

## Smuggling with Narcotics and the Eventual Connection with Terrorism – Reflections on the Situation in Kosovo

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### Abstract:

*Various forms of organized crime are present in almost all contemporary states. Within various forms of crime, phenomenon of smuggling with narcotics has evolved greatly all around the world. Smuggling with narcotics as one of the most spread form of crime brings major consequences for the humanity. This form of crime mainly is manifested with illegal smuggling of inebriation drugs, which cause addiction to drugs at millions of people all around the world.*

*Just some years ago in Kosovo, drugs were not so familiar especially for ordinary people who did not have any knowledge about drugs. This situation changed with time, especially in last two decades. Fortunately numbers of users of narcotics in Kosovo are low compared with figures of some other countries, they can even be considered low compared with the figures of neighboring countries. However what is concerning is the fact that these figures are raising every day and the number of drug users is increasing. While Kosovo does not have high figures of drug users unfortunately it is considered very suitable for smuggling and lately even for cultivation of some types of drugs.*

*Smuggling with narcotics as a form of organized crime represents a phenomenon with high level of risks and consequences, not only at the national level but also in the regional and international aspect. What makes this phenomenon more dangerous is the eventual connection of criminal groups with terrorists. This connection could be in terms of financing the terrorist activities from the funds earned by*

*smuggling narcotics and another possibility is the involvement of drug users in terrorist activities. Until now in Kosovo there are no data indicating that smuggling groups have connection with terrorist activities, up to date they have concentrated their activities mainly for material benefits.*

**Key words:** Smuggling, Narcotics, Terrorism, Kosovo

## **Introduction**

Various forms of organized crimes are present in almost all contemporary states. Within various forms of crime, phenomenon of smuggling with narcotics has evolved greatly all around the world. Smuggling with narcotics as one of the most spread form of crime brings major consequences for the humanity. This form of crime mainly is manifested with illegal smuggling of inebriation drugs, which cause addiction to drugs at millions of people all around the world. As result of smuggling and use of narcotics many other criminal actions are caused in society such as: unintentional homicide, various thefts, traffic accidents with fatalities, disturbing public peace and order, risking health etc.

Smuggling with narcotics as one negative phenomenon for a society, reflects negatively not only in the society but also in individual aspect as well. The consequences of this form of crime have an impact in all aspects of society and are serious obstacle for general social development including but not limited to: economic, legal, political, social etc. Smuggling with narcotics, as a special form of crime, is with high levels of risk for society and humanity in particular.

Smuggling with narcotics as a form of organized crime represents a phenomenon with high level of risks and consequences, not only at the national level but in the regional and international aspect as well.

However what makes this phenomenon more dangerous is the eventual connection of criminal groups with terrorist ones. This modus operandi could be about financing terrorist activities from the funds earned by smuggling and eventually the involvement of narcotic users in terrorist activities.

Considering the level of risk, methods of committing, motives, organization form, cooperation and finalization of activity, a special attention should be given to this phenomenon. In this regard, it is very important to review and study the criminal legal aspect respectively incrimination and sanctioning of all methods of smuggling with narcotics, in the national and international level as well. The observation and permanent detection of eventual connection of smuggling with narcotics and terrorist activities should not be neglected.

In this regard, incrimination and sanctioning of this criminal act is considered of a primary importance in the Criminal Code of contemporary countries of Europe and Criminal Code of the Republic of Kosovo.

## **The Current Situation of the Problem and Its History**

In the distant past people used some plant extracts with special effects – opium, coca, hashish and so on. Initially for religious reasons and later on to satisfy the feelings created by these herbs. Up to the 19<sup>th</sup> century, in the western countries there were few people using drugs. Coffee, alcohol and tobacco were substances creating kind of addiction that were frequently used. In this epoch, chemists already started to pay interest to narcotics and they managed to establish their theoretical grounds and synthesize them. In this period of time, in the Western Europe, narcotics were used by artists, writers, unemployed people, prostitutes and criminals but very fast it was spread at all classes of societies, especially among young.

