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1st Standing Committee on Political and Security-related Cooperation

Special Task Force on Organized Crime

The fight against Organised Crime in the Mediterranean

Rapporteur: The Hon. Angela Napoli (Italy)

Report unanimously adopted by the IVth Plenary Session
On 23 October 2009 in Istanbul

This report builds on elements presented to PAM delegates in a “Food for thought” paper during the 1st meeting of the Special Task Force on Organised Crime held in Cairo on 2nd April 2009. It takes into consideration elements that were brought forward during the debate.

Organised crime poses a serious challenge to countries in the Mediterranean region. The trafficking of drugs, arms and goods (cars, cigarettes, counterfeited items...) as well as people smuggling, money laundering, modern day piracy are a dull reality.

Organised crime particularly thrives in countries with **fragile law and order institutions**, weak policing structures and significant corruption. Combined with high youth unemployment and relatively few legitimate economic opportunities for the population to engage, these factors impact the development and the security of a region. Arms-trafficking is on the rise in regions where the political situation is volatile and further hampers hopes for stabilization.

On a global scale organised crime has been estimated to control from 2% to one quarter of the world's gross domestic product causing **serious disturbances to world/regional trade**.

In a post- 9/11 context, there is also a growing risk that such activities support wider **terrorist networks**.

Bordering the Mediterranean Sea, the **EU bloc** and its wealth have become a **major economic attraction** for legal and illegal migration, organised smuggling and trafficking of human beings for labour markets and for the purposes of sexual exploitation. Recent studies argue that the demand for cheap labour in the 3 Ds sector (Dirty, Difficult and Dangerous) and for cheaper goods is on the rise in Europe. Therefore, so is the trafficking (**NO Demand = NO traffic**). The 2004 EU enlargement and the further expansion of the Schengen area make it more difficult to trace illegal goods and people residing illegally or victims of trafficking within the EU once they've crossed the bloc's external borders.

Hence most countries bordering the Mediterranean (EU and non-EU) have become transit countries for people and goods on their way to the mainland Europe.

A surge in **policing strategies** against transnational and organised crime and **repressive legislation** - especially within the EU - has occurred in recent years, with the main focus currently on **Migration**. But it has also become clear that fruitful **police/customs/judiciary cooperation** is necessary to efficiently fight against organised crime. Adequate resources, expertise, and sufficient legal framework are necessary and are pointed out as being essential tools by all countries faced with a surge of illegal goods or migrants (whether they have arrived at destination or not).

SOME FACTS AND FIGURES

In its 2006 annual reports the UNDCP highlights the following recent trends for the **Mediterranean region**: 1/ **rising cocaine consumption** in Europe (the level of cocaine use in Spain, which stood at 3 per cent of the population aged 15 to 64, surpassed that in the United States (US) for the first time); 2/ **the emergence of** migrant smuggling from Sub-Saharan Africa as a grave humanitarian problem. According to the Wilton Park Conference held in Malta in November 2007, *“illegal immigration will be the most contemporary challenge from the Mediterranean area. From presently less than 100 000, [the number of illegal immigrants] might easily reach one million and more annually before 2025.*

According to the 2007 World Drug Report, despite Morocco’s efforts, criminal groups still use Morocco as the main producers of cannabis resin (hashish) in the world despite a steady decrease in production since 2003. Some 70% of the cannabis traded in Europe comes from Morocco.

Recent UN studies suggest that the biggest growth in organised crime during the last decade in the region emanates from the **Balkans** and in particular from **Albania**, which could account for 40% of the distribution of **heroin** in Western Europe alone. In recent years Albania has switched from being a country of origin to being a **transit zone** for the smuggling of people originating from Asia and conflict-ridden countries such as Afghanistan and Iraq. The **routes from Albania** also supply many women from **Russia** and **Ukraine** for the **sex trade**.

According to the Europol 2005 Crime report, *“Ethnic Albanian groups have escalated from being simple service providers to reaching the highest echelons of international organised crime. They are mainly involved in drug trafficking and trafficking in human beings exploitation of prostitutions, facilitating illegal immigration and all kinds of property crime”*.

Romanian and Bulgarian organised crime groups are also finger-pointed for crimes ranging from credit or debit card skimming, exploitation of prostitution, drug trafficking, currency and document counterfeiting and all types of property crime including car-jacking, often resorting to violence. Organized crime groups operating in Turkey are said to continue to be important actors especially in the field of drug trafficking.

Organised Crime and trafficking of artifacts

During the Cairo meeting, PAM delegates heard a presentation by Mr. Zahi Hawass, Secretary General of the Egyptian Supreme Council of Antiquities, He presented the work he and his team had undertaken in Egypt to retrieve stolen artifact from local individuals or from abroad. There were expert teams at airport and entry ports in Egypt that would check suspicious individuals and their luggage as they were leaving the country. His team was checking internet sites daily for stolen artifacts. He was working in partnership with auction

houses, providing them with proofs of stolen artifact that were to be sold. He also mentioned that there was a need for more storage space in Egypt for antiquities. Over 45% of antiques were not properly labeled or recorded. He lamented the lack of any database for antiquities. He added that the temptation for guardians of archaeological site was difficult to resist when offered bribes that exceeded their 200 Egyptian pounds monthly salaries. He also said that museums around the world were hiding stolen artifacts in their basements and that with the help of “spying” archaeologists working abroad, Egypt had been able to retrieve more than 100 valuable pieces. He praised collaboration with the US in the matter.

