	✓	✓
Not very sophisticated theft schemes	✓	✗
Groups collaborate with hackers outside the region (EU, Russia, U.S.)	✓	✓
Not very organized	✓	✗
Number of collaborators relatively high	✓	✗
Combined online with offline criminal activities	✓	✗
Age 18-47 years	✓	✗
Conduct thefts mainly inside the country	✓	✗
Relatively young ages 15-25	✗	✓
Conduct thefts mainly outside the country	✗	
Use hacking also for patriotic purposes	✗	✓
Have ties mainly with hackers in the region (Macedonia and Kosovo)	✗	✓

### **Threat assessment for organized cybercrime**

- *There needs to be a special law on cybercrime, to include all of its forms.*
- *Organized cybercrime remains still in unstructured forms, but there are tendencies of sophistication.*
- *Albanian criminal networks are fluid and may move from groups of the type “structured clusters” to “swarm” types.*
- *There is a tendency for small groups, created on the basis of online acquaintances, but also social ones.*
- *Members of criminal groups come not only from major cities, but also from small ones.*
- *The purpose of Albanian groups is confused; they may carry out crimes not only for gain, but also for ‘patriotic’ purposes.*
- *There is a mixing of online with offline criminal activities.*
- *The age of group members varies between 18 and 35 years.*
- *A characteristic of Albanian groups is that they create a close connection with Kosovo hackers who are very advanced.*
- *Albanian groups take part in more powerful criminal groups, whereby Albanian groups are mainly subcontracted to release spams, break bank account codes, etc.*
- *Here is an increase in online blackmail through unauthorized access to social network accounts, but this remains in individual levels.*
- *Albanian hackers are members of forums/blogs that may be administered by international criminal networks and this may cause an increase in attacks against public institutions and the banking system in the near future.*
- *The risk exists for international criminal networks, dealing with the administration of child pornographic material on the internet, to contract pedophiles resident in Albania to produce pornographic materials with Albanian minors.*

### 3.8. Money Laundering

Trafficking of drugs, human beings, arms, migrant smuggling and many other offences of organized crime seek the generation of abundant incomes for groups and members involved in these activities. The inability to justify these incomes with legitimate sources casts doubts on their beneficiary as to what activities he engaged in. In order to not draw the attention law enforcement authorities by jeopardizing oneself, the collaborators, the continuity of the activity and the sequestration of illegal proceeds, the persons involved in profitable criminal activities need to hide the real origin of the money. Simply put, the 'dirty money' needs to be 'laundered' in order to be used freely. Money laundering is the process through which criminal proceeds turn into 'seemingly' legitimate income. This process varies in complexity and sophistication, but in essence, it seeks to hide the origin of the illegal money, change their form, and shift them so as to draw as little attention as possible. It is not only part of incomes reinvested in criminal activities that are subjected to this process. Money laundering is closely linked with organized crime, especially with the penetration and added influence on the country's economic, political, and social life.<sup>407</sup> In this sense, money laundering may be considered an indicator of the power of organized crime.<sup>408</sup> The increase of power of organized crime, besides the continued process of money laundering, indicates more crime, illegal incomes, corruption, and impunity.

#### **Conducive factors**

Factors that have favored money laundering in Albania have to do with the transition from a controlled economy to a market economy influenced by a high level of informality and criminality.<sup>409</sup> The high degree of informality in the country has been characterized by the high level of circulation of 'cash' money, remittances, fiscal evasion, and the black market. In the meantime, a role has been played by lax customs controls as well as the low level of declaration registration, and mortgaging of economic activities, incomes and real estate. High informality makes it difficult not only to identify incomes of illegal origin, but also further actions such as sequestration, confiscation and auctioning of unregistered and registered criminal assets.<sup>410</sup> Corrupt politicians and organized criminal groups have appropriated certain properties, of their choice, through corrupting the privatization process in the country and the laundering of illegitimate incomes.<sup>411</sup>

The pyramid schemes in Albania marked the culmination of money laundering by criminal Italian and Albanian organizations.<sup>412</sup> Unlike other countries, pyramid schemes in Albania functioned for a longer period due to the investment of considerable amounts of money from trafficking in persons, arms, drugs, and oil smuggling. The partial removal of the embargo established on the former Yugoslavia, the improvement of customs and Italian and Greek coast guard efficiency, preceded the collapse of pyramid schemes in Albania. Italian and Albanian criminal organizations withdrew immediately an amount of about 500 to 800 million dollars from the pyramid schemes, which led to their final collapse and the chaos created in Albania in 1997. The money was reinvested, afterwards, in Western countries.<sup>413</sup> In total, it is estimated that over 1.5 billion dollars have circulated through