The problem of trafficking and consumption of narcotics is a global one. Such a problem did not spare the Kosovo's society and institutions combating this phenomenon. In Kosovo as well, in the beginning, the phenomenon of use of narcotics was of a very low level, almost insignificant. Cases of cultivation of hashish for industrial reasons are known, respectively for processing of textile and canopy. Data indicate its use as sedatives as well.

Until the beginning of '90 there were no or few users of "heavy" drugs, as many people use to call them. Most used drugs back then were tobacco, alcohol as well as some pharmaceutical preparations.<sup>1</sup> The issue of drugs in Kosovo is a relatively new phenomenon, in the aspect of decreasing offer and decreasing demand as well. Even though there are many subjects that do have information on drugs, there are no proper and inclusive studies that would show the real dimensions of the problems on drugs.

After the end of the war in Kosovo during 1999-2000, there were many factors impacting the increase of cases related with trafficking, selling and consumption of narcotics. Geographic position where Kosovo is located in Balkans, as crucial position connecting Asia and Western Europe played key role in this regard. On the other hand the population migration, undeveloped economy as well as the lack of realization of preventive educational-health programs impacted that Kosovo become a suitable place for narcotics consumers, especially for a transit road. Consumption of narcotics especially by young people is worst image for our society.

Consumption of drugs despite giving the temporary positive feeling, at the same time they cause many negative effects of the physical and psychological nature which the person in question will suffer for a long time and which can be fatal.

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<sup>1</sup> Instituti i shëndetit publik, 2011.

Lack of proper legal instruments, lack of serious approach at the institutional aspect as well as lack of institutional cooperation in combating the phenomenon made Kosovo a suitable country for committing these criminal acts and attending various criminal groups. Except being a transit country for illegal transportation of narcotics, Kosovo is faced with the increase of regular consumer's number, sellers as well as cultivators of narcotics. As a result, Kosovo society today faces increase of criminal activities.

Places where drugs are used usually are: home environments, bars, shops, clubs, streets, uninhabited houses, isolated places, parks, public toilets and schools. Attendance of citizens in these locations and facing these situations (where consumers are located) creates insecurity and feeling that the number of these users is very high and that drugs are spread all over the country. So, considering the fact that the evil no matter how small it is, it prevails the good, then this feeling of insecurity gets even worse.

## **General Overview on Narcotics**

In general sense, narcotics are psycho-active substances which if they are not used according to the medical instructions (if such are used for treatment) and abused, have impact in changing and harming seriously psycho-physical integrity. Consequences coming from direct and indirect effects from this phenomenon are many times harmful for the individual alone, his family and society in general. Drugs are defined as natural or synthetic substance which (when taken into a living body) affects its functioning or structure, and is used in the diagnosis, mitigation, treatment, or prevention of a disease or relief of discomfort. Also the so called legal drug or medicine. A legal or medicinal drug (such as amphetamines), however, can be harmful and addictive if misused.<sup>2</sup>

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<sup>2</sup> <http://www.businessdictionary.com/definition/drug.html>

By drugs mainly is understood those substances in the amount of just some milligrams which disorders and destabilize mental functions, decreases vigilance, leading in the increase of doses and give addiction after the use for several days or weeks. So, drugs are chemical and natural substances which at the user impact in change of the way of thinking, feeling and behaving. Natural drugs are drugs that are harvested and grown in nature while chemical drugs are created synthetically (in labs by mixture of natural drugs with other substances or by combining them synthetically with other chemical substances.

### **A) Narcotics addiction**

**Physical addiction** – is a physical change that occurs in the human organism as a result of drug consumption. A person physically addicted to drugs usually develops kind of tolerance against them, this means that in order to achieve the desired level of satisfaction, consumer should take them increasingly. An addict person is used to function with drugs.<sup>3</sup> Body adapts to the presence of drugs and the immediate cutoff causes the symptom of getting off drugs. Getting off drugs symptoms are associated with: nausea (feeling of vomiting), anxiety, depression, headaches, body aches, insomnia, changes in blood pressure etc. What makes it very concerning and dangerous is the fact that addict people can be manipulated and involved in terrorist activities with the intention of providing drugs for themselves.

