

# The Situation of Organised Crime and Possibilities for Combating It in the Western Balkans and Hungary

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**Aim:** The situation, state and danger of organised crime are fundamentally influenced by a country's geopolitical conditions and security environment. The direct connection to EU Member States of the Western Balkans fundamentally influences the threats, security risks and challenges facing EU Member States. The Balkan corridor, which runs through the Western Balkan countries, is a particularly important transit route and hub for Europe, where organised crime has traditionally been present alongside legal migration, tourism and trade.

**Methodology:** The study examines the situation of organised crime in the Balkan region and Hungary, as well as the special investigative tools used in law enforcement. In my research, I focused primarily on reviewing relevant international research, reports, threat assessments and studies. I also reviewed domestic and international legal materials related to the topic.

**Findings:** Based on this, I first review the most important findings and assessments regarding the threat posed by serious and organised crime in Europe. I make findings and assessments concerning the criminal situation in the Western Balkans, in particular Serbia. Organised crime continues to be a significant problem in the Western Balkan countries. In general, Serbia has adequate anti-corruption, crime prevention and organised crime policies, but the main challenge remains their implementation. Proving that crimes committed in the Western Balkans were committed by criminal organisations continues to be a major challenge. One possible reason for this is that anti-corruption measures are not fully implemented, the independence of the judiciary is not sufficiently guaranteed, and criminal organisations can exert significant influence on the state administration. It would be necessary to strengthen the units combating organised crime, provide them with more substantial financial and

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technical assistance mechanisms, and support the fight against corruption to a greater extent, while reducing the political influence of organised crime.

Value: The article may contribute to the understanding of the current organised crime situation in the Balkan countries and Hungary, and monitoring its changes may be the topic of further articles.

**Keywords:** organised crime, Western Balkans, special investigative tools, Serbia

## Introduction

The current situation and danger of organised crime are fundamentally influenced by the geopolitical conditions, security environment, status of the country in the European Union or outside it, and candidate status. The Western Balkans comprises six countries on the Balkan Peninsula: Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro and Serbia. The Western Balkans is not a geographical term, but a political one that became widespread in 2003 in the vocabulary of EU enlargement policy (European Commission 2003). The region of the Western Balkans is organically connected to Europe, geographically surrounded by them. The region is a transit hub and a particularly important trade route.

The direct relationship of the Western Balkans with the EU Member States fundamentally influences the threats, security risks and challenges facing the EU Member States. The principle of free movement of persons, goods and capital within the EU also has a fundamental impact on the operation of organised crime groups, as they cooperate with each other at international level, thereby committing similar crimes in the territories of the Member States, supplemented by certain national and Member State specificities. The European Union develops five-year programmes (Tampere, The Hague and Stockholm), security strategies (Council of the European Union 2010) and sets long-term strategic goals for the Member States in the field of action against and prevention of organised crime. The strategic objectives formulated are broken down into operational steps in detail in the framework of action plans (Council of the European Union 1997).

The Internal Security Strategy adopted in 2010 set out challenges, principles and guidelines. The strategy identifies the following as the most pressing challenges for EU security, intelligence and law enforcement agencies in the coming years. According to the Internal Security Strategy, serious and organised crime takes many forms: human trafficking, drug and arms trafficking, money laundering, illegal transport and dumping of waste within and outside Europe, the sale of counterfeit or dangerous goods, terrorism, cybercrime and border security.

These organised criminal acts require coordinated European action. The main objectives set out in the European Union's Internal Security Strategy are: dismantling international criminal networks, preventing terrorism, radicalisation and recruitment, increasing the security of cyberspace for citizens and businesses, strengthening security through border management, and improving Europe's resilience to crises and disasters. In addition to EU documents, strategic plans and reports, Member States also prepare

internal security strategies and formulate measures, priority points and directions in line with EU expectations and taking into account geopolitical circumstances [Government Decree 1035/2012 (II. 21.)].

