

Veljko Turanjanin *

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Pregledni naučni članak

SUPPRESSION OF ILLEGAL DRUG TRAFFICKING IN HERZEGOVINA

In this work, the author deals with suppression of illegal drug trafficking in Herzegovina. The work consists three parts. In the first part, the author gives a general overview of drug trafficking, and the role of various international organizations involved in preventing of this phenomenon. Then, he explains the ways of modern drug transport, connection of drug production with corruption and money laundering, and displays specific national and international organized criminal groups involved in drug trafficking. In the second part, the author explains drug trade in Herzegovina, from the ways of knowing for such crime, through possibilities for prevention this trade and the success of police, to the statistical data of police on drug seizures and court's statistics. In addition, in this part, the author gives the results of surveys conducted among citizens and members of police. The third part of this work author devotes to the preventive and repressive activities on the prevention drug trafficking, and he provides critical analyses and formulates certain proposals in this important area.

KEY WORDS: drugs, Herzegovina, crime, statistics, preventive and repressive actions

1. INTRODUCTION

Words like drug, drug crime, and narcoterrorism are more and more present in our lives. Drug addiction, the scourge of youth, in a last decade became a center of interests of all involved in strategies of fighting against organized crime. Awareness of devastating effects of this evil arose with knowledge of its vitiation from own opposition, medicine – what was initially thought. Deviant mind of man and its eternal quest for money and power used substances that already existed in nature, and caused expansion of their use. In the past, a man used the same substances *for* religious and

* Teaching assistant on the Criminal law on Faculty of law in Kragujevac, Republic of Serbia

medicinal purposes. Now, he caused mental, physical, and moral collapse of the individual, family, and whole society.¹

Is using a drugs crime or punishment for drug addict? In the preface of a book from Danilo Nikolić – *Narkomanija, zločin ili kazna*,² dr Bora Čejović ask the same question and give an answer – both. Therefore, it is one of the contentious issues of these times question of border in a repression against drug users. Serbian Criminal Code³ incriminates holding of narcotics for his own use, with severe punishment. On the opposite side is Criminal Code of Republic of Srpska⁴, where is unknown incrimination like this.

Organized crime, the most dangerous form of crime today, is widespread throughout the world, including, above all, drug crimes, human trafficking, and arms trafficking. It is characterized by the structure and dynamics of criminal organization, required division of tasks, strict discipline, and responsibility, and specialization of individual members.⁵ In an effort to achieve their goals on the most efficient way, professional criminals make different organized groups, which we can define as groups which consists three or *more* persons and which exist a certain period and act with aim of carrying out one or more serious crimes.⁶ It is widespread opinion that drug crimes are the most widespread form of organized crime and certainly ranks the first place on that sphere. Drug trafficking are spread throughout the world, linking the most distant countries and smuggling chains are organized on that way that participants know very little or nothing about each other. Global abuse and accessibility of drugs have become increasingly complex, as trafficking routes have become shorter, more diverse, and more easily traversed.⁷ From one side, hierarchical levels are set so strictly and police is, almost never, able to come to the main organizers and financiers. From other side, smuggling is very worthwhile, and even in a case of seizure 6/7 amount smuggling

¹ For some effects of drug use, see: M. Singer, *Drugs and development: The global impact of drug use and trafficking on social and economic development*, International Journal of Drug Policy, vol. 19, 2008, 467-478.