**Psychological dependence** – is a change in behavior or habits seeking to fulfill psychological needs. A person psychologically dependent on drugs thinks he cannot function properly or achieve emotional satisfaction.<sup>4</sup> So, it does not cause physical effects (pain, vomit etc.) but rather habits.

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<sup>3</sup> Australian Drug Foundation 2006.

<sup>4</sup> Ibid.

**Getting off drugs** - represents the phase occurring when the person stops using narcotics and at the person's psychophysics are caused difficulties of physical and psychological nature. Symptoms of getting off drugs will be evident at the individual at this phase. Symptoms vary depending on the types of drugs and they appear as: sleeplessness, confusions, depression, sweating. Symptoms can also appear in other forms not mentioned here, combination of some or all abovementioned forms, because of their emotional and spiritual condition these individuals can be more easy for recruitment in activities supporting terrorist activities. But terrorist groups are very careful and if they eventually involve this person in mentioned activities, because of their unstable emotional condition, they keep secrets from these individuals and they don't even know what kind of activity they are doing.

## **B) Some types of drugs present in Kosovo and their effects**

Based on police reports regarding confiscation of narcotics, it is evident that in the Republic of Kosovo mainly are present: cannabis and its products (marijuana, cannabis seeds and hashish) heroin, cocaine and ecstasy. Confiscation of other drugs circulating in Kosovo is stated in report as well.<sup>5</sup>

**Stimulants:** are narcotics that increase the level of sensitivity, they incite a sense of closeness with people around and they increase the level of physical energy, vim of euphoria and the feeling of well-being.<sup>6</sup> Most frequent types of these substances in Kosovo are: cocaine, methamphetamine, amphetamine, ecstasy etc. The effects of these stimulants are increase of nervous system activity with the temporary increase

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<sup>5</sup> Kosovo Police, annual report, 2013.

<sup>6</sup> Zyra e Kombeve të Bashkuara për Drogat dhe Krimin, 2007

of vigilance and awareness. Depending on the stimulant, physical energy, euphoria and sense of well-being is caused.

**Depressants:** are drugs which slow down body functions including messages for and from the brain. They impact in concentration and coordination and they slow down the ability to respond to unexpected situation. When consumed in great amounts they can cause loss of conscience, vomits and even death.<sup>7</sup> Opium, morphine, heroin, methadone etc. are substances which decrease the nervous system activity. They act as sedatives impact on decrease of activity, anxiety and stress relief.

**Hallucinogens:** are narcotic substances effecting on individual to alter the way they perceive the world, changes the sense of time, thinking, emotions etc. Otherwise they are known as “psycho-editics”.<sup>8</sup> These drugs change the person’s perception of reality; they cause hallucinations or distortion of sensitiveness. Users of these substances see, feel and touch things that do not exist in reality. From most widely spread form these substances are: hashish, LSD (Acid Lysergic Diethylamide), mushrooms, marihuana etc.

Except illegal drugs there is the risk of spread of legal substances which when mixed they have the effect of drugs but the damages are much more serious. Almost every acid when mixed with other substances can achieve that effect. A drug in the form of candy with the strawberry smell looks like candy gum. In fact it is a synthetic crystal drug (Crystal Meth), a type of amphetamine which can kill. Methamphetamine is a white crystalline drug that people take by snorting it (inhaling through the nose), smoking it or injecting it with a needle. Some even take it orally, but all develop a strong desire to continue using it because the drug creates a false sense of

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<sup>7</sup> Instituti i shëndetit publik, 2011.

<sup>8</sup> <http://www.doktoriim.com/halucinogjenet-cfare-jane-ata/>

happiness and well-being—a rush (strong feeling) of confidence, hyper activeness and energy. One also experiences decreased appetite. These drug effects generally last from six to eight hours, but can last up to twenty-four hours.<sup>9</sup> It is a drug that is categorized as “cocaine of poor”. The production process is simple, while when used for a long period, causes organic and psychic disorder that may cause death.