The third chapter of Hungary's National Security Strategy discusses the security threats and challenges affecting Hungary and the tasks to be carried out based on them. The document defines the following challenges, threats and dangers, which also serve as strategic intelligence objectives for the national security and law enforcement authorities of Hungary: traditional threats (collective defence cooperation), unstable regions, chemical, biological, radiological and nuclear capabilities of mass destruction, terrorism, cybersecurity, energy security, financial security, global, regional or Hungarian environmental, civilisational and health threats, natural and industrial disasters, organised crime, drug trafficking, migration, extremist groups (Ministry of Foreign Affairs of Hungary 2012: 9–18).

## The threat situation of serious and organised crime in Europe

During my research, I primarily sought to process relevant international research, reports, threat assessments and studies. The domestic and international legal documents related to the topic were also reviewed.

Based on these, I first review the most important findings and projections regarding the threat situation of serious and organised crime in Europe. After that, I make findings and projections regarding the crime situation in the Western Balkans, in particular Serbia.

Europol, the European Union Agency for Law Enforcement Cooperation, continuously identifies criminal threats to the EU based on criminal intelligence and prepares the Serious and Organised Crime Threat Assessment (SOCTA) in four-year planning cycles, which is the starting point for the European Criminal Intelligence Model (ECIM).

In Europol's previous Serious and Organised Crime Threat Assessment in 2017, 5,000 organised crime groups were identified, compared to 3,600 identified in the 2013 assessment, which operate internationally and are being investigated and detected by law enforcement agencies. This significant increase in numbers is largely due to increased data sharing, which has strengthened the effectiveness of detections.

The current planning cycle covers the period 2022–2025, with the 2021 SOCTA findings (public version) as the starting point, which does not include data on identified organised crime groups. A public and a more extensive internal version of the threat assessment is being prepared. The current public assessment is also a more than 100-page summary, the sources of which are not only law enforcement authorities, EU bodies (e.g. Frontex, Eurojust), but also, for example, the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), as well as non-EU partners and private sector partners.

The 2021 threat assessment is based on more than 4,000 questionnaires completed using a predefined methodology, making it the most comprehensive assessment of organised crime at EU level. 60% more data was processed in 2021 than in the previous measurement in 2017. The second step in the intelligence model is to define the crime priorities for the next four-year EU policy cycle. These are used to develop multi-annual strategic

plans, which are implemented by priority and annually adopted through Operational Action Plans (OAPs). These are prepared by representatives of the participating Member States, EU institutions and relevant agencies. The OAPs include joint actions between Member States and agencies, as well as stand-alone actions between agencies and Member States. The joint actions are implemented within the framework of the European Multi-disciplinary Platform against Criminal Threats (EMPACT).

The implementation of each Operational Action Plan is led by the ‘priority owner’ of the Member State taking the lead on the priority, and the implementation is monitored at Member State level by the Member State EMPACT coordinators. The annual reports submitted by the priority owners and the interim (annual) evaluations carried out by Europol provide the opportunity to amend/adjust the multi-annual strategic plans and, if necessary, the priorities. The Commission carries out an evaluation at the end of the policy cycle. The lessons learned from the evaluation serve as a basis for planning the next policy cycle.

The 2021 SOCTA assessment compares current organised crime to a hydra, which, like the hydra of the cnidarians family, can reshape the entire organisation by interfering with any part of its body. Criminal structures are now much more flexible and malleable, with 60% of organised crime groups involved in corruption and 80% using legal businesses to achieve illegal goals.

80% of an organisation’s criminal groups are involved in illegal drug trafficking, organised crime against property, excise tax fraud, online and other fraud, human trafficking and smuggling.

According to the threat assessment, individuals participating in criminal networks today no longer work for just one organisation or group, but perform illegal services and acts for multiple groups or clients in the so-called “crime as a service” model.

Only 40% of European organised crime groups operate in the traditional hierarchical structure, while 60% operate in a loose, flexible, network-based model. The network model is similar to legal businesses, where there are managers and “territorial representatives” who offer their services. The territorial leaders are surrounded by professionals such as brokers, document forgers, legal advisors, accountants, notaries, logisticians, but also law enforcement professionals, prosecutors, judges, who provide them with up-to-date information and provide the appropriate infrastructure. The role of operating such infrastructure services is increasingly valued by organised crime groups.

