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The new international security agenda linking common interests across states and international organizations in the relations among conflict, development and security has focused in southeast Europe on transborder organized crime. The number of activities and interested actors is huge, but their agenda is driven by politics and policy, not by knowledge and research. This article asks whether there is also a potential 'epistemic community' ('networks of knowledge-based experts') surrounding this issue. It attempts to stimulate discussion on the possible bases for consensus and common action of such a community, in both research and operational settings, by outlining what appear to be the basic assumptions of the current policy approach on this issue and the necessary foundations in knowledge of both the existing approach and possible alternatives.

It is now a full decade since the United Nations Development Programme proposed a new security agenda for the post-Cold War world. Human security, as the 1994 Human Development Report proclaimed, should replace the militarized, state-centric focus of the past. Security was not only about territory, borders and arms but, at bottom, must be about people and their ability to survive. At the same time, development actors and agencies must take insecurity and violent conflict seriously. In attempting to refocus policy and to link these two communities, security and development, the report emphasized the global and interconnected nature of security. Whether in the spread of disease, of refugees and

migrants, of arms, of terrorists, or of illegal trafficking and organized crime, the consequences of insecurity, war and poverty in poor nations affect the security of those living in rich nations. Borders do not protect and secure. North and south, rich and poor, peaceful and war torn share common interests in security and the necessity of cooperation between them to manage these common threats.

If one's measure of significance in this new security agenda is organizational focus, then for southeast Europe transborder crime has few competitors. The number of new initiatives, activities and involved organizations focused on this policy issue in the past five years alone is astounding. A 2001 report on trafficking in persons listed 18 working in eastern Europe alone. Organizations directly involved in Europe include the Central European Initiative (CEI), the Organization for Security and Cooperation in Europe (OSCE), the European Commission, the European Union (EU) Council and its secretariat, the Council of Europe, Europol, Interpol, the Southeast European Cooperation Initiative (SECI), the Stability Pact and the Adriatic Sea Initiative. In southeast Europe specifically one can cite: the SECI Regional Centre for the Fight against Organized Crime in Bucharest, the Stability Pact initiative on Organized Crime (SPOC) created in Sofia on 5 October 2000, its Task Force on Trafficking in Human Beings, the OSCE roundtables on human trafficking such as one held in Belgrade, 19–20 April 2001, and subsequent activities of the Initiative Board created by it.

The problem, of course, is not new. Interpol itself was created by the 1904 International Agreement on the Suppression of Human Trafficking. More recent international and regional conventions providing legal and normative agreements include the Strasbourg Convention of 1990 and the UN Convention against Illegal Drug and Psycho-active Substances of 1988. But there does appear to be a significant escalation in attention to the problem in the past five years; for example, the International Convention against Transnational Organized Crime, created by the UN General Assembly on 9 December 1998, finalized at the 10th session of ad hoc meetings in July 2000 at Vienna, and signed at Palermo in December 2000, the two subsequent protocols to the Palermo Convention, the London Statement of the Lancaster House Ministerial Conference of 25 November 2002 on 'Defeating Organised Crime in South Eastern Europe', and the 'Statement on Commitments to Legalize the Status of Trafficked Persons' signed on 12 December 2002 by the ministers of interior of southeast Europe. The approach of the latter, refocusing on victim/witness protection, was extended to child trafficking at a task force meeting in Slovenia on 28 March. Similarly, the Greek presidency of the EU (first half of 2003) gave priority to a follow-up of the London conference,

including focus on an issue of longstanding concern to police in the region, an EU visa regime and a visa-free area or unified visa regime for the western Balkans, and made it one of the primary concerns of the Thessaloniki Summit on 21 June 2003 between the EU and countries of the Stabilization and Association Process (SAP). In addition, the Stability Pact, the SECI regional centre, and the University of Trento have an ongoing research project to improve and assess the functioning of information exchange in the fight against organized crime.

This brief and partial list does not even mention the myriad programmes of assistance to particular countries in the region, for example for training of border police and customs officials, on money laundering, on mechanisms to share intelligence between states in the region, to buy back weapons, and to harmonize official activities in this field.