Another mixture with deadly effects is a drug called Crocodile, this drug has terrible side effects, eroding and eating the flesh of the user. Cases are seen in Arizona USA, while doctors are very afraid of its epidemics. Crocodile Drug is very popular in Russia. It is created by mixing codeine and benzene or processed fuel, and it is injected through syringes in the user’s body. The result—a murky yellow liquid with an acid stink—mimics the effect of heroin at a fraction of the cost. In Europe, for example, a dose of crocodile costs just a few dollars, compared with about \$20 for a hit of heroin.<sup>10</sup> Until now there are no data that can confirm if this drug is present and used in Kosovo, but it is concerning the fact that crocodile has reached Balkans countries. In news websites, such cases are reported in Croatia.<sup>11</sup>

## **The consequences of drug abuse**

Narcotics in general cause negative effects in first place for the health of the individual consuming them. Health consequences are the intoxication of the person himself as well as for the persons frequenting the location where narcotics are used or through physical contacts with the user. First effects of a regular use for a certain period of time of narcotics are caused in brain and nervous system. In this occasion, in the nervous system are caused disorders and misbalance. This impacts the

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<sup>9</sup> <http://www.drugfreeworld.org/drugfacts/crystalmeth.html>

<sup>10</sup> <http://time.com/3398086/the-worlds-deadliest-drug-inside-a-krokodil-cookhouse/>

<sup>11</sup> <http://lajmifundit.al/2014/12/kroaci-rishfaqet-droga-qe-i-ha-njerezit/>

appearance of illnesses such as: psychopathy, loss of conscience, mumbling, hallucinations, loss of memory etc.<sup>12</sup> drug user often cannot chose the place where they'll take drugs, they take drugs in unclean places and with dirty tools. This can transmit various infective diseases from the user to persons contacting with him. When an excessive amount of drug is taken and body cannot consume it, causing unconsumable level of toxins inside the body, as a result of this overdose person can die. In cases when death is escaped, brain or other body organs can be damaged.<sup>13</sup>

### **Contraband with Narcotics and Terrorist Activities**

The phenomenon of smuggling with narcotics represents a great danger for the society manifested in different ways. The spread of narcotic smuggling nowadays, especially some forms, is making this phenomenon the most organized form of criminality, which in itself implies a large number of negative consequences for the whole society.

There is no state which is not impacted by the problem of narcomania, facts show that the spread of narcomania has reached the new countries and there is no indication that the illegal trade of narcotics and of narcomania is stopping.<sup>14</sup>

Smuggling with narcotics is a specific type of criminal activity characterized especially with the trade of narcotics or psychotropic substances. This activity in most cases is planned, organized and very well controlled by “bosses” very strictly.

The origins and development of contraband is largely related with the introduction of state borders, through which barriers for free exchange of goods were created. In all periods of the existence of human society, smuggling bore in itself many conditionality's and specific social and economic circumstances.

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<sup>12</sup> <http://shqiptarja.com/shendetesi/2712/pse-nuk-duhet-te-pime-droge-pasojat-dhe-efektet-69612.html>

<sup>13</sup> Instituti i shëndetit publik, 2011.

<sup>14</sup> Kadri Bicaj, Prishtinë, 2010, faqe 47.

This finding applies not only to the type of goods but also the forms and methods of smuggling. In the period of capitalism, for smuggling, it can be said that it had a military strategic character, and later on, it took the commercial form, being highlighted as a manifestation of wide and branched illegal business, which in certain periods of time has put in very difficult position many national economies.<sup>15</sup>

Various states through legal and judicial acts provide various solutions regarding the sanctions for possession, preparation and smuggling with narcotics. These legal provisions enable the prosecution to prosecute, while for courts to impose criminal sanctions for perpetrators of these acts. In the criminal legislation of the Republic of Kosovo there are judicial norms through which are clearly précised criminal sanctions for the perpetrators of the criminal acts of smuggling with narcotics as well as other forms of contraband. In the Criminal Code of the Republic of Kosovo, respectively in the article 273 are sanctioned: Unauthorized buying, possession, delivering and selling of narcotics, psychotropic and analogue substances.<sup>16</sup>