According to Europol, proactive law enforcement responses should focus on organised and serious crimes based on ad hoc cooperation and changing criminal groups, as well as on key individuals operating the infrastructure in these, and should detect and remove these individuals from criminal groups. This approach is of course not new, as the best practices against organised crime collected by the Hungarian Presidency of the Council of the European Union in 2011 included a description of the so-called Swedish criminal arboristic model. Based on the 2011 collection, the *Handbook of Organised Crime* (SÁRKÁNY 2013: 30–31) published by the Faculty of Law Enforcement of Ludovika University of Public Service (LUPS) already included the criminal arboristic model as a best practice.

The essence of this is the “pruning” model, which can achieve improvement in the organisation by removing certain parts, or, conversely, in the criminal model, the dissolution and liquidation of the organisation.

In 2024, Hungary held again the rotating presidency tasks, where priorities included among others, promoting the enlargement of the EU to the Western Balkans, where the inclusion of Serbia plays a key role in accelerating the accession process of the countries in the region. In connection with the fight against illegal migration, the former minister responsible for justice called for an overview of the connections between the refugee and security aspects of migration (Magyarország Kormánya 2023).

## Assessment of the threat of serious and organised crime in Serbia

The fight against organised crime also plays an important role in Serbia, within the framework of which the Serbian serious and organised crime threat assessment was prepared for the second time based on the methodology developed by Europol. Although Serbia is not a member of the European Union, due to its geopolitical location (Balkan route) and candidate status, it actively participates in taking measures against European organised crime, one of the stages of which is the preparation of threat assessments. The first assessment was carried out in 2015, where 58 organised crime groups that met the SOCTA criteria were identified. In the assessment period (2017–2022), 53% fewer organised crime groups were identified, with 27 organised crime groups. 55% of the criminal groups are medium-sized, with approximately 10 people, and 26% are large-sized, i.e. with more than 12 people. The members of the groups are usually men, with an average age of 38 years, 80% of them are recidivists, 5% are women, with an average age of 33 years.

12% of organised crime group members are foreign nationals, with an average age of 43, and they generally perform organisational tasks.

There is a difference in the structure of the groups compared to the Europol SOCTA report, as their structure is more homogeneous, hierarchical, inflexible, and only a small number are cellular or network-like (flexible).

Organised crime groups operating in Serbia have traditionally been mainly involved in illegal drug trafficking, with 77% of them involved in illegal drug trafficking, which mainly comes from the following directions:

- Marijuana (from Albania)
- Heroin (from Afghanistan, Pakistan)
- Cocaine (from South America)

Due to its location, Serbia mainly serves as a transit route for drug trafficking.

Heroin trafficking remains the most widespread in Serbia. The country serves as a heroin transit hub connecting the East with the West and is the scene of activity for many organised crime groups. Serbia is a transit and destination country for cocaine trafficking. Serbian criminal groups cooperate with the Montenegrin criminal underworld in the cocaine trade in the region.

In the southern Great Plain region of Hungary (Bács-Kiskun, Csongrád-Csanád, Békés counties), the Hungarian entry point of heroin smuggling on the Balkan route, the presence of Serbian and Kosovo Albanian criminal gangs involved in drug smuggling is clearly visible. In addition, there are Hungarian groups of various levels of organisation, dealing with various types of crime. Smuggling of people, weapons and excise goods is very significant in the region (SZENDREI 2019).

Marijuana is the most commonly used illegal drug in Serbia, mainly due to its low price. It seems that there is no or only a very limited violence associated with the market. Marijuana usually passes through Albania, Kosovo, North Macedonia and Montenegro before arriving in Serbia, and from there it is usually transported to Western and Central European markets. A trend of indoor cultivation of marijuana can also be observed in many areas of Serbia.

Serbia remains a source, transit and destination country for victims of human trafficking. Serbian women and children are subject to sexual trafficking in neighbouring countries, including child marriage, while men are commonly trafficked for forced labour, mainly in the construction industry. Online sexual exploitation, especially of children, is common, and online-supported trafficking-related crimes have become increasingly common in Serbia, and have increased during and after the Covid-19 pandemic, as traffickers have transformed their methods of perpetration and shifted to online recruitment methods, such as social media platforms.