Like the broader human security agenda, however, one gets the impression from the research side of this issue that this is an agenda driven by politics and policy, not by knowledge and research. While the grey literature – the policy documents, attempts to develop operational best practices and standard operating procedures, the field reports from humanitarian and peace-operation missions, and the UN agency studies – is huge, serious research is remarkably thin. It is also noticeably uncritical, characterized more by journalistic approaches, oft-repeated anecdotes, and dramatic summaries of dangers to persons and states without much conceptualization or empirical evidence on causes and effects of the kind one should expect. And while there may be emerging an epistemic community – 'networks of knowledge-based experts' (Haas 1992: 2) – on the issue of transborder organized crime, it does not appear yet to be taking an advocacy role for policy informed by that professional knowledge or even helping to frame the political agenda and public debate.

AN EPISTEMIC COMMUNITY ON THE ISSUE OF TRANSBORDER ORGANIZED CRIME IN SOUTHEAST EUROPE?

The growing influence of professional communities in international policy making and coordination that is asserted by international relations scholars is based on the 'growing technical uncertainties and complexities of problems of global concern' (Haas 1992: 1). The particular type of uncertainty that generates demand by policy makers for the information that these transnational communities of professionals can provide arises from the growing interdependence of individual states in their pursuit of policy goals on the policy choices that other states make. This uncertainty about the causal effects of particular policies taken by multiple actors is enhanced by the growing technical complexity of policy issues. In contrast

to the more familiar focus on intentions and preferences, the advice sought from networks of specialists 'consists of depictions of social or physical processes, their interrelation with other processes, and the likely consequences of actions that require application of considerable scientific or technical expertise' (Haas 1992: 4).

To satisfy this need, such networks need not share origins, backgrounds or disciplines; they may include both academic researchers and practitioners, but they do share (1) a 'set of normative and principled beliefs', (2) 'causal beliefs' from their analysis of practices by which they can suggest 'multiple linkages between possible policy actions and desired outcomes, (3) 'notions of validity' and (4) 'a common policy enterprise' (Haas 1992: 3). Thus, they are joined in a common enterprise by specific knowledge, methodologies and normative values. Their authority with policy makers is based on 'their recognized expertise' in the particular policy domain. As a community, however, they may be quite informal, meeting at conferences, communicating through journals and generating joint research projects. Unlike traditional interest and advocacy groups, they are likely 'to engage in internal and often intense debates leading to a refinement of their ideas and the generation of a new consensus about the knowledge base' when faced with new information, discoveries or unexpected events in their issue area (Haas 1992: 18).

Nevertheless, the origin of the concept and of an associated explanation for policy influence lies with the fundamental sociological insight of knowledge as power. Whether intended or not, the activities of epistemic communities are political. They can shape public choices by helping policy makers identify state interests, framing the debate and alternatives for negotiation, and proposing the development of new social or political institutions. They are likely, as a result, to seek to institutionalize their influence with a more regularized pattern of cooperation and flow of information, by instituting monitoring activities, or even initiating proposals for enforcement. Whether they retain their original authority and goal of policy improvement, or move instead toward either a Gramscian role in buttressing existing power or a radical critique of current policy approaches and agendas, cannot be foreseen.

It is not yet clear whether there is an epistemic community on the issue of organized crime for southeast Europe. But the concept does help identify what its role could be should it emerge. It also helps identify the areas of shared interests, values, and consensus that would be needed. To assist the policy-making community, we would need to clarify our shared values, our methodological criteria of validity, a consensus on the state of our knowledge about cause and effect, for example, the causes of transborder organized crime in southeast Europe and the likely effects of

specific policy choices, and our common interests in acting as a community. Such a discussion would necessarily extend to questions of representation – who belongs, who is not yet represented – and of forms of further cooperation.

To provoke that initial discussion about the bases of our current consensus and remaining disagreements, I propose three questions. First, is there a current approach to transborder organized crime in the region, can we agree on such a characterization, and is it well chosen? Second, what are the knowledge bases underlying the current policy approach, and do we agree with those assumptions? Third, do we have sufficient knowledge or do we need new knowledge, and if the latter, what kind?

THE CURRENT POLICY APPROACH TO TRANSBORDER ORGANIZED CRIME IN SOUTHEAST EUROPE

I propose that the current approach to this policy issue among those currently setting policy is a state-based approach that focuses on criminalization, defining a set of activities as crimes, and on developing the operational and technical aspects of implementing state agreements on such criminalization.