## **Drug abuse and crime-terrorism**

Drugs create dependency and cause a state of depression, especially if it is about the uncontrolled use. This is one reason why drug users are potentially more easily reachable in possible cases of recruitment by criminal and terrorist groups. Use of drugs and narcomania are rightly seen by others as factor which can lead to crime, because a great number of users of these substances are after conducting a series of delinquent and criminal behavior. These persons are potentially involved

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<sup>15</sup>Veton Vula, Prishtinë, 2001, fq 33

<sup>16</sup> Kodi Penal i Republikës së Kosovës, 2013.

in smuggling and encouraging others to use drugs. Especially in cases when users are not able to buy drugs.

Drug users because of the addiction they create and the inability to withstand pressure that causes the need for taking drugs, they commit offenses such as theft, trade with weapon, dealing with prostitution, robbery, but also they are able to perform other actions and activities related to terrorist groups.

Except that the use of drugs is considered a criminal offense, there are popular cases in criminal and criminological literature that are considered as a criminal offence such as cultivation, production, possession or trade. Often people dealing with drug trafficking trying to keep control of a certain territory for selling narcotics, commit other criminal acts such as threatening their buyers not to change sellers (dealers), causing bodily harm to the consumers (clients), or even murder against rival groups.

Year	Heroin (g)	Marihuana (g)	Hashish (g)	Cocaine (g)	Cannabis plant (pieces)	Ecstasy (pieces)	Other drugs (g)
2009	36121.2	43644.37	0	1446	33497	2169	2454.8
2010	55610.75	199277.7	2.8	221.26	9724	6	1318.5
2011	60331	216649	0	2738	3604	699	5389
2012	94125.43	1237994	548	7396	10584	153	886
2013	22434.03	85060.1	0	3868.8	1512	107	56.95

**Table 01 – Statistics of confiscation of narcotics represented in annual report of Kosovo Police 2009-2013**

Often, groups for different reasons of rivalries and influence in drug market they end up in armed conflict between gangs.<sup>17</sup> All of these only to have funds for purchase and provide drugs. Most narcotic users don't do well economically, they do anything possible, only to provide several grams of drugs. But even those who are economically in better situation, for a short period of time lose their wealth because narcotics are expensive and difficult to cope financially. While drug addiction prevents

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<sup>17</sup> Drogat info- Droga dhe kriminaliteti, <http://www.drogat.info/n/info/ligji/droga-dhe-kriminaliteti>

users to have a healthy mind for business, especially when hard drugs are used.

According to the statistics of Kosovo Police from 2009 until 2013 in the territory of the Republic of Kosovo are confiscated great amount of various narcotics presented in the table below 01.<sup>18</sup>

American federal agents claim that they are afraid of alliance between the drug barons and terrorist groups, this would make difficult the fight against both types of organized crime. The Authorities of the United States of America are concern that such alliance between these two worlds of crimes can be realized. After arresting 3 persons for drug trafficking in North Africa they resulted in the terrorist list as well. All three of them wanted by the American justice for terrorism, were stopped by the local authorities of Ghana and after their verification they handed them immediately to the American agents.<sup>19</sup> Despite the fact that in Kosovo is noticed an increased activity of smuggling with narcotics, there is no trusted information or official reports that would indicated that groups of smuggling with narcotics have connections or are in cooperation with individuals or groups involved in terrorist activities

During September 2014, Kosovo Police arrested 55 persons suspected for criminal acts related with terrorism.<sup>20</sup> All these suspects were released after a month of detention, investigation procedures is ongoing at the prosecution.<sup>21</sup>

During raid in many houses, facilities and other locations belonging to the members of this group material evidences which eventually connect them with possible terrorist

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<sup>18</sup> Reportet Vjetore te Policise se Kosoves per vitn 2009, 2010, 2011, 2012, 2013.