Counterfeit goods, especially textiles, are widespread in Serbia, which is both the source and destination of this market. The scale of the trade in counterfeit goods in the region indicates a high level of sophistication and collusion with logistics companies. However, its economic impact on the country remains limited. In terms of illicit trade in excise goods, Serbia is a major transit area for tobacco products, mainly smuggled from Asia and the Middle East. These usually arrive in the Balkans via Adriatic ports and are usually manufactured in the United Arab Emirates or China.

Human trafficking has been a long-standing problem in Serbia, as the country lies on the Balkan migration route. Tighter border controls with Croatia and Hungary have led to the emergence of new informal routes, leading through Serbia and Montenegro to Bosnia and Herzegovina (west) or from Serbia to Bulgaria and Romania (east). The victims of human trafficking in Serbia come primarily from Afghanistan, Pakistan, Bangladesh and Syria. The profile of the traffickers is that they are between 20 and 50 years old, and are predominantly (90%) male, 85% of whom are Serbian, but also include Pakistanis, Afghans, Bulgarians, Bosnians, North Macedonians, Albanians and Iraqis.

The estimated annual income of human smuggling in the Western Balkans was estimated by researchers at the Geneva-based Global Initiative Against Transnational Organized Crime Institute based on interviews with migrants, border officials, NGO workers, and analysed data. Their study estimates the amount paid to human smugglers along the Western Balkan migration route in 2020 at between 33.7 and 50.6 million euros (KEMP et al. 2021). Many believe that the Serbian migrant smuggling network thrives primarily due to widespread corruption, which is rarely investigated. In June 2020, the Balkan Investigative Reporting Network (BIRN) published a report that revealed that

some smugglers were in contact and collaborated with Serbian police and security forces (TÁRIK–DOBÓ 2022).

The recent increase in the number of illegal migrants in Serbia has led to an increase in human smuggling and the number of criminal groups involved in these activities. As a result, conflicts between human smuggling groups have intensified, and armed clashes have developed (for example, an armed shooting between migrant groups in Subotica in September 2023). Following the declassification of a classified report (National Information Centre 2023) by the Hungarian Constitution Protection Office (AH), it became known that the Hungarian secret services assume that human smuggling groups with Afghan roots in Serbia are in contact with Taliban terrorist organisations, a claim denied by the Serbian Prosecutor's Office (Szabad Magyar Szó 2023). If the AH's claim is confirmed, it will represent a very serious security deficit, which could also hinder Serbia's chances of joining the EU.

Hungary is a transit country for arms trafficking from the Western Balkans to Western Europe, and the illegal firearms market is typically dominated by Western European organised crime and terrorist groups. The illicit arms trade itself has only been included in the list of serious threats by the law enforcement and security organisations of the European Union in the last ten years. Europol, the organisation responsible for law enforcement cooperation in the EU, lists firearms among the so-called EMPACT priorities (Europol s. a.). The problem began to intensify in the early 2000s, when the Netherlands, France, Great Britain and Greece experienced an increase in crimes committed with firearms, and the amount of information on the accumulation of illegal weapon stocks coming to the attention of the authorities increased, along with the number of seizures. When examining the source of the weapons, it was concluded that a significant part of them originates from the former Yugoslav successor states and other Eastern European, post-socialist countries. The EU's official position on the illicit arms trade arising from organised crime is that it is a relatively narrow market that serves only as an additional source of income for criminal groups (GÁSPÁR 2019).

The illicit arms trade in the Western Balkans has decreased significantly in the past decade, largely due to international assistance and cooperation. Nevertheless, the threat posed by this activity remains significant, with experts estimating that there are 4 million illegal firearms in the Western Balkans. In May 2023, a 13-year-old schoolboy in Belgrade shot and killed 9 of his classmates and a security guard over real or perceived grievances, and two days later, a man opened fire on a schoolyard with a semi-automatic weapon, killing 10 people and injuring several others. In response to these incidents, the Serbian Government announced a weapons amnesty from 3 May to 30 June 2023, resulting in the surrender of 108,000 weapons; 82,000 firearms and 26,000 explosives were handed over by the public (Radio Free Europe – Radio Liberty 2023).