This approach is being channelled through the European integration process. Operationalization begins with legislation and institution-building defined by EU practices. States in southeast Europe are expected to meet what are called 'European standards' by adopting specified legislation and implementing institutions of law enforcement (police, judiciary) as part of the conditions for eventual EU membership. This approach is, therefore, characterized by standardization and conditionality. Were there no European integration process and promises of eventual membership, however, the states of southeast Europe would face the same standards and expectations from United Nations agencies and conventions.

Because of this approach, the key actors are domestic – legislatures, police, courts, intelligence services, ministries of the interior. Although many of the resulting legal and policy documents emphasize its economic aspects (both as cause and consequence), the relevant actors are security-sector officials, not economic or social policy officials. The approach is one often called 'securitization'. Transborder organized crime is seen as a security threat to be treated as such. Whatever ambivalence citizens in these countries may have about the illegitimacy and illegality of these activities and their participants for reasons of high unemployment and their own economic survival, they are expected to give the security threat higher priority and thus to accept the line drawn by the law and change

their values accordingly. Because the networks of organized criminals cross borders and involve cooperation across those borders, moreover, these domestic agents are expected to cooperate, too, across borders. Regional cooperation (i.e., between states within southeast Europe) is a central plank in this new security agenda.

While there is no consensus on where the primary source of the problem lies – within southeast Europe or in the fact that the forces of both supply and demand lie outside the region – no one challenges the argument that transborder organized crime is by definition a regional and international issue, not a domestic one alone. Thus, cooperation must extend beyond the states within the region of southeast Europe to cooperation between individual states and the variety of regional and international organizations involved. Such cooperation emphasizes the sharing and exchange of information, joint operations, judicial networking, mutual legal assistance and, eventually, a common approach to the problem of transborder crime, as would follow from the 'standardization' goal.

Policy initiatives and priorities appear to be placed on types of trafficked (bought, transported, sold) goods: human beings (illegal migrants and asylum seekers, women and children primarily for the sex trade but also human organs, enslaved work, etc.), illegal drugs, weapons, and a catch-all 'major crime of other kinds' that is usually left vague, although contraband goods such as stolen vehicles, cigarettes and oil are often listed.

At the same time, discussions of organized crime are frequently linked with corruption, particularly the corruption of officials (both administrative and elective). The fight against corruption follows the same approach and thus policy often equates the fight against organized crime and against corruption, namely, the task is to classify corruption as crime, inculcate those values in the population so that they view such acts as illegal and subject to penalties, and focus on law enforcement, that is, on instituting financial controls and on policing (e.g., cut transborder networks through the interruption of financial links, confiscate proceeds of criminals and equally of officials within countries or in foreign banks, arrest criminals and corrupt officials).

Many aspects of this policy approach remain underdeveloped or contentious. There is, for example, substantial discussion about tactics, for example, the current concern with victim help and protection and discussions about how to raise public awareness on the assumption that public opinion and civil society associations are useful weapons in the fight. Another debate is whether cooperation is better effected on a functional basis (e.g., among customs officials, among police, among judges) or on the basis of national teams, and what form of cooperation is more

effective – ad hoc, regularized, or even permanent commissions and task forces. These tactics, however, all follow from the assumption of criminalization and state-based cooperation.

THE ASSUMPTIONS OF THIS CURRENT APPROACH AND AN INVITATION TO CRITICAL ANALYSIS

This policy approach, if I have correctly characterized it, is based on a set of assumptions that may be seen as a set of empirical hypotheses for which an epistemic community would be able to provide knowledge, either in support of the assumption or against it. For example:

1. transborder organized crime is primarily a security threat and is best treated that way,
2. criminalization is the best approach,
3. state-based instruments will be the most effective,
4. countries have a shared interest in the problem (i.e., one that overrides national conflicts of interest or competition on the issue),
5. improved cooperation within southeast Europe should be a priority and will have positive effects,
6. improvements in technical and operational aspects (the implementation of existing agreements and legislation) should be the primary current focus,
7. increased control over finances (profits, networks, laundering) will work in the fight against organized crime, and
8. the priority of focus should be on human trafficking and, secondly, on illegal/illicit drugs.

In order to generate the critical analysis that a specialist community could bring to this issue area, I will raise questions about four of these assumptions: securitization, criminalization, state-based approaches, and regional cooperation and common interest. I will conclude this section by asking whose agenda this is and thus whose interests are currently driving policy in this area.