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407. Petrunov, G. 'Money Laundering in Bulgaria: The policy response,' Risk Monitor 2010: 8

408. Interview with prosecutor (code 28), June 2014

409. Petrunov, G. 'Money Laundering in Bulgaria: The policy response,' Risk Monitor 2010: 8

410. Interview with prosecutor (code 22), June 2014

411. Gjoni, I. 'Organized Crime and National Security: The Albanian Case' 2004: 34

412. Interview with prosecutor (code 38/4), May 2014

413. Ralf Mutschke, assistant director of INTERPOL's Criminal Intelligence Directorate, The Threat Posed by the Convergence of Organized Crime, Drugs Trafficking and Terrorism. Located at [www.russianlaw.org/Mutschke.htm](http://www.russianlaw.org/Mutschke.htm). (20 October 2003)



the pyramid schemes in the period between 1992 and 1996.<sup>414</sup> During the period 2003-2012 it is estimated that Albania has lost about 1.3 billion dollars to organized crime, corruption and fiscal evasion. According to reports by the American agency Global Financial Integrity (GFI), illegal transfers of money outside the country have cost Albanians on average 128 million dollars every year over a decade.<sup>415</sup> Compared to the energetic development of domestic organized crime, delays in the criminalization and strengthening of capacities against money laundering helped the exploitation of the country's territory as an operational basis for regional organized crime groups, which launder illegitimate money through investment in different economic activities.<sup>416</sup> At present, efforts are made to secure immunity to criminal prosecution through participation in politics and decision making of businessmen or persons with a dubious past.

### **Areas of investment**

The areas in which money originating from organized criminal activities are diverse and include almost every kind of economic activity. Experts note that the overwhelming majority of 'dirty money' has been invested in the construction business, whereby, after 2000, there was a 'boom' of construction that did not match the country's economic level. According to experts and different reports, other areas include businesses such as hotels, restaurants, gas stations, production activities, modern processing plants, import-export companies, infrastructure, energy production, gambling games, mines, tourism, and tourist agencies. Albanian organized crime groups have also benefited state funds through different tenders, licenses, and concessions.

### **Used methods**

The most typical forms used by organized criminal groups for money laundering are through the banking system, transfer companies, exchange offices, as well as the physical transportation of money. Second level banks in Albania are exploited because of the high volume of transactions in the system, the speed of services and the geographic spread inside and outside the country.<sup>417</sup> Through these banks, organized criminal groups and corrupt officials conduct dubious transactions to bank accounts, secure dubious bank guarantees and obtain loans to justify illegal incomes.<sup>418</sup> Therefore, in cases suspected of money laundering, through the banking system, authorities request to hold criminally accountable second level banks in Albania as juridical persons.<sup>419</sup> Transfer companies and exchange offices are also exposed to money laundering due to sporadic relations with clients, the use of cash, relatively small amounts of transactions conducted, the fast transfer of funds in different countries and the limited possibilities for the potential blocking of transactions by law enforcement authorities. The main ways used by criminal groups are through the conduct of transfers by different citizens toward a beneficiary and vice-versa, the use of third persons for exchanging and transferring money, which is not justified by their legal

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414. Marshal. "CIA and the Balkans." referred in Hajdinjak.M. 'Smuggling in Southeast Europe: The Yugoslav wars and the Development of Regional Criminal Networks in the Balkans'. Center For The Study Of Democracy 2002: 33

415. Reporter.al 'Albania lost 1.3 billion dollars to crime and corruption, American agency says' 16.12.2014 accessed online on 07.01.2015: <http://www.reporter.al/shqiperia-humbi-13-miliarde-dollare-nga-krimi-dhe-korrupsioni-thote-agjencia-amerikane/>

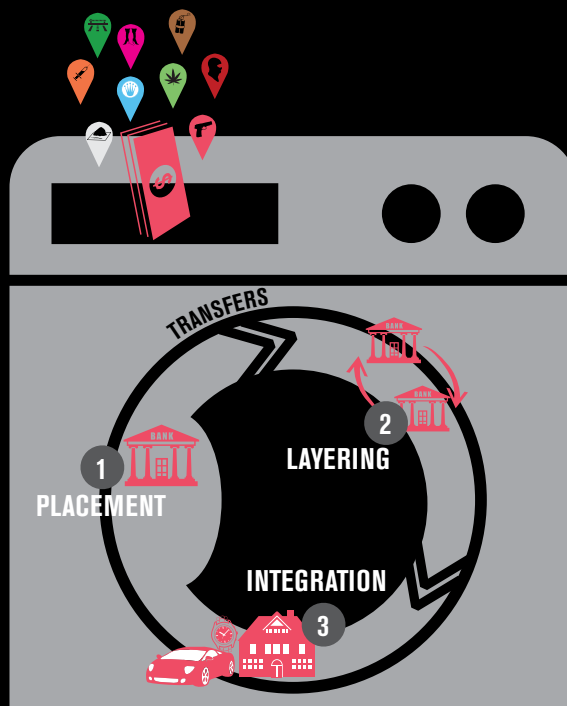
416. Bureau of International Narcotics and Law Enforcement Affairs, 2014 International Narcotics Control Strategy Report (INCSR) Report: Countries/Jurisdictions of Primary Concern – Albania <http://www.state.gov/j/inl/rls/nrcrpt/2014/supplemental/227829.htm>