He outlined the provisions of a draft law that would punish anyone who had stolen artifacts with a 25-years jail sentence and anyone who had damaged artifact with a 5-years jail sentence. In that respect, he mentioned that many Egyptians were digging under their houses in the hope to find treasures and become richer. He said that provisions from the draft law were inspired by a similar legislation in Italy whereby anyone who possesses stolen artifacts could spend up to 3 years in jail. This was the case for an Italian curator who, under intense media pressure, preferred to return the stolen objects rather than go to jail. He mentioned that media and public pressure were effective tools to retrieve artifacts. He mentioned the case of a museum in St Lewis, USA, who exhibited stolen Egyptian artifacts. Following a lecture given by Mr. Hawass in a primary school in that same town and as public pressure from the young students mounted, the artifact was handed back to Egypt. He himself said that he would stop any scientific cooperation with museums that had stolen antiquities.

He also expressed the wish that a *conference on the topic of stolen antiquities - bringing together some 14 countries - be hosted in Cairo.*

On that specific matter, it is also important to stress that Egypt is one of many countries in the region from which stolen artifacts originate and that much of what has been stressed with reference to Egyptian stolen artifacts can be applied or can serve as an example to develop policies for goods originating from other countries around the Mediterranean.

Organised Crime and illegal immigration

During the PAM meeting in Cairo, time was dedicated to the issue of illegal immigration. It was important that countries of transit and of destination worked together on the matter. Countries of transit expressed the wish to receive more financial and technical assistance in dealing with the phenomena and controlling migration coming from countries of origin.

Organised Crime and Cybercrime

Cybercrime also represents a growing concern among countries from the Mediterranean region. The extent with which cybercrime has encroached our daily lives is unknown unless one works in the field of law enforcement and is an internet specialist. To most citizens, cybercrime is a threat that is difficult to identify and to fight. Cooperation of the appropriate law enforcement bodies around the Mediterranean is an area that could deserve more attention from policy-makers so as to keep the internet, global business via internet, common citizens and public institutions safe. An overview of legislations set up in all PAM countries – such as the recent Algerian law about the prevention and the fight against misuse of information and communications technologies - could be carried out.

Areas to keep under scrutiny:

- Arms trafficking
- Drug trafficking
- Money laundering
- Trafficking of organs
- Counterfeiting including of medicines
- Trafficking of human beings and people smuggling
- Pedophile networks
- Slave labour
- Cybercrime, internet piracy
- Smuggling of fissile material and nuclear material,
- Stolen artifacts trafficking.

What can PAM do? A few ideas...

- Build consensus on **demand** reduction (less drugs, fewer firearms...);
- Highlight regional and bilateral initiatives in the field of **police/customs/judiciary cooperation**;
- Exchange **best practices** introduced at national level in the fight against organised crime including on how to boost alternative and non-repressive solutions; share outcome of activities undertaken under the umbrella of regional organisations/partnerships (OSCE, EuroMed partnership...);
- **Raise awareness** among fellow parliamentarians and civil society about the **human cost to trafficking**, drug abuse etc...through possibly co-sponsoring together with national parliaments debates with inter alia victims of smuggling/trafficking, drug addicts...;
- Use the framework of the **Law of the Sea** for cooperation between States dealing with stolen antiquities;
- Adopt a **Charter** that would declare that what lies at the bottom of the Mediterranean Sea be part of a **Common Mediterranean Heritage**;
- Urge PAM Member States to monitor the activities of criminal organisations and suggests to set up **parliamentary committees** within all PAM parliaments to this end;
- Suggest that all PAM member countries sign a **regional pact** with the aim to strengthen cooperation on the fight against organised crime.

Annex - Main actors and tools in the fight against organised crime

UN level

- **The Office for Drug Control and Crime Prevention (ODCCP)** is the umbrella organization that makes up the **United Nations Drug Control** and the **Centre for International Crime Prevention (CICP)**
- **UN Office on Drugs and Crime** (www.unodc.org)
- **United Nations Convention against Corruption** (adopted in December 2000, entered into force in December 2005).
- **UN Convention against Transnational Organized Crime** (including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the Protocol against the Smuggling of Migrants by Land, Air and Sea and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunitions) adopted in November 2000, entered into force in September 2003

International level

Interpol (www.interpol.int)

The Lyon Group set up by G8 countries in 1995

NATO: Operation Active Endeavour patrolling the Mediterranean

Regional level

Europol (www.europol.europa.eu)

FRONTEX (frontex.eu.int)

Euromed partnership, MEDA programmes

OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings

Mini Dublin Groups

South East European Cooperation Initiative (SECI) Bucharest Task Force-Regional Anticrime Center

Adriatic and Ionian initiative and the Round Table on police cooperation on issues of organized crime