GENERAL COMMITTEE ON JUSTICE, HOME AFFAIRS AND SECURITY COOPERATION OF THE PARLIAMENTARY ASSEMBLY OF THE SOUTH EAST EUROPEAN COOPERATION PROCESS (SEECP PA)

Zagreb, 18 March 2017

R E P O R T

on

"SECURITY CHALLENGES IN SOUTHEAST EUROPE - REGIONAL RESPONSES"

Rapporteur: Dr Darko Laketic, Belgrade

The security issue has a special, perhaps even one of the central places in the political discourse and action. By emphasising the importance of a problem, its implications on the security are indicated. Security challenges that are manifested at global, regional and national level indicate that there is a need for a strategic and systematic approach to tackling the social protection issue. Owing to its geo-strategic position, Southeast Europe faces particular challenges perhaps even to a higher extent than other parts of the European continent. Potential solutions are impossible to implement without a joint regional or international action. The migrant crisis, terrorism and organized crime are not just national, but rather global issues and tackling these issues is of vital importance for the interests of the society. It is for these reasons that the European Union emphasises these issues as key challenges and areas in which communication and cooperation with the SEE region needs to be further intensified.

The migrant crisis

Due to a huge number of migrants that were entering the EU territory through the western Balkans route, the topics of the migrant crisis and irregular migration have been predominant in the Southeast European countries since the second half of 2015. In regard to the gravity of this problem, it is necessary to find a comprehensive solution to it.

When the migrant crisis is spoken of, it is frequently the case that the very cause of the migration is insufficiently indicated. This acute problem faced by the SEE countries and the European continent in general will best be tackled by solving the main causes of it. Through regional and international initiatives, the Southeast European countries actively participate in the process of diagnosing the causes of the crisis. Termination of the conflicts in Syria and urgent humanitarian assistance should therefore be the primary goal, and it could be achieved through the cooperation at the highest possible level.

The European Union itself has launched a series of initiatives aimed at the reduction of the influx of migrants. However, these initiatives have not yielded good results. It has been noticed that since certain measures started being implemented, irregular migrants have no longer been trying to leave the first countries they arrive to on the western Balkans route, but stay in the reception centres, and a large number of them have been applying for asylum. The migrants that continue their journey on the western Balkans route are facing more difficulties in leaving the territory of the Southeast Europe and in continuing towards Western Europe, which is why it has been noticed in past several months that irregular migrants stay longer in some parts of the SEE countries and they are in the numbers that burden the existing accommodation capacities. This places additional strain on some of the countries in which a significant number of migrants have been staying for a longer time period, and the situation would become even more complex if this number would increase. This situation leads to an additional of an increased risk of human smuggling and to making alternative routes. Due to these developments, Southeast European

countries, as the first on the front line, are still suffering enormous migration pressure. From the humanitarian and security point of view, the situation is most sensitive in our part of the continent, for example Turkey has the burden to host the largest refugee population in the world. According to the number of migrants on it, the western Balkans migrant route takes the first place, and the majority of irregular migrants are the citizens of Syria and Afghanistan, although the number of the migrants from Syria has been reducing.

What seems to be a necessary next step towards a solution to the crisis is finding ways for legal migrations. Improvement of migrants' and asylum seekers' protection has frequently imposed itself as necessary and a prerequisite for this is a more efficient fight against the exploitation and trafficking in migrants, and the improvement of cooperation between the countries in the region in respect of the return and readmission processes. In order to implement successful return and readmission processes, it is necessary to ensure a better relocation and repatriation of refugees, according to the international law and bilateral agreements.

Southeast European countries have been participating in all EU initiatives aimed at providing assistance to Jordan, Lebanon, Turkey and most inflicted transit countries, and they also cooperate in combating organised crime and make significant contributions to tackling key causes of forced displacement. Of course, more concrete and wider international efforts are necessary for finding an adequate solution at least to this acute issue.

The following measures seem to be efficient for tackling the issue: introducing an entry ban for migrants who do not have regular travel documents or who provide false personal data on their nationality/identity, provided that they are not in need of international protection according to EU and international law.

Due to the lack of a common European solution, the following steps could be considered for reducing the migrant pressure: 1. entry should be allowed only to the persons for whom it is established to be in need of protection; 2. the persons who are trying to cross the borders with false papers, or on the basis of false statements, should be returned, provided that they are given adequate chance to apply for asylum, that it is established that they are not in need of international protection and that the non-refoulement principle is respected; 3. standardised registration of all persons who are a part of the migration flow should be introduced (fingerprint taking, and/or biometric data, and issuance of adequate documents); 4. most inflicted countries should be helped to overcome the consequences of the crisis as efficiently as possible; 5. measures of border protection should be carried out, including the control of all persons. Furthermore, it is necessary to continue carrying out entry controls and with the issuance/stamping of the agreed common registration form and to establish common training and procedures.