417. General Directory for the Prevention of Money Laundering, 'Typologies of Money Laundering in the Republic of Albania,' December 2012:7

418. Ibid.

419. Interview with lawyer (code 2), July 2014

## MONEY LAUNDERING A TYPICAL SCHEME



incomes, as well as transfers structured by countries considered as high risk.<sup>420</sup> Also, money earned from drug trafficking and other criminal activities are physically transferred through different couriers, hidden in vehicles and personal luggage. Just like drug couriers, money couriers too are persons in vulnerable situations, without any profitable legitimate activity who seek to evade customs declarations and controls.

### **Current situation**

Because of the illegal nature of transactions, it is impossible to report an accurate statistic on the amount of money laundered every year.<sup>421</sup> Statistics reported every year on the amounts of seized money only represent that part of incomes of criminal origin that did not manage to evade the attention of law enforcement agencies. Nevertheless, these amounts may serve as an indicator of the potential of illegal activities to generate incomes and the economic power of organized criminal groups and their members. Thus, it is reported that during 2014, 24 million Euros worth of criminal assets were sequestered.<sup>422</sup> In 2013, the sequestered amount did not go beyond 30 million Lekë.<sup>423</sup> As it is noted in the latest European Commission Progress Report on Albania, financial investigations and sequestrations of assets of criminal origin have increased.<sup>424</sup> Nevertheless, the implementation of the anti-mafia package remains a problem, with regard to the confiscation of sequestered assets.<sup>425</sup> The revoca-

420. General Directory for the Prevention of Money Laundering, 'Typologies of Money Laundering in the Republic of Albania,' December 2012: 30

421. The Financial Action Task Force on Money Laundering, accessed online by <http://www.fatf-gafi.org/pages/faq/moneylaundering/>

422. See Annual Performance Review of State Police for 2014, accessed on 11/02/2015 <http://www.asp.gov.al/index.php/home-2/275-slideshowhome/6831-analiza-vjetore-e-veprimtarise-se-policise-se-shtetit-per-vitin-2014>

423. General Directory for the Prevention of Money Laundering, 'Annual Report 2013,' March 2014: 24

424. European Commission, 2014 Progress Report on Albania

425. Ibid.

tion by higher courts of many first instance court rulings for the confiscation of sequestered assets is considered disturbing.<sup>426</sup> Also, the number of sentences for this criminal offence remains low.<sup>427</sup>

The increase of the number of decisions for the confiscation of criminal incomes is of vital significance for the fight against the economic and political influence of criminal organizations. It has been rightly stated that *'money laundering stays at the heart of organized crime.'*<sup>428</sup> Illegal profits enable the funding of continued criminal activity and the further empowerment of their perpetrators. 'Dirty' money may 'smear' public officials, the political sphere, financial institutions and the justice system. Recently, the political and economic influence of organized crime threatens the common standards and moral values of the society and weakens its structure.<sup>429</sup> Therefore, the prevention of money laundering and the confiscation of seized assets should be increased in order to exclude criminals of these benefits, precisely where they are the most vulnerable. The lack of usable funds weakens criminal organizations and makes it difficult for them to continue their activity.<sup>430</sup>

#### **Threat assessment for money laundering**

- *Money laundering is closely linked with organized crime, especially the increased penetration and influence on the country's economic, political and social life.*
- *The main areas where money of criminal origin is invested are the construction industry, modern processing plants, gaming businesses, mines, gas stations, energy production, tourist agencies and the securing of different licenses and concessions by the state.*
- *The most typical ways of the appearance of criminal proceeds in the legitimate economy are numerous transactions in second level banks, loans taken from these institutions, transfers through money transfer agencies and the use of the identity of family members and relatives.*
- *In the last year, the value of seized assets is over 10 million Euros.*
- *The main concern has to do with the low level of confiscations, the revoking of decisions for confiscation by higher courts, and the low number of sentences for this criminal offence.*
- *The increase of the power of organized crime through money laundering generates more crime, illegal incomes, corruption, and impunity.*

426. Interview with judge (code 32), June 2014

427. European Commission, 2014 Progress Report on Albania

428. Frattini, F. 2007 "Initiative of the European Commission" in Risk Monitor "Money Laundering in Bulgaria: the policy response" 2010.