The above data indicate that the previous South Slavic wars did not pass without a trace, and a significant number of firearms, ammunition and explosives are available to criminals. According to expert estimates, there are 39 firearms per 100 inhabitants in Serbia (Small Arms Survey s. a.). Various trends can also be observed: for example, the re-equipment of deactivated firearms by exchanging parts and their illegal sale. In Serbia, a small gun on the illicit arms market costs 200–500 euros, while in Western Europe

it costs 1,000–3,000 euros. A hand grenade is available in Serbia for 5–20 euros, while in Western Europe it costs 50–200 euros. This creates a significant illegal demand for weapons for criminal groups.

## Special investigative tools in Serbia and Hungary

The effectiveness of proactive action against organised crime is enhanced by special intelligence capabilities, which are made possible by the tasks assigned to the police under the Police Act and by special investigative tools regulated by the Criminal Procedure Act. These intrusive measures began to spread in the European Union in the 1990s in response to the rise of organised crime and the spread of terrorist acts. Below, I will briefly review the special investigative measures used in Serbia and Hungary.

The Serbian Criminal Procedure Code (Refworld 2019), as the basic legislation regulating the issue of special evidentiary procedures, recognises six special evidentiary procedures. They are as follows: secret communications surveillance, secret monitoring and recording, simulated operations, computer data searches, controlled delivery and undercover investigator (MATIJAŠEVIĆ–ZARUBICA 2020).

According to Škulić,

“special evidentiary procedures are frequently identified as special evidentiary, or investigative techniques, and they represent certain evidence gathering methods which are atypical in character, and are therefore only applied in relation to certain criminal acts, which are, on the one hand, quite grave, i.e. serious, both in the factual sense relative to the consequences they produce in a general sense relating to life, and with respect to criminal law, regarding the punishment stipulated for them, while, on the other hand, due to some of their phenomenological characteristics, and psychological and other traits of the perpetrators, such acts are very difficult to reveal, explain and prove through the application of the usual, or regular evidentiary methods” (ŠKULIĆ 2007).

According to Article 161 of the Criminal Procedure Code, special evidentiary procedures may be authorised according to the person for whom there is reasonable suspicion that they committed a criminal act for which these special evidentiary procedures may be authorised, while there is no other way to gather the evidence for criminal prosecution, or its gathering would be quite difficult. Special evidentiary procedures may also be exceptionally authorised towards a person for whom there is reasonable suspicion that they are preparing any one of the criminal acts for which these evidentiary operations may be authorised, while the circumstances of the case indicate that the criminal act in question could not be revealed, prevented or proved to exist in any other way, or doing so would result in excessive difficulties or great danger.

According to Article 162 of the Criminal Procedure Code, special evidentiary procedures may be authorised for the criminal acts assigned by a special law to the public prosecution of specific competence, or the criminal acts itemised in the Code not assigned to the public prosecution of specific competence and for prevention and obstruction of the

presentation of evidence if related to any of the criminal acts referred to above for which special evidentiary procedures may be authorised.

The concept of special investigative procedures in Serbia is in line with the European Union Recommendation, which defines special investigative techniques as techniques used by competent authorities in criminal investigations for the purpose of detecting and investigating serious crimes and suspects, with the aim of gathering information in a manner that does not deter the target persons. As the name suggests, special investigative techniques are proactive investigative methods that enable the investigator to detect, establish or rule out suspicion (Council of Europe Committee of Ministers 2005).

In Hungary the special investigative means in criminal proceedings are those related to the detection and proof of criminal offenses, which are carried out without the knowledge of the person concerned. Techniques whose existence presupposes a suspicion of a criminal offense can only be used in criminal proceedings.

The Hungarian concept compatible with the Criminal Asset Recovery Project in Serbia of the Council of Europe, according to SIMs are those means or techniques used to gather evidence and/or intelligence and information in such a way (covertly) that they do not alert those being investigated. Invariably their deployment will involve a breach of the right to a private life, which will have to be justified by those carrying out/authorising the operation (Council of Europe Office in Belgrade 2013).