With an aim of observing the principles of humanity and human rights of migrants, it is necessary to coordinate and control the migration flows more efficiently, and in doing so, a particular attention should continue being devoted to the persons in need of international protection and their access to the asylum procedure should be ensured.

Most of the countries in the region have organised joint military and police border patrols with the purpose of borders security and closure of smuggling channels, or of the protection against an illegal entry of migrants and illegal criminal behaviour of human smugglers.

Terrorism

Terrorism is not a new phenomenon in Europe. It is a threat to our security and values of democratic societies and to the rights and freedoms of southeaster European citizens. This threat does not recognise borders and it is becoming a global phenomenon which uses new methods, ways and means of action. It is imperative to fight effectively against terrorism in its all forms without discrimination and with the same resoluteness. For this reason, the response to terrorism cannot be only national, but international as well, with due attention paid to proper balance, security of citizens and protection of human rights.

Countries in the region share common values and interests, but risks and challenges as well. Having in mind the global geo-political situation and the threat of terrorism expansion in the Middle East and North Africa, and tendency of its expansion towards other parts of the world, the threat of terrorism is really increasing. The countries in the region are constantly enhancing their national security capacities and improving their cooperation and information exchange between competent police, intelligence and security and judicial authorities of the countries in the region.

With regard to enhancing national security capacities, it is pivotal to harmonise national legislation with the adopted international standards, and to conclude bilateral cooperation agreements aimed at enhancing cooperation in the field of combating terrorism.

Legal basis for anti-terrorist actions and efforts of all the countries in the region is in their Constitutions and criminal codes, legal acts that regulate organisation and responsibilities of state authorities in combating organised crime, and in regulations on the police.

The authorities that are in charge of these issues in all the countries in the region are ministries of interior, prosecutor's offices, courts, security agencies, ministries of justice and ministries of foreign affairs. It is usually the case that none of the institutions has a leading role, and this issue is coordinated at often very high political level.

With regard to the improvement of cooperation and share of information for past several years, the functioning of several regional initiatives related to cooperation in this field has been essential, and the 'Initiative for international law enforcement cooperation in counter-terrorism activities' should be emphasised due to the fact that numerous important pieces of information and experience have been shared.

With regard to terrorism, one of the most acute problems is the issue of foreign terrorist fighters. Challenges faced by the countries in the region as regards the foreign terrorist fighters are the following: aggressive ideology of ISIL/Daesh, fast radicalisation and self-radicalisation in both closed environments (such as religious facilities and associations) and through the mass

media and the internet, danger of persons who are not recognized as radicalised, on one hand, and of anti-Islamism on the other hand; difficulties in proving the participation of foreign terrorist fighters in the conflicts, on the side of terrorist organisations, engagement of huge human and technical resources for tracking the communication of radicalised individuals at social networks, difficulties in the verification of foreign terrorist fighters' deaths, massiveness of illegal migration and potential presence of foreign terrorist fighters among illegal migrants, and difficulties in tracking suspicious flows of money.

In some Southeast European countries, there are associations and religious centres, funded from abroad, in which radicals interpret religion in an extreme manner and recruit the young for the so called religious wars. The information gathered from public sources or through international operational law enforcement cooperation indicate that the number of followers is increasing and that the extremism is strengthening, and that there are still persons leaving to Syria and Iraq to join 'ISIL' and 'al-Nusra Front'.

A total number of recruited foreign terrorist fighters (FTF) from the Western Balkans (WB) is not neglectable, but it is certainly significantly smaller with regard to the number of recruited persons from other parts of the world. Not only are these persons additionally religiously radicalised, but they continue maintaining contacts with the terrorist cells, carry out propaganda activities aimed at luring new recruits and their transfers to the theatres of operations, and they pose a constant threat of performing terrorist activities in the WB region. Additional challenge are also the persons inclined to terrorist organisations and their ideologies, self-radicalised through the internet, who have not been identified as members of terrorist or extreme groups.

Motives for their departure are individual (mostly in search of personal identity or a social status, revenge or adventurism) then financial and ideological, whereas financial motives prevail with the FTF from the WB. The researches have shown that the majority of 'foreign terrorist fighters' (FTF) are aged between 15 and 35. A huge percentage of them are unemployed and have a low educational profile. The lack of social inclusion and engagement make them feel isolated and alienated which causes the accumulation of rage and need for revenge on the society, individuals or groups "that caused such a situation". It should be mentioned that the terrorism in OECD non-member states correlate with the ongoing armed conflicts and political violence, whereas in OECD member states it correlates with the low level of social cohesion and the lack of opportunities.

Several cases of self-radicalisation and self-recruitment have been recorded. The impact of internet and social networks that have caused even the phenomenon of the 'converted' is also significant. In response to the Islamic State, all Southeast European countries have increased state border controls lately and controls of persons suspected to support the IS or foreign terrorist fighters, which in numerous cases has resulted in the refusal of their entry.