² D. Nikolić, *Narkomanija – zločin ili kazna*, Beograd, 2001

³ Krivični zakonik Srbije, *Službeni glasnik Srbije broj 85/05, 88/05, 107/05, 72/09 i 111/09*

⁴ Krivični zakon Republike Srpske, *Službeni glasnik Republike Srpske broj 49/03, 108/04, 37/06, 70/06 i 73/10*

⁵ H. H. Schneider, *Kriminologie*, Berlin-New York, 1977, 106-116; J R. Beniger, *Trafficking in drug users: Profesional exchange networks in the control of deviance*, Cambridge, 1983

⁶ C. Bruckert, C. Parent, *Trafficking in Human Beings and Organized Crime*, www.rcmp-grc.gc.ca, januar 2010; UN Convention Against Transnational Organized Crime

⁷ www.interpol.int, august 2012

would be profitable.⁸ Routes of drug from producers to consumers are strongly intertwined. In addition, openness trade is in connection with expansion of drug trade.⁹ Drug expansion did not spare countries of Balkan, Republic of Serbska, and neither its southern town Trebinje. In this work, we will deal with suppression of drug trafficking in this city and its region Herzegovina, on the borders of Bosnia and Herzegovina, Montenegro, and Croatia.

Once only a transit country, Republic of Serbska, as well as the whole country Bosnia and Herzegovina, developed into a regional center for storage, distribution and further transportation of narcotics. Sarajevo was declared as a center of activity and similar situation is in the city of Trebinje. Due to its special geographical position, passing through Trebinje part of the drug stay in it, while the rest is transporting further to the Croatia and Western Europe. In addition, an area of Trebinje is suitable for cultivation of cannabis. Because this reason, the main activity of the Public Safety Center Trebinje in the matter of drugs directed in two ways: breaking criminal groups involved in drug trafficking and discovering drug plantation in this area. Special efforts focus on the prevention of drug use and abuse.

In this article, we will try to on the best possible way, and the more comprehensive way, to present a strategy and success in combating against drug trafficking in the Herzegovina, both preventive and repressive forms, and to give some of our suggestions for improvements in this area. We will start with the concept and types of drugs, and then we will move on the ways of combating with drug trade, from the battle at the international level to fight in Bosnia and Herzegovina, and Trebinje. In addition, we made a survey between citizens and police about danger of drug abuse, and we will show results on the end of this paper.

⁸ Ž. Aleksić, Z. Milovanović, *Leksikon kriminalistike*, Beograd, 1995, 125.

⁹ H. Bartilow, K. Eom, *Free Traders and Drug Smugglers: The Effects of Trade Openness on State's Ability to Combat Drug Trafficking*, Latin American Politics and Society, vol. 59, no. 2, 2009, 117-145.

2. ROLE OF INTERNATIONAL ORGANIZATIONS IN SUPPRESSION OF TRAFFICKING OF NARCOTIC DRUGS

2.1. Interpol¹⁰

Interpol is the world's largest police organization. It is formed in 1923 and today gathers 188 countries. It record great achievements in its work, cooperatively connecting all polices, even those where is not exist diplomatic relations. Interpol has six organs. These are the General Assembly, the Executive Committee, the General Secretariat, the Central National Bureau, Advisers, and Commission for the Control of Interpol acts. It formulated 16 areas of his work. Between them, on the fourth place is area of drug trafficking. Interpol is the first organization that realized the size of danger with trading drugs. However, difficulties in its work is opening borders between states, especially in Europe. Interpol works very closely with United Nations. On the Interpol's initiative established relationship with Economic and Social Council of the United Nations.

Interpol's main task is to identify new directions for drug trafficking and criminal organizations, as well as to assist national and international police forces in fight against illegal production, transportation, and abuse of cannabis, heroin, cocaine, and synthetic drugs, by:

1. collecting and analyses of data obtained from member states to make important strategic and tactic reports;
2. supporting international investigations against drug trafficking;
3. assisting in coordination between at least two states regarding to drug trafficking;
4. organizing operational working meetings between a countries in which it saw a common link regarding certain questions, and
5. organizing regional and global conferences on specific topic: the aims of which are to assess the extent of the drug problem, exchange information on the latest investigative techniques and strengthen cooperation within the law enforcement community.