The Special investigative measures regulated in the Criminal Procedure Act are as follows:

Not subject to judicial authorisation: Informant, surveillance, disinformation, trap, information gathering covertly and replacement of the victim or other person.

Prosecutor's authorisation: Covert investigations, controlled deliveries, pseudo purchase, plea/investigative bargaining, monitoring of payment transactions, monitoring with consent (victim).

Judge's authorisation: Interception of communications, interception of post, wiretapping, secret search, remote searches and bugging.

Hungarian and Serbian special investigative regulations are similar; however, the domestic regulations regulate specific investigative actions in more detail. In addition to special investigative tools for criminal proceedings, Serbian security services can also take preventive and security measures, which are regulated in detail by their laws.

## Global situation of organised crime, including Serbia

The Global Organized Crime Index (Global Initiative Against Transnational Organized Crime s. a.) has been produced regularly for 10 years by the Geneva-based Global Initiative Against Transnational Organized Crime Institute, which assesses the scope and complexity of transnational organised crime in the 193 UN Member States and the resilience to criminal threats. The institute has more than 400 experts. It is a multidimensional tool that assesses the level of crime and the resilience to organised crime in 193 countries along three main pillars: crime markets, offenders and resilience. The crime scores of the countries are composed of the average of ten crime markets and five types

of criminal actors (mafia-type organisations, criminal groups, state-sponsored groups, foreign actors, private sector). The resilience scores are created by calculating the average of 12 resilience indicators.

These indicators represent the political, legal, economic and social spheres of society, which together can provide a holistic and effective response to organised crime. The expanded lens of the 2023 Index assesses 15 crime categories and five types of criminal actors, providing a more comprehensive picture of the global functioning of organised crime.

The 2023 Global Organized Crime Index shows a continued increase in organised crime worldwide, with 83% of the world's population living in high-crime conditions. The average crime index is 5.03 on a scale of 10, and the average country resilience to organised crime is 4.81. The world's countries' resilience to organised crime has decreased from 79% to 62% compared to 2019, a significant decline.

The European average for crime is 4.74 points on a scale of 10, and the average for resilience is 6.27 points. Serbia's crime score is 6.22, which is the second highest in Europe after Belarus. However, Serbia's resilience against organised crime is 4.96, which puts it ahead of Hungary's 4.88. According to the assessment, the presence of criminal groups embedded in and infiltrated by the state administration is prominent, with a score of 8 on a scale of 10, which can be considered a very high value. Criminal networks based on looser ties are rated 7, but the presence of hierarchical, closed criminal groups with mafia-style features also received a score of 6.

### **Assessment of the United Nations Office on Drugs and Crime (UNODC) analysis of the Western Balkan countries**

The findings of the UNODC report (United Nations Office on Drugs and Crime 2020) are based on statistical data, which provides an analytical framework for measuring and assessing the organised crime situation in the Western Balkans. The report examined six countries: Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, Serbia and Kosovo. The framework uses a holistic approach, collecting data from public authorities, analysing court judgments, and conducting interviews with experts, victims and convicted offenders.

Unlike the data analysed earlier in my study, the report does not examine organised crime as a whole, as a subsystem of crime, but rather its criminal law perception and the functioning of criminal organisations in the given countries.

The report focused on 14 crime types, based on a MACRO framework, which are the main forms of organised crime in the Western Balkans. 12% of all offenders committed their crimes within a criminal organisation, according to conviction data.

Between 2013 and 2017, 800–1,400 criminal proceedings were initiated annually in the 14 crime categories and 500–800 people were convicted annually for committing crimes within a criminal organisation. The low number of prosecutions and convictions indicates that the countries concerned still have a long way to go in the fight against organised crime.