Securitization

Southeast Europe is far from being the only region in the world that is threatened by transborder organized crime and the focus of policy concern. The topic is, therefore, particularly susceptible to comparative research and the drawing of policy lessons from other areas. For example, the US 'war on drugs' and its policy focus toward Colombia in particular (as well as Mexico, Bolivia, Peru and others in South America), it is

generally agreed, has not been productive, indeed has backfired. While the Taliban appears to have had some success with prohibitions against the production of poppy for heroin in Afghanistan, the aftermath of the military intervention in 2001 has been a skyrocketing renewal in poppy production by 2002–2003. Even if one shifts from military to policing methods, the fight against organized crime in American cities suggests modesty on causes and expectations of eradication. Even within a security focus, discussion as to tolerable limits and how such magnitudes and proportions should be measured – by quantities trafficked, amounts earned, proportion of economic activity engaged, persons employed, territorial spread, or social, economic or political consequences – would seem to an important part of the modesty recommended by global comparisons.

As with the US war on drugs, the EU focus on southeast Europe and the increasing attention by Justice and Home Affairs (JHA) arises from the threat of such trafficked goods (persons, drugs) into member countries of the EU. But to what extent is transborder organized crime also a security threat to states in southeast Europe? How do publics perceive it? To what extent is a policing, security-based approach most effective?

By focusing on crime and on transit, the EU (especially JHA), OSCE, UN and bilateral donors identify their partners in the fight on crime as ministries of interior, justice, foreign trade and customs. To the extent that there is a security element to the problem, however, people in southeast Europe tend to believe that the issue is a result instead of unsettled borders and the heightened barriers against transit (with the resulting incentives to smugglers and smuggling) that comes from continuing political uncertainty about national borders. Thus, the unsettled political status of Kosovo, the remaining uncertainty about the status of the border between Serbia and Montenegro and status of its state union, and continuing concern about northwest Macedonia and the 'Medellin of the Balkans', Preševo valley in Serbia, combined with the effects of two militarized international protectorates cutting through the heart of the region (Bosnia–Herzegovina and Kosovo) are seen as primary sources of trafficking that require resolution first, before one can hope to deal a blow to transborder crime. In the meantime, priority should be focused on better implementation by NATO-led military forces in Bosnia–Herzegovina and Kosovo (and the EU-led forces in Macedonia) of demilitarization agreements already negotiated.[1] In the interim as well is the proposal, and the urgency with which it is held by people in the region, for an EU visa regime and a unified visa regime or a visa-free western Balkans. Analysis of the political and practical implications of such a proposal would seem to be in order.

Francesco Strazzari analyses 'mafia' along three dimensions: first, as source of intimidation, that is, as a powerful means of extracting resources, which includes the threat of violence; second, as icon, that is, both the idea that mafia cannot be dealt with politically and the related tendency to associate organized crime with the historical path of state formation in western Europe and thus the assumption that it is these processes that are playing out now in southeastern Europe; and third, as safety net, that is, as a form of assistance and protection against economic shocks and other unpredictable events, particularly when states are weak and unstable and unable or unwilling to provide that protection. This is a particularly acute aspect of organized crime in southeast Europe currently because of the regime transition – dismantling of the socialist welfare state, the further cuts in public expenditures of social benefits and employment, and the rising level of poverty and of 'working poor' under conditions of monetary stabilization and economic stagnation.

The latter two dimensions – the nature of the state in the current moment and the issue of economic and social security – gain far more attention in the current research by scholars from southeast Europe than the security aspect. The interest of donors is the reverse. The experience of Krassen Stanchev is emblematic. In 1994–1997 he applied repeatedly on behalf of his Institute for Market Economics in Sofia in cooperation with other policy research groups for monies to research the phenomenon of organized crime itself from the EU, USAID and the equivalent Swiss, German and Canadian development agencies, without success. After the opening of the arms depots during the 1997 political crisis in Albania and uncontrolled haemorrhaging of arms and ammunition, donors became intensely interested in research on the subject, but only on the security aspects.

The social origins of criminal groups, indeed, tell far more about causes. They tend to be people in sports, war veterans (e.g., in Russia, from the Afghan war, or the 'young generals' in Bosnian Croat areas), and former members of the downsized security apparatuses (police, internal security, intelligence). They all, in other words, have marketable assets to adjust to unemployment or the collapse of state sponsorship by filling the need for private security and protection to persons, private businesses and rival criminal gangs when the state is unable to perform that crucial function because institutional change takes longer than most programs of economic reform allow.[2] There is a security aspect in the absence of state provision, but the primary cause is the strategy of economic and political transition and the resulting weakness of states. Yet the same proponents of this strategy of transition emphasize, in the area of organized crime, policies that require strong and effective states.