¹⁰ www.interpol.int

Interpol in 2002 started in Canada program I-24/7,¹¹ which provides immediate notification and sending information and pictures to all its bureaus about any newly discovered technique or appearance related to criminal activity. It every year starts and leads several projects in specific area of crime which trying to suppress. For example, it currently leads *Project drug@net*, which has an aim to tackle growing area of drug trafficking via Internet. Then, has a *Project White flow*, which has an aim to boost intelligence exchange on South American-produced cocaine, smuggled into Europe via West Africa. This project aims to gather identification material on mid – to upper – level cocaine traffickers linked to Africa and to better disseminate this data among Interpol's member countries. In January 2009 in coordinated action of European and Nigerian polices there was arrest of two major cocaine traffickers from Nigeria. Third project is *Operation Ice Trail*, which has an aim to target organized crime groups trafficking huge quantities of methamphetamine by courier and/or cargo shipment from Iran via Turkey to destination countries in Southeast Asia and Pacific. Finally, it has a project *Anti-doping initiative*, where it works with the World Anti-Doping Agency to fight the use of performance enhancing drug in sport.¹² In addition, it had a project *COCAF*, which aim was controlling a commercial airline routes between Africa and Europe, which smuggling a cocaine. In a operation case *Siska* from 2010 Interpol helped coordinate the investigative activities and flow the information between Belgium, Germany, Sierra Leone, Switzerland and the USA to successfully dismantle an organized crime group trafficking cocaine from South America to Europe via Sierra Leone, and, in July, a number of involved member countries began coordinated, targeted operational activity against several of this syndicate, resulting in several arrests, house searches and seizure of numerous exhibits.¹³

2.2. Europol¹⁴

Police cooperation in Europe gained in effect with establishing European Union. Although theoretically started with work in 1998, Europol was established by the member states of European Union in 1999. Headquarters of Europol is in Hague. It is

¹¹ About this program, see also: S. Uljanov, *Standardi Interpol-a u borbi protiv ekološkog kriminala*, Zbornik: *Ekologija i pravo*, Beograd, 2012, 69-70.

¹² Information are taken from www.interpol.int, August 2012

¹³ Ibidem

¹⁴ www.europol.europa.eu

interesting to note that the first forms of combating against organized crime were in the area of drug trafficking. Besides that, Europol devotes a special attention on human trafficking, vehicles trafficking, euro forging, and money laundering. In the last years, it devotes its attention on the high-tech crime. Preventing of drug trafficking is primary objective of Europol. In European Union there are smuggling of all kinds of drugs. Entry points in European Union are different. Drugs arrive to the all countries. Cannabis comes from Spain to Denmark and Sweden, while synthetic drug produces mainly in Netherlands and Belgium, from where they find a market in all EU countries. During 2006, after Anglo-German investigation supported by Europol, there are uncovered four major factories and warehouses of synthetic drug in the Netherland and Belgium. In that action police arrested 21 persons: 15 from Netherlands, 3 from Belgium and 3 from Germany.¹⁵ In Europe, after cannabis, the most used drug is synthetic drug, amphetamines and ecstasy. Abuse of methamphetamine and LSD is lightly in increase in some states. After Netherland and Belgium, second important center is Poland. In the UK in 2005 police seized at least 1.500 kg of amphetamine and in Mediterranean and Adriatic countries over 12 million of ecstasy pills.¹⁶

An origin of heroin is Afghanistan.¹⁷ According to the some calculations of United Nations Department for Drug and Crime (UNODC), 72% of opium is converted into heroin in Afghanistan. Secondary distribution moves from Netherlands and Belgium with, usually, Turkish distributors. However, the Tajik agency for fighting against drug trafficking discovered in Afghanistan about 400 laboratories for drug production. However, 80 laboratories were localized around the border with Tajikistan.¹⁸