The returnees from the conflict zones in Syria and Iraq pose a potential threat of suicidal and terrorist attacks, particularly having in mind the post-traumatic stress, activities for the accomplishment of ideological goals based on radicalism (obtaining sponsors and supporters,

obtaining reputation in the Islamic community), and the possibility to serve as role models to the others.

*Note: lately, instead of term ISIL, or the Islamic state (IS), the term Daesh or Daish is more frequently used as it is an Arabic acronym for Islamic State in Iraq and the Levant. The aim of this term's usage is to challenge the legitimacy and the 'statehood' of this extreme terrorist movement. Members of the IS find this term insulting, but it is increasingly heard and seen in military, media and political discourse. **This term was officially used in the Ministerial Declaration which was adopted in Madrid on 28 July this year.** Although until recently, the IS referred to the territories under the IS in Syria and Iraq, Daesh now also refers to the territories under the IS in Libya.*

Organised Crime

Organised and serious forms of crime are, besides the terrorism, the largest security challenges of nowadays faced by Southeast European countries. High risk of these forms of crime stem from their adjustability to a changing environment at national and international level and from their sophisticated manifestation, owing to the abuse of modern technology, which makes them far more disguised than before, or harder to detect. Huge profits, which motivate and define the organised crime, incite more unscrupulous and violent forms of action and the use of legal business structures for disguising the sources of the profits. The primary factors that influence the organised crime in the region are: a long economic and social transition process of most of the Southeast European countries and heritage from the conflicts in the area of former Yugoslavia which had a major impact on the development of certain forms of organised criminal activities and strengthening of its links in the Balkans.

Organised criminal groups, formed regardless of ethnical principles and motivated exclusively by illegal gain of profits, operate in countries of the region. These are organised and criminal groups whose structures are based on hierarchy or networks, and they quickly adjust their operations to the requirements of the criminal market and to the possibilities for yielding larger profits. Their number and composition change. They are mostly 'specialised', but there are more and more of those that carry out various forms of organised crime.

Majority of the organised criminal groups produce and smuggle drugs. The countries in the region are usually the countries of transit for drug smuggling, as well as the countries of destination, but to a smaller extent. The countries of the region are the countries in which marihuana and synthetic drugs are most usually manufactured, mostly for the needs of the local market, and through which, the drugs are smuggled towards other European markets.

Organised criminal groups from the Southeast European countries jointly participate in cocaine smuggling from South America. In some parts of the region marihuana is manufactured in greenhouse-like conditions ('skunk cannabis') for local market needs and in some parts marihuana is also manufactured in outdoors conditions, mostly for illegal European market needs. Production of synthetic drugs and drug precursors in illegal laboratories has been increasing. Illicit manufacture of amphetamine and methamphetamines has also been recorded. The central Balkans route is decreasingly used for heroin smuggling towards Western Europe.

Moreover, human trafficking cases have been recorded, and the prevailing forms of exploitation are sexual and labour exploitation. Abuse of internet and social networks produce more modern and complex human trafficking modes and affect efficiency in suppressing it.

Economic crime is manifested in various economic and financial areas, and grey economy and business operations in this field are particularly emphasised. Organised criminal groups' activities are focused on smuggling of the products subject to excise duty, at both domestic market and abroad, which results in the reduction of the states' budget revenue.

Money laundering phenomenon carries the risks of increasing financial power of the Balkan organised criminal groups that act at the international level, and they invest the 'dirty' money in their countries, using illegal business structures. Besides the fact that the scales of these crimes are disguised, widespread and increasingly complex modes of operation that adjust to current changes and development of national and international financial system are typical for this form of crime.

Modern technology development trend and its increasing presence in all spheres of society affect the growth trend of the number of high-tech criminal activities. The trends of carrying out high-tech criminal activities in the region mostly correlate to the global trends of these activities.

The Role of Parliament

Our Parliaments cooperate intensively and this needs to be considered as the key for ensuring regional security since we all need to be aware that security is indivisible and does not recognise borders. Security of the region is certainly in best interests of not only all the countries in the region, but of whole Europe as well, and therefore the security issue is the joint responsibility issue. Of course, all security challenges require increased vigilance. Whereas such developments may not be fully envisaged and controlled, the direction in which the situation

may further develop remains an open issue, but it is pivotal to know that parliamentary cooperation in the region surely contributes to producing adequate responses to all future developments that might occur. In this regard, faced by current security challenges, the Governments of the countries in the region should be held more accountable by their Parliaments with regard to the implementation of measures aimed at responding to the security challenges. Parliaments have their control mechanisms and as such they should increase their oversight role, and taking into account the sensitiveness of the security issue, their role is increasingly significant.