429. The Financial Action Task Force on Money Laundering, accessed online at <http://www.fatf-gafi.org/pages/faq/moneylaundering/>

430. Ibid



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## CHAPTER 4

# CONCLUSIONS AND RECOMMENDATIONS

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### 4.1. Threat easement of organized crime

Albanian organized crime groups active in the territory of the Republic of Albania consist of at least 3-4 members and are involved mostly in trafficking of narcotics, mainly cannabis. They also are involved in drug trafficking, such as heroin and cocaine, toward neighboring countries, with European Union countries being the destination. Sporadic groups are involved in trafficking of arms with Montenegro and Kosovo. Unreported extortions as well as the use of explosives, contract killings or ‘un-authored’ ones for the elimination of opponents, ‘market rebalancing,’ or control of territory, are considered disturbing. There is an aggravation of conflict among businesses, which has led to an increase in contract killings whose perpetrators are not known. It is also noticed that there is an increase in the use of remotely controlled mines and TNT. These killings, for the most part, are thought to be conducted for establishing control and for issues related to business competition. Extortions of businesses are considered very disturbing. Sources state that fines on large businesses are not reported to the prosecutor’s office. This is explained by the lack of trust in justice bodies by businessmen and their fear of retaliation. On the other hand, it is thought that organized crime invests to corrupt the police and prosecutor’s office. We notice that many of the cases brought to court on organized crime in recent years are interpreted as simple collaborations, or even committed by separate individuals. This is a clear indicator of the low level of investigations. The increase of payments mainly by businesses, but also by powerful criminal organizations, for contract killings has led to their sophistication. Interviewed experts warn that harsh clashes between these groups may return for turf control and business control. In special cases, this has been proven by violent public clashes by criminal organizations, especially in the Tirana district. In this context, there seems to be a rebalancing of markets and rivalry in the criminal world. Collaboration with groups of neighboring countries, but especially with Albanian groups in the EU, has empowered them economically and has made them more dangerous. The work of law enforcement bodies is made more difficult by the observance by criminal organizations of the so-called ‘code of silence’ and the use of psychological violence instead of physical violence or the use of ‘partnership with the victim.’ Albanian organized crime invests illegal proceeds in diverse areas of the legitimate economy, such as the construction business, tourism, different processing plants and concessions. The fast increase and spread of constructions is an indicator of the injection of considerable amounts of ‘dirty money’ into the economy. Albania represents a favorable terrain for the transplant of Albanian-speaking criminal networks from abroad to Albania. On the other hand, the risk of

revenge against prosecutors, judges, and police by criminal group members sentenced during the period 1997-2005, exists; these were sentenced initially to 25 years of imprisonment, but they earned reductions by 1/3 of the abbreviated adjudication and are expected to be released around 2017.

#### **4.2. Recommendations for an effective fight against organised crime**

- Carry out a comprehensive and not fragmented reform of institutions that have direct connection with the fight against organized crime, including the Judicial Police Service.
- Increase fruitful collaboration between the State Police, the State Information Service, the Prosecutor's Office, the General Directory for the Prevention of Money Laundering, the Directory of Customs and the Directory of Taxes.
- Develop professional capacities through different training, through guaranteeing job stability of specialists, selection of individuals on the basis of merit, moral and social integrity, and outside conflict of interest.
- Fight corruption in all links of the justice system chain (prosecutor's office and courts) and the police.
- Support structures against organized crime in the financial aspect and by granting preferential social status by law.
- Increase number of confiscations of sequestered illegal incomes.
- Establish the Directory of Investigations that would be responsible for the quality, depth, and procedural aspects of investigations, which experts see as very weak.
- Limit the acceptance of abbreviated adjudication for some serious criminal offences.
- Review and develop school curricula. The study of organized crime should not be a prerogative of the school of law alone, but it should be included in the faculty of social sciences, school of economics and the faculty of natural sciences (computer department).
- Improve curricula that relate to the study of organized crime in the Magistrate School, Police Academy and Military Academy.
- Recruit the best experts from different areas such as finance, criminology, justice, psychology, statistics, information technology, forensics, etc., in law enforcement institutions.
- Increase public awareness about the threat of organized crime and the role and responsibility of everyone in the fight against it.



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