According to the report, 4 main types of crimes are included in the scope of the committing behaviours of organised criminal groups in the Western Balkans: illegal drug trafficking, human trafficking, human smuggling and illicit arms trafficking. In the latter category of crimes, arms trafficking mainly takes place between the Western Balkan countries, but due to the previously indicated low purchase price, illegal trade also takes place in European Union countries. Based on the data of court judgments, out of the 4 types of crimes, drug trafficking accounts for 51%, human smuggling for 36%, human trafficking for 10%, and arms trafficking for 3%. Based on the total number of crimes of the above types committed, court data show that 5%, 17%, 29% and 1% of these were committed by criminal organisations.

The difficulty of proving crimes committed by criminal organisations is illustrated by the fact that, in case of human trafficking, for example, only 17% of cases involved a criminal organisation. Although it is quite difficult to imagine how, for example, an illegal migrant can reach the Western Balkans from Africa without the help of criminal organisations to illegally cross several intermediate countries (in return for an appropriate payment).

In Hungary, the development of the number of registered perpetrators committing crimes in a criminal organisation also indicates similar difficulties in proving.

Based on Act LXXV of 1999 regulating the fight against organised crime, 32 criminal acts can be classified as organised crime, which accounts for 5–7% of all crimes, with a damage value of 10–16 billion forints (ISTVANOVSKIZKI 2021). In 2017, out of 1,000 registered criminals, 0.1–4.3 people committed the crime in a criminal organisation (327 people = 3% in 2017).

## Results and their assessment

Organised crime remains a significant problem in the Western Balkans. In its 2018 report on Serbia [2018/2146(INI)], the European Parliament urged Serbia to step up its reform efforts in the area of the rule of law, in particular to ensure the independence and overall efficiency of the judiciary. The 2022 report [2022/2204(INI)] also found that the legislation on the judiciary continues to leave room for undue influence by the executive branch over the work of the judiciary. Serbia has made progress in implementing the Law on the Organisation and Jurisdiction of Government Authorities for the Suppression of Organised Crime, Terrorism and Corruption. An Anti-Corruption Office has been established and an anti-corruption strategy has been adopted, but several corruption cases involving government officials have not been adequately investigated. The Serbian Criminal Procedure Code and the laws governing national security services regulate special intelligence and investigative activities in detail, in line with international recommendations.

In general, Serbia has adequate anti-corruption, crime prevention and organised crime policies, but the main challenge remains their implementation. Preventive mechanisms have not yet been fully implemented, and this process may be hampered by the lack of judicial and law enforcement capacity. Some progress has been made in the fight against organised crime groups by establishing anti-corruption organisations and introducing

control mechanisms, but the lack of capacity and corruption remain common in the Western Balkan countries. The number of criminal proceedings against criminal organisations is low, and even then, the region is characterised by the arrest of mainly low-level participants in organised crime. Typical are the classic mafia-like organised crime groups and the 4 main organised crime categories: illegal drug trafficking, human smuggling, human trafficking and illicit arms trafficking, as well as the crimes related to these, which continue to pose a serious criminal threat in the Western Balkan countries and through Serbia to our country, as well as in the EU Member States.

## Conclusions, recommendations

The study showed that proving the involvement of criminal organisations in crimes committed in the Western Balkans continues to cause significant difficulties. One possible reason for this is that anti-corruption measures are not fully implemented, the independence of the judiciary is not sufficiently ensured, and criminal organisations can exert significant influence on state administration. Disinformation is also significant in Serbia, for example in relation to Ukraine, which is also recorded in the EU parliamentary report. It would be necessary to strengthen the units against organised crime, provide them with more material and technical assistance mechanisms, and support the fight against corruption to a greater extent, and reduce the political influence of organised crime.

In the Western Balkans, the EU is making its largest financial investments in Serbia, given its EU candidate status since 2014.

The European Union has initiated several actions in the field of combating organised crime in the region (EMPACT priorities). The European Commission has developed an EU Action Plan for the Western Balkans and, through the Instrument for Pre-Accession Assistance (IPA), the EU is supporting reforms in this enlargement region with financial and technical assistance.

At the same time, accession negotiations with Serbia can only continue if Serbia joins the EU sanctions against Russia and makes significant progress on EU-related reforms, as the EU accession process is primarily based on the candidate country's genuine willingness to adhere to EU values and principles.

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