Drug dealers transfer cocaine from South America across Atlantic Ocean by ships or airplanes.¹⁹ To 1999, annual production of cocaine reached a figure up to 950 tones. However, in the period 1999-2003, production falls to the figure of 650 tones for year, and holding that level. Cocaine is also transfer from South America to Europe through Caribbean islands, which can be explained with historical ties between Caribbean and some European countries. For example, that is Jamaica and United

¹⁵ *Europol annual report 2006*, www.europol.europa.eu, January 2010

¹⁶ *Annual report 2006*, www.europol.europa.eu, January 2010

¹⁷ F. Shanty, *The nexus: International terrorism and drug trafficking from Afghanistan*, Santa Barbara, California, 2011

¹⁸ *Ibidem*

¹⁹ About drug trafficking in Brasil, see: E. D. Arias, *Drugs & Democracy in Rio de Janeiro*, North Carolina, 2006

Kingdom. Cargo ships and speedboats remained the most common transport for the transfer of drug. Columbian authorities in 2005 confiscate a submarine used in transport of drugs, where you could fit 15 tons of cocaine through a Caribbean sea. In addition, each year from South America transferred to the Europe about 30 tons of cocaine, by using airports in Netherlands, Spain, Portugal, Great Britain, and France.

According to the reports from 2008, prevention of drug trafficking will remain a primary target of Europol. There are chances that a drug trade for the first time in history would be stabilized. The problem is continuous growth of cocaine trafficking and abuse, caused by changes in trafficking routes and changes of European Union entry points. In the fight against drug trafficking in 2008 noticed great success, when, by providing operational support center in Lisbon, seized 27 tons of cocaine, and, in October 2008 found and dismantled a large drug laboratory in Reykjavik. With regard to heroin trade there is, in some countries in European Union, noted its weakening, but, use of heroin increased in other countries in Eastern Europe.²⁰

Europol continues to be active in adoption of action plans in combat with illegal trafficking of synthetic drugs, and continues to support and initiate major investigations. Currently is in effect Action plan 2008-2012. In addition, it is active in making various catalogs, situational reports and other material related to the drug problem.²¹

2.3. United Nations Department for Drug and Crime (UNODC)²²

UNODC represent one of the leading organizations in the fight against drug trafficking. Its operates two programs: one is for fight against drug trafficking and other for the fight against international crime (corruption, organized crime, trafficking and terrorism prevention). Significant for our considerations is first program, which is established in 1991 under name *United Nations International Drug Control Program*. It is renamed in today's name in 2002. It has offices across the world, and it recently opened one in Belgrade.²³ UNODC works in education about all dangers of drug use and abuse. It strengthens international actions against illicit production and trafficking

²⁰ *Annual report 2008*, www.europol.europa.eu, January 2010

²¹ About production of amphetamine, see report: *Amphetamine – A European Union perspective in the global context*, Luxemburg, 2011

²² United Nations Office on Drugs and Crime, www.unodc.org, further: UNODC

²³ www.un.org.rs, January 2010

in narcotic drugs, through various projects, such as the *Project for monitoring illegal groups* or *Program against money laundering*.

According to the record from 2009,²⁴ the greater danger in this area is opium production (UNODC estimates that in the world today exist between 15 and 21 million addicts from opium). Afghanistan is a country that produces the greatest amounts of opium. Opium cultivation in Afghanistan is result of historic drug trade by the British Empire and Soviet-Afghan war, initiated by Pakistan and United States. On that way, there is created basic for opium and heroin industry in today's Afghanistan, which produces 92% of the world's heroin.²⁵ However, opium production declined for 19% compared with 2007, but it is still very high. Overall, seizures of opium and heroin in the 2008 increased: opium for 33% and heroin for 14%. The largest market for opium is Iran, Pakistan, India and Central Asia countries, while is a market of Western Europe less, but more profitable. According to the same report, polices on the Balkan route seizure 94% of all seizure opium from Afghanistan.