Training programmes, which are very extensive in the region, are designed, moreover, by police for police at police colleges, such as the modules funded by Norway on 'trafficking in human beings', 'irregular migration' and 'trafficking in drugs.' The police, themselves, are the first to volunteer that they are not the appropriate instruments to do many of the tasks necessary to the problem at hand, for example, to 'protect and assist victims' of human trafficking, assist rehabilitation and reintegration, and deal with the trauma and stigma of prostitution. Security personnel are not trained psychologists, social workers or medical doctors.

Criminalization

The external (UN and European organizational) demand for legislation and its effective implementation to criminalize certain behaviours can be analysed in terms of the systemic economic and political transition taking place in southeast Europe, that is, as part of the broader effort to implant a system of laws, institutions and values appropriate to competitive liberal democracy and a capitalist market economy on former socialist systems. That transition, however, is far from simple or straightforward, and the effectiveness of the policy approach toward organized crime and corruption will depend on understanding the interaction between its policies and that context. This is the subject of substantial and ongoing research and should, in this particular case, generate further questions for research and analysis.

To what extent is this external demand aimed at clarifying prohibitions of activities whose legal status was actually fuzzy in the previous (socialist) system (for example, prostitution was not legal, but not wanting to admit its existence under socialism, governments remained largely silent on the matter)? If so, improving the technical effectiveness of law enforcement agencies is a small part of the changes that need to take place. To what extent, instead, is this external demand defining activities as criminal that were previously considered acceptable, even beneficial, or at least tolerated? The parallel with the development of the criminal law in the early transition from feudal orders to capitalist systems, that is, from a system of reciprocal obligations between lord and peasant and use rights as a mechanism of welfare and survival for the latter to a system based on private property rights is worth contemplating for the radical ruptures in peoples' expectations and behaviours and systemic character of the changes that had to occur (see Hay 1975). If, as Vladimir Gligorov argued during the workshop, laws are introduced that generally contradict popular views of what is and is not legitimate activity, then the incentive to circumvent laws perceived to be 'bad laws' will have a more pervasive effect on the rule of law in general. And in such cases, decriminalization

and liberalization may be the more effective tool. The 'stick' can 'create criminality' as much as eliminating it.

A further aspect of systemic transition concerns the redefinition of the state itself in the current period. To what extent is the liberalization process, constraining the legitimate scope of state behaviour and redrawing the accepted border between public and private matters, an obstacle to the strategy of criminalization? The new states are weak both in capacity and in the absence of a settled notion of its legitimate boundaries. What, for example, should be the respective realms of state regulation and freedom? To what extent are associated outcomes such as the reprivatization of violence, education and welfare a transitional phase where states lack institutional autonomy and a monopoly over those activities proper to modern states, and to what extent are these the result of a new definition of state scope?

The transition also involves changes in norms and values. Particularly instructive is the widespread discussion in Serbia in early 2003 about whether a more effective method toward human trafficking and prostitution would be legalization of the sex trade. Similar to the debate on illegal drugs, that legalizing certain use can reduce the elements of organized crime, violence and imprisonment (and its consequences) associated with criminalization, Serbian advocates argue that legalization, or at least decriminalization, would make it easier to address those elements that are genuinely dangerous in the sex trade – the transborder trafficking (and de facto enslavement) by criminal elements, for example (Stijak 2003). Human rights and women's groups advocating legalization belong to a more general trend in the EU (such as in Germany) that can be seen as the stage of 'European standards' to which they aspire. But officials in Serbia, who are responsible for implementing European requirements for a law enforcement regime against such activities, are justifying that approach on the grounds that Serbian 'culture' and 'traditions' are such that the public will not be receptive to legalization. In an environment so saturated with foreign assistance and requirements, from the conditionality of donor aid to the EU integration process and the multiple international protectorates, it is not surprising that the line between what locals are expected to do and what outsiders are permitted should become a subject of frequent commentary. The message being sent by the local discussion is that the clear perception of double standards is a substantial obstacle to the normative local change considered necessary by these programs.