<sup>19</sup> <http://www.arkivalajmeve.com/SHBA-Terrorizmi-dhe-droga-po-bashkepunojne.377747/>

<sup>20</sup> <http://www.telegrafi.com/lajme/ja-kush-jane-55-kosovaret-e-arrestuar-per-terrorizem-2-50934.html>

<sup>21</sup> <http://www.zeri.info/kronika/4692/lirimi-i-imameve-zbehje-e-drejtises/>

activity were found, but no evidence connecting them with drugs or activities of smuggling with narcotics.

What is said above does not exclude the possibility that certain groups eventually operating or interested to operate in the territory of the Republic of Kosovo or abroad, have connection or that, eventually, any of terrorist activities of these individuals or these terrorist groups are not financed on in other forms are supported by criminal groups that smuggle narcotics. Until now, smuggling with narcotics in Kosovo, aimed mainly at vast material benefit from this activity.

The fact that in Kosovo there is great activity of smuggling with narcotics and there are material benefits from this activity, indicate that a sum of these material benefits, be it very small sum, eventually can go in financing or supporting terrorist activities.

### **Kosovo, the country of origin and transit of narcotics**

Balkan drug routes are traditional routes for transporting drugs from countries of Middle Asia and Middle East toward Western Europe. These routes exist since 40 years now. Their direction changed right and left but drugs had to reach the west through shortest path and geographically this was Balkans.<sup>22</sup>

The Republic of Kosovo continues to be one of the most crucial countries of trafficking heroin, through so called “Balkan Route”. For some types of drugs Kosovo is considered as a transit country, but when it is about marihuana, Kosovo is considered as a transit and country of origin as well. This is because in the Kosovo Police report for the period 2011-2013 are processed 143 cases of marihuana cultivation.<sup>23</sup> Type of marihuana that can be found in Kosovo is cultivated in Kosovo or comes mainly from Albania. Minister of Internal Affairs of the Republic of Kosovo, admitted that through Kosovo pass

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<sup>22</sup> Korajlić, N. 2008, page 83

<sup>23</sup> Reportet Vjetore te Policise se Kosoves per vitn 2011, 2012, 2013

some Balkan routes for smuggling with drugs, mainly marihuana and heroin. One of the routes passing through Kosovo is from Afghanistan, Iran, Turkey, Bulgaria, Greece, Serbia, Macedonia, Kosovo and continues further. Marihuana, cannabis and heroin are mostly transported through this route.<sup>24</sup>

Some of the key factors impacting in this great presence of smuggling with narcotics is the strategic position of Kosovo as a key country in this route, serious economic situation of the population, social problems, lack of reforms and weakness in the security system, lack of cooperation in in the regional security aspect especially because of the political problems of not recognizing the Republic of Kosovo as a state, good communication between organized criminal groups from the region, bad configuration of border line which is difficult to control etc. Statistics representing data on crimes registered from official sources such as police organization, prosecution, courts and institutions for implementation of punishments. For these data, in the criminal literature, is often said that they describe more the efficacy or failure of the work of formal bodies of social control rather that trusted description of the level of criminality in the daily life.

Kosovo Police Reports			
	2011	2012	2013
Smuggling with narcotics	234	142	136
Cultivation of narcotics	53	59	31
Possession of narcotics	249	378	428

**Table 02 – Statistics of narcotics confiscation presented in annual reports of Kosovo Police 2011-2013.**

Especially because of the above mentioned reasons, a second source of data on crime is used, they are data of scientific researches oriented toward approximation of so called dark data of crime. To illustrate this fact, best way is to look and

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<sup>24</sup> <http://almakos.com/lajme/kosove/46290-rexhepi-kosova-shfrytezohet-per->

analyze data of the research “Use of Psychoactive Substances in Kosovo, 2008”<sup>25</sup>, steered by WHO, UNICEF and UNFPA. The focus of this research is use of drugs among young in Kosovo, injecting users and among prisoners.

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<sup>26</sup> UNICEF, UNFPA WHO, 2008

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