Turkish heroin comes in Serbia via one branch of Balkan route. From Serbia, dealers send a drug to the Western Europe. Kosovo and Albania become important factor for Afghan opium and heroin, and theirs further transport to Western Europe.²⁶ For Republic of Serbska is significant recent drug route, which through Serbia reach Republic of Serbska, and further goes through Croatia and Slovenia to Western Europe. When drug gets Netherlands, it is considered as it is shipped to other countries of European Union.²⁷

Cocaine production fell compared with previous years, and now it is lower for 8%, mainly due to a large drop in production in Colombia (18%). However, production slightly increased in Peru (4%) and Bolivia (6%). Colombia is largest cocaine producer, but since 2006 her production gradually decreasing, and from 610 metric tons in 2006 dropped to 600 metric tons in 2007, and 430 metric tons in 2008. In contrast, production in Bolivia slightly increase (from 280 to 290, and to 302 metric tons in 2008), and Peru (from 94 to 104, then 113 metric tons in described period). The largest amount goes to

²⁴ Refer to year of 2008.

²⁵ M. D. Nazemroaya, *The war in the Afghanistan*, www.globalresearch.ca/index.php, March 2010

²⁶ M. Chossudovsky, *The Globalization of Poverty and the New World Order*, www.globalresearch.ca/index.php, March 2010

²⁷ *World Drug Report 2009*; G. Farrell, *Routine activities and drug trafficking: The case of Netherlands*, *International Journal of Drug Policy*, vol. 9, 1998, 21-32

United States, but a small amount goes in Europe. Thus, police in United States seizure 88% of cocaine of all seizure cocaine, but in Europe only 11%.²⁸

UNODC predicts that between 200.000 and 641.800 acres planted with cannabis. It is not possible to give exact information about it, as it is case with cocaine and heroin. It also predicts that number of addicts in the world of cannabis has increased, and that it is somewhere between 143 and 190 million of addicts. In the United States every year that number increase for 26 million (but, there is just 5 million registered per year).²⁹ Abuse of cannabis increased in some countries of Latin America and Africa while Western Europe and North America noticed a slightly decline.

2.4. Drug Enforcement Administration – DEA³⁰

United States agency for fight against illegal drug trafficking in its mission takes, first, strengthening law which regulating drug trafficking, as well as bringing to justice organizers, producers and dealers of substances that are considered as drugs to the competent court. Second, they try to reduce an availability of drugs in international and drug markets. In achieving its primary task, DEA investigates and prepares cases for prosecution against the perpetrators who acts on international level. Then, DEA governs national programs for battle against drug abuse in cooperation with federal, state and local officials, and captivates and takes property derived from committing crimes related to drug, as well as property held for such work. Then, DEA coordinate and cooperate with federal, state, and local agencies and foreign governments in order to reduce availability and abuses of drug through various measures, like crop eradication and training foreign officials in this area.

Specially attention DEA devotes to marijuana, noticed that marijuana today is not as marijuana in 70-is. It is far stronger, and seizure of this drug increased from less than 1% to 8%.³¹ Its legalization can only lead to negative consequences, and open the door for the use other and more danger types of drugs, different medications, and delinquent behaviors.³² DEA finds information that of 19, 1 million of drug addicts in United States, nearly 15 millions are marijuana addicts.³³

²⁸ *World Drug Report 2009*

²⁹ *Bulletin on Narcotics, vol. LVIII, 2006, 61.*

³⁰ Drug Enforcement Administration, <http://www.justice.gov/dea/>, futher:DEA

³¹ Marijuana Potency Monitoring Project. "Quarterly Report #87."