The distinction between legal and illegal profits necessary to the financial instruments of this approach (investigations, control of money laundering, seizure of proceeds) also breaks down quickly when the easiest way to launder the money from criminal activities is to invest in legal

activities – construction being most common. Because the current phase of economic reconstruction in southeast Europe (post-war reconstruction and infrastructural development in general), particularly that designed by the World Bank, is heavy on construction, the opportunities are unusually great. Moreover, in conditions where foreign private investors have been reluctant and scarce, any source of local investment is welcome and it is understandable if people look the other way. Indeed, foreign advisors place great stock in the diaspora and wealthy individuals as sources of investment capital in this phase but whose origins may not be scrutinized carefully. A particularly public case was the invitations to invest in a joint venture between Americans and rich Kosovars to build an American University of Kosovo, and the accompanying explanations to cover clear money laundering.[3]

Independently of the tasks of systemic transition, criminalization presumes that enforcement will act as a deterrent. Yet the academic literature is voluminous on the failure of a threat of punishment to deter in the face of growing poverty and economic hardship, on the one hand, and the huge profits that can be made for such activities, on the other.[4] Moreover, unlike common murder or theft, for example, the network character of organized crime makes the individual criminal unimportant, easily replaced if caught with new recruits. The size of the recruitment base in current economic conditions in southeast Europe is large enough to overwhelm law enforcement capacities. Comparison with the global war on terrorism since 11 September 2001, which has the same strategy (securitization, criminalization and instruments to control and limit financial gains) and has also not been successful, suggests that motives of the participants matter and may not always be vulnerable to the assumptions of this strategy. The links between criminal organizations and their support base requires research.

State-based

Perhaps the most radical criticism of the current approach comes from Moisés Naim, editor of *Foreign Policy*, in a recent article entitled 'The Five Wars of Globalization' (Naim 2003). After urging modesty because the illegal trade in drugs, arms, intellectual property, people and money and the wars by governments against them have been going on for centuries, he argues that governments can never win if they continue to fight them as 'enforcement problems' and by 'customs officials, police officers, lawyers, and judges'. This is increasingly true in current conditions. The tools are 'obsolete', the laws 'inadequate', the bureaucratic arrangements 'inefficient', and the strategies not directed at the methods of organization and resulting flexibility of criminal cartels. In particular, an approach that

is based on 'repression', 'sovereignty', legal frameworks and law enforcement will fail. In southeast Europe, researchers argue that criminal gangs are the most modern in their technological skills and equipment, for example. The sums they can earn surpass by far the GNP of many of the countries in the region.

Naim's recommendations, however, for new mechanisms and institutions and a move from prohibition to regulation require returning to the case made by local scholars and officials in southeast Europe, that the primary focus should be on the development of effective states and the more complex capacities needed for regulation. The scope of this task is, of course, enormous if one takes into account the interdependence between legal politicians and illegal activities, as a result of connections established for war or opposition, of the search for monies to fund political parties, election campaigns, and the media, or as a result of everyday corruption.

Regional Cooperation and Common Interests

One of the primary criticisms of the current wars on illegal trade and its consequences levelled by Naim is the neglect of multilateral institutions for fighting such activities. As a truly global phenomenon that gains its flexibility from not being tied to territory or sovereignty, it is astonishing, he writes, that Interpol 'have a staff of 384, only 112 of whom are police, and an annual budget of $28 million, less than the price of some boats or planes used by drug traffickers'. Europol, similarly, 'has a staff of 240 and a budget of $51 million'.

In the case of southeast Europe, police professionals emphasize that while greater regional sharing of information and cooperation among professionals is very important to their task, the cooperation that is needed most is with countries further afield in the trafficking chain between supply and demand. For example, Albania needs to cooperate with Pakistan, Sri Lanka and Kurdish groups (especially Turkey), which are the sources of highly paid migration routes, and with Italy, which is the first port of trafficking in children and women. A successful example is the effective cooperation between the United States, Italy and Albania in interrupting a massive drug smuggling ring between Colombia and Albanian and Russian networks in 2001 to supply the west European market. The particularly important role of diasporas in creating long-distance networks, mobilizing and laundering funds and providing external sanctuary – critical to the cases of southeast Europe – also demonstrate the inadequacy of a focus on regional cooperation within southeast Europe alone. At the same time, territorially defined competition over trafficking routes in southeast Europe does introduce an element of

national competition that interferes with such regional cooperation as well. As long as current economic conditions persist, this obstacle to effective implementation at the level of southeast Europe is likely to continue.[5]

Whose Agenda?

