



# Baltic Joint Investigation Team

## A New Working Method against Transnational Crime

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*In their pursuit of preventing organized crime over the last two decades, EU member states have increased information exchange among law enforcement agencies, introduced more uniform legislation, established agencies such as Europol and devised common strategies. Nevertheless, organized crime is still on the rise.*

In hindsight, the Cold War era is marred with negative associations among the general public. At the same time, this period may evoke nostalgic feelings among some senior law enforcement and customs officers. This period was characterized by the strict control of national borders, which meant criminals had limited contact with foreign criminal groups. At this time, almost no state, except for Italy, experienced infiltration by shady elements. However, as “new Europe” emerged after the disappearance of the Iron Curtain, conditions for criminal operations underwent a major transformation.

The nature of organized crime is considerably different today due to changes brought about by globalization. This is notable in the European context where free movement within the EU has facilitated the expansion of transnational organized crime. Additionally, the structures of contemporary criminal networks have evolved from pyramid shaped hierarchies to networks of cells where almost every unit operates independently. Criminal networks are continuously changing constellations, characterized by free roaming bases of operations. The decentralized network can quickly refill voids that emerge when network elements are eliminated. Considering the idea that crime was easier to control in the past, Cold War nostalgia among some senior law enforcement and customs officers becomes easier to understand.

### Organized Crime Gone Transnational

The report *EU Organized Crime Threat Assessment* (2009) issued by Europol outlines the structure of criminal net-

works in Europe. According to this report, organized crime in the Baltic Sea Region (the “north-eastern hub”) is perpetrated predominantly by criminal networks originating from the former Soviet Union. The report identifies these networks as the facilitators of the illegal transportation of prostitutes, pirated goods, and precursors to synthetic drugs and heroin from Russia, Ukraine and Belarus. While transnational activities bound for Europe are launched from the main logistical centers in Kaliningrad and St. Petersburg, organized crime groups originating from Latvia and Lithuania are the linkages to the rest of the EU.

In the context of organized crime originating from the Baltic Sea Region, the changing playing field has been, by and large, shaped by an “outsourcing” of criminal networks from the former Soviet Union. Investigative journalist Ruslan Gorevoy’s work on the Russian mafia suggests that as many as 300,000 criminals have left countries like Ukraine, Latvia, and Georgia and are now operating abroad. According to the German daily newspaper *Süddeutsche Zeitung*, approximately 160,000 criminals in Europe are from the former Soviet Union, compared to 70,000 of Italian origin and 40,000 of American background. However, it is important to stress that the ethnicity of the individuals in the Russian mafia does not imply ethnicity, but rather their origins from former Soviet republics. For example, after a recent pan-European crackdown against organized crime, many western media depicted it as targeting the “Russian mafia.” However, the actual majority of the 69 criminals arrested in Spain, Austria, France, Germany, Italy, and Switzerland were from Georgia and Armenia. When the additional activities of the networks in Sweden, Belgium,



Britain, and Turkey are taken into account, one understands how these organized networks have truly gone transnational.

Current international preventative mechanisms against organized crime are ineffective. This is most notably seen in the continual yearly growth in transnational organized crime. According to reports issued by the U.S. intelligence community, some countries on the Eurasian continent, such as Russia, are heavily influenced by actors with interests in both legal and illegal businesses. Additionally, the creation of narco economies in countries such as Afghanistan, where the turnover of the drug trade exceeds half of the GDP, is a current reality. This has widespread ramifications for Central Asia. The risk of state capture by criminal networks is causing concern. One case is the recent capture of Guinea-Bissau by criminal networks where drug trade proceeds exceed the total GDP. There is a great need for innovative approaches in order to prevent a domino effect of countries falling in to the hands of criminal networks.

## Regional Joint Investigation Team

International and supranational approaches have been important for preventing the activities of transnational organized criminal networks. However, these approaches have not been able to stop organized criminal groups from expanding their activities and raking in horrendous profit. So far, regional approaches have been neglected but could become very effective.

In January 2006, a seven-man expert group with a background in law enforcement from Sweden, Finland, Estonia, Latvia and Lithuania launched a proposal that, if realized, would have created a new and potent tool against organized crime. The basic idea was to bring together police, customs and intelligence officers and prosecutors from different countries to work together in a regional center. The rationale was straightforward – there is an urgent need for crime fighters to be able to start simultaneous legal action in multiple countries, similar to the way organized crime operates. This would require quick action in the process of acquiring intelligence, issuing arrest and house warrants, conducting synchronized raids and launching investigations simultaneously in two or more countries. Behind the launch of this proposal was the shared experiences of the ineffectiveness of current tools against transnational organized crime in the

Baltic region.

It was no coincidence that this expert group identified transnational criminal networks from this region as distinctive in character. It was based on their expertise on the region. The expert group found information exchange too difficult due to the time and resource consuming bureaucracy that exists between national agencies. The group argued that exchange of information could become even more difficult in situations where law enforcement agencies and officers do not trust each other. Therefore, bringing agencies and officers together in one regional center was essential in order to overcome the trust barrier.

The benefits of regional joint investigation teams lie in the advantage that comes with co-location, which would increase cooperation. Currently, communication between law enforcement agencies in different countries is facilitated through telephone and e-mail communication. Bringing law enforcement officers and prosecutors from different countries to one location will improve work efficiency and facilitate trust among regional actors. It is paramount for people to meet face to face on a daily basis in order for trust to prevail.

The regional joint investigation teams would not only constitute one body, but rather a new working method. Information exchange is a crucial component in transnational law enforcement, but information exchange alone cannot be effective due to two problems. First, each country is sovereign in the application of its national laws. Therefore, each state border becomes a hindrance to EU agreements concerning the transfer of intelligence between states. Second, international legal aid procedures, which, for example, include requests for extradition, handing over penal procedures to foreign countries, or issuing a warrant of arrest does not come without problems. These procedures are often bureaucratic and time consuming processes. The Regional Joint Investigation Teams would remedy this problem by having a prosecutor from each member state involved. This would enable a prosecutor from a given country to open a preliminary investigation in his/her own country whenever reasonable suspicion is confirmed.

The effectiveness of Regional Joint Investigation Teams lies in their ability to initiate simultaneous actions in a number of countries. A surveillance staff in respective countries enables concurrently launched investigations, judicial processes, arrests and interrogations. Their success



will be dependent on the number of criminals prosecuted, not on the volume of information that is exchanged on a bilateral basis.

International law enforcement needs radical innovations in order to keep pace with organized criminal networks. The Baltic Joint Investigation Team has great potential to be an effective tool against the activities of transnational organized crime groups.

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*The opinions expressed in this Policy Brief are those of the authors and do not necessarily reflect the views of the Institute for Security and Development Policy or its sponsors.*

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