³² *The DEA Position on Marihuana*, www.dea.gov, March 2010

³³ *Ibidem*

DEA record a great success in its work. We will mention only results from last years. In the 2009, there was Operation Excelsior, conducted after investigation 21 months long. In that operation, DEA arrested 755 persons and confiscated 59, 1 million U.S. dollars. Seized 12.000 kg of cocaine, more than 16.000 kg of marijuana, 1.200 kg of methamphetamine, more than 8 kg of heroine, approximately 1, 3 million ecstasy pills, more than six and half million in other resources, 149 vehicles, 3 boats, 3 airplanes and 169 military means. In Operation Coronado, which involved 3000 agents, arrested 303 persons from 19 countries, seized 62 kg of cocaine, 729 kg of methamphetamine, 967 kg of marijuana, 109 vehicles, 144 armed means and found two clandestine laboratories. Finally, we have action Heavy burden, during which arrested 23 persons, including eight employees of one US air company. DEA works closely with other organizations that are dealing with fight against drug trafficking. It also publishes various publications about this matter and trains officials from other countries for this battle. It created a number of programs, such as programs for diversions, forensic training, tactical and computer training etc.

3. PRODUCTION, CULTIVATION AND TRAFFICKING OF DRUGS

Illegal drug trafficking improved acting to such degree that it is now one of the most dangerous form of organized crime. In many countries are established separate units to fight with organized crime.³⁴ For example, in Serbia is established a special department in prosecutors' office – special prosecutor office. Under the Ministry of Internal Affairs established a special unit at the level of administration. Then, a state established a special department of the District Court in Belgrade that is responsible for conduct of these procedures. Finally, there are special units in District prison, in order to maximize safety and isolation of accused for organized crimes.³⁵

The main characteristics of smugglers are excellent organization, interconnection and technical equipment. Way from drug manufacturer to consumer is long, because the fact that drug is often producing on the one continent and delivering on other. It is a job which connecting people from different parts of world.³⁶ Thus, in the most famous action in 2009, in joint action of Serbian BIA and American DEA, they

³⁴ See interesting article: K. Tunnell, *Inside the Drug Trade: Trafficking from the Dealer's Perspective*, Qualitative Sociology, vol. 16, no. 4, 1993, 361-381.

³⁵ B. Simonović, *Suzbijanje ilegalne trgovine drogom*, Pravni život, 9/03, 2003, 111-134.

³⁶ M. Bošković, *Metodika*, Beograd, 2005, 213.

arrested persons from Serbia, Montenegro, Croatia, Colombia, Bolivia, Peru and Argentina, when they seized 2,1 tons of cocaine, which price in Europe go up to 50.000 U.S. dollars per kilo. Drug produces the most in developing countries, while the biggest consumers are the persons from industry rich countries, like United States. In recent years, immigrants from Kosovo and Metohija, in partnership with Colombian drug dealers, dominated in distribution networks in United States. Colombians, in turn, helped Albanian mafia to grow coca. Albanians from Kosovo and Albanians from Albania work in cooperation with Italian mafia, and they supply multimillion markets with approximately 50 kilos per day.³⁷ On the other hand, in Kosovo and Albania, in exchange for drugs enter weapons, which are supplied Albanian terrorists.³⁸

Dealers smuggle by land, water³⁹ and air, which are the same as routes used for legal transportation of goods from one world's region to the other. Starting point for smuggling opiates are, so-called, Golden moon bow (located between Pakistan, Afghanistan and Iran) and Golden triangle (located between Laos, Thailand and Burma (Myanmar)).⁴⁰ The importance of former Yugoslavia, now Serbia, Bosnia and Herzegovina, Montenegro, Croatia, Macedonia and Slovenia is huge. Its geographic position shows that they are destined to serve as transit countries. Nevertheless, a part of drug stays in them. It is well known that these countries are on the path of drugs known as Balkan route. Countries from this route are used for supplying with heroin Germany, Netherlands, Italy, Spain, Great Britain, France, Belgium and Switzerland.⁴¹

When it exits from Turkey, Balkan route branches into three main directions: north, central and south. North route branches in three directions:

1. Turkey-Bulgaria-Romania-Hungary-Slovakia-Czech Republic-Germany-Netherlands;
2. Turkey-Bulgaria-Romania-Hungary-Austria-Germany-Netherlands;

³⁷ M. Bošković, *Transnacionalni organizovani kriminalitet*, Beograd, 2003, 132.