The London conference of November 2002 made it clear that the issue of organized crime in southeast Europe is now a matter of EU integration processes, and cooperation on this issue from countries in southeast Europe now a subject of conditionality – no cooperation, no progress on integration. To what extent is this agenda also a domestic one in southeast Europe? Whose interests are engaged?

The policy emphasis on technical and operational improvements assumes that political commitment is a settled matter – that the issue is not politically contentious within the country or among the political leadership. However, police officials insist that the problem of implementation is not a matter of legislation, conventions or bilateral agreements – all of which are now sufficient and some of which are even good, for example, the Palermo convention. The source of the problem is the absence of political instructions.[6]

To the extent that political commitment does exist, then a second obstacle is insufficient resources. Three aspects can be identified. First, the resources necessary to fulfil international commitments have not been forthcoming from donors. Activity setting standards and conditions has not been matched with the flow of funds.

Second, the effect of the attack by Al Qaeda on New York and Washington in September 2001 was to introduce a new American agenda to the problem of illegal trafficking and organized crime. While a substantial amount of EU activity and redefinition of NATO tasks have adjusted to American demands, there is a growing divide within the transatlantic community about priorities. This necessarily affects the amount and kind of resources available. For the EU states, priority remains on the transit of drugs (particularly heroin, 80 per cent of which moves along the Balkan route to western Europe) and illegal migration, and therefore the jurisdiction of Justice and Home Affairs. For the US, priority is the war on terror and the sharing of intelligence and tactics to interrupt networks and arrest and extradite potential terrorists who might use southeast Europe as sanctuary and organizing base but who could target the US. And for the UN and its related agencies, however, the new humanitarianism of the human security agenda remains strong so that trafficking in human beings (particularly women and children) and in light weapons retains priority. These conflicting priorities place resource-strapped countries of southeast

Europe in a difficult position politically, a position made worse by the conflicting foreign policy positions of the EU and the US on matters such as Iraq and the International Criminal Court.

Third, even if governments in southeast Europe are unambiguously committed to the fight on organized crime, both within their home territories and in transit across them, they must balance competing priorities of other policies. For example, the requirement of the market transition and economic reform (aimed at economic revival) is that public budgets be cut. When the World Bank requires Albania to cut 800 police to reduce its budget deficit, which commitment takes priority? Similarly, the external pressures of economic reform programs for states in southeast Europe to reduce their scope, particularly their regulatory power, and the demands to decentralize for both economic reform and conflict-management run counter to the findings of the academic literature on the policy measures best suited to fight corruption, namely, the importance of strong, effective states (particularly the 'centralization of rent-collection machinery' and the 'ability to pre-commit credibly')(Bardhan 1997: 1341).[7]

DO WE NEED MORE KNOWLEDGE? IF SO, WHAT QUESTIONS NEED ANSWERS?

Discussants at this workshop disagreed about the level of our knowledge and the need for more research on this topic. As one who felt the problem was not insufficient information expressed the problem, it's that 'everyone is involved' and the problem is 'how to prove it publicly'. If one reads journalistic accounts, interviews police officials and professional experts within police, intelligence, etc., offices or consults existing research on this topic, one is struck by how much we do know. But it is not systematic. And as police officials emphasize, the data do not meet the requirements necessary to win a case in court.

An additional obstacle lies, moreover, in the 'mafia as icon' phenomenon identified by Strazzari. On the one hand, organized crime is associated with danger, leading people to think it cannot be researched for fear of becoming victims of violence and intimidation themselves. On the other hand, the association of the phenomenon with political protection and collusion at the highest levels leads people to avoid investigations for fear of where it will lead, independently of the very real cases of direct intimidation. The best way to counteract this perceptual obstacle to research and public knowledge, Strazzari argues, is to demystify the issue by enlarging the community of researchers (international and transatlantic) who collect information on methods of organization, linkages and direct impacts on societies.

Epistemic communities provide antidotes to the secondary uncertainty generated for policy makers by complexity, whether arising from technical sophistication or interdependencies and spillovers among independent policy makers, states and issue areas. Their members establish standards of proof, identify causality, and promote priorities based on a set of shared normative and principled beliefs. To those ends, I propose a number of immediate research questions to generate debate and get the ball rolling.

First, is the data exchange system currently being created by the Transcrime project within the SPOC sufficient to the needs of the current regulatory system? If so, should it be communicated more widely; if not, what supplementary information is needed?