³⁸ M. Kosudovski, *Kosovski borci za slobodu finansiraju se iz organizovanog kriminaliteta*, www.globalresearch.ca, March 2010

³⁹ See: W. Gilmore, *Drug trafficking by sea*, Marine policy, May 1991, 183-192.

⁴⁰ About drug trafficking routes, see also on www.interpol.int, and, especially for Europe: T. Van Solinge, *Drug use and drug trafficking in Europe*, Outlook on Europe, vol. 89, no. 1, 1998, 100-105; J. Van Doorm, *Drug trafficking networks in Europe*, European Journal on Criminal Policy and Research, vol. 1-2, 96-105. Experts estimated that Golden Triangle in 1991-1992 yielded a record crop of 3.000 tones of opium. See: J. Van Doorm, *op. cit.*, 97

⁴¹ V. Rakočević, *Otkrivanje i suzbijanje zloupotrebe droga*, doktorska disertacija, Beograd, 2003, 143.

3. Turkey-Romania (ferry) - Hungary-Slovakia-Czech Republic-Germany-Netherlands.

South route branches, also, in three directions:

1. Turkey-Greece-Italy;
2. Turkey-Greece-Albania-Western Europe;
3. Turkey-Italy-Western Europe.⁴²

In addition, a middle path goes along the route Turkey-Bulgaria-Serbia-Croatia-Slovenia-Italy. As we can see, Serbia is an important part of the middle line. In addition to these routes, a drug passes through Serbia on a route Turkey-Bulgaria-Serbia-Austria-Western Europe, and Lebanon-Syria-Turkey-Bulgaria-Serbia-Austria-Western Europe.⁴³ More recently is activated a way that moves from Kosovo and through Montenegro and Republic of Serbska goes to Croatia and Western Europe.⁴⁴

Bosnia and Herzegovina, and therefore Republic of Serbska, remain a small but important part of Balkan route and transshipment center for performing drug. Despite development of cooperation in law enforcement in matter of drug trafficking and improving supervision on the financial centers, and higher seizures of drugs, political separation in Bosnia significantly reduces an efficiency in fight against drug trafficking. In Republic of Serbska, drug-market gradually increases. From one hand, according to the data of Ministry of Internal Affairs (further: MUP), for the first 8 months in 2005, police arrested 418 persons and filed 118 reports against 191 person. Police submitted 116 reports against 157 persons for possession of small amounts of drugs or for consumption on public places. It foamed 420 grams of cocaine, 1.527 grams of heroin, 7.303 grams of marijuana, 1.694 grams of cannabis, 1.217 ecstasy pills and 424 pieces of different kinds of medical drugs. From the other hand, Border Police seized 68 kg of cannabis, 27 kg of heroin and 10 kg of cocaine. In the same period, Federal Police seized 40 kg of heroin, about 22 kg of marijuana, 1.300 cannabis plants and 700 ecstasy pills.⁴⁵

To the year 2004, a main drug route from Montenegro to the Republic of Serbska, and vice versa, was across the border Vračenovići, from Trebinje do Niksić. With opening a way Trebinje – Herceg-Novi, this section becomes the shortest way for

⁴² Ibidem, 146.

⁴³ G. Drašković, *Osnovni pravci međunarodnog tranzita opojnih droga – oživljavanje balkanskog puta*, Bezbednost, br. 3/98, 361.

⁴⁴ About this, see also: J. Van Doorm, *op. cit.*, 99.

⁴⁵ www.mup.rs, March 2010

drug trafficking, linking Montenegro, Republic of Serbia and Croatia with a way that is long just 60 km. In a moment when Croatia become member state of European Union that will be the shortest way for Western Europe.

Trebinje is town