Second, do we have sufficient knowledge to distinguish among the three sources of organized crime in southeast Europe: those of transition, those that are structural, and those that are due to global flows beyond the borders of these states? For policy recommendations, these distinctions must be made. The three are also related, of course. To what extent, as Vesna Bojičić-Dželilović argues, have some transitional effects become structural and thus, in a negative feedback loop, interfere with further successful transition? For example, as she argues for Bosnia and Herzegovina in particular, to what extent have the effects of war become institutionalized in social dislocation, legitimation of criminal organizations, tight links between politics and smuggling, and the vast informal economy and in turn created a socioeconomic formation that is not conducive to democratization and economic reform and acts as an impediment to normalization of economic and political relations? Similar questions about the long-term consequences of the sanctions regime on Serbia, Montenegro, and Macedonia should be raised.

Third, what are public opinions regarding this subject? Do we know enough about citizens' views and the basis for their views to recommend adjustments in the current policy emphasis on mobilizing public support for action on such crime and relying to a great extent on civil society pressure and monitoring? Do the public distinguish, for example, between crime 'at source', crime 'in transit' and crime 'at its destination' as does the London Statement? Do citizens evaluate transborder crime differently from domestic activities of the same character and networks?

Fourth, would it matter to effective policy if there were more systematic research on and analysis of the social basis of recruits within southeast Europe? What causal linkages are implied?

Fifth, is there a territorial dimension to this problem such that a focus on particular states or unsettled borders, for example, would contribute to reduction? Is the problem an 'oversupply of borders' in general in Gligorov's terms or is it particular to specific places and times?

Sixth, do we have systematic studies of training programs to evaluate whether these imported programs are sufficiently sensitive to context to have good prospects for success?

Seventh, are the correct governmental policies being targeted, or should the focus be more on the tax and expenditure policies that currently create incentives to smuggling?

Eighth, in terms of the systemic consequences within southeast Europe, for example, on the kind of democratic politics possible or on future economic performance, can tolerable limits be identified? How would one define them and measure them; what should take priority?

NOTES

1. I cannot deal here with the urban legend about foreign (UN, NATO or EU) troops stationed within southeast Europe generating their own demand. There is no question that the supply of female prostitutes into the Balkans has been generated in part by the perception that the troops provide a market, but we have no counterfactual basis for assessing their independent effect. The issue in this case, moreover, is not with their causal role but with the appropriateness of instruments chosen for counteracting, managing and fighting the problem. As for UN, NATO or EU troops deployed into such situations, it is clear that they, too, need training in how to deal with local criminals or transborder organized crime and that peacekeepers do not yet receive such training.

2. Particularly explicit on these links is the study of Russia by Vadim Volkov (2002). He notes the turning point in 1998, when the chaos that entrepreneurs (the emerging capitalist class) found beneficial initially began to become increasingly costly and they began to want more predictable relations with the state. This shift in interests, combined with Putin's emphasis on state building, may be analogous to the role of business-led 'reform' governments in US cities in the early part of the twentieth century. See also Nikolov (1997).

3. Americans in this project, when interviewed, insisted that the money was laundered but that it was earned through sanctions busting, thus considered legitimate by them as part of an anti-Milošević activity, and not through trafficking in arms, drugs and humans.

4. In an Institute for War and Peace Reporting (IWPR) story about the attractiveness of prostitution to young women in Serbia, the average monthly wage in Serbia of 170 euro is contrasted to the 50 euro an hour, on average, that women in 'escort agencies' earn (Stijak 2003). To tackle smuggling of children in Albania, according to another IWPR report, 'researchers have concluded' that the best way 'is to take the children off the streets and find places for them in work programmes'. But NGOs actually doing this task find that one of the 'greatest problem[s]' they confront is the views of others toward the children – 'everybody despises' them (Loloçi 2002).

5. The obstacles to regional cooperation in southeast Europe are greater than the interests in its favour, according to the extensive empirical research by Othon Anastasakis and Vesna Bojičić-Dželilović (2002).
6. They would have much support from Helga Konrad, chair of the Task Force on Trafficking in Human Beings of the Stability Pact. See her press statement (Konrad 2003) criticizing Montenegrin authorities over the lack of progress in the case of a Moldovan national, a trafficking victim, who surrendered herself to police authorities in November 2002.
7. See also the recent work by Margaret Levi on trust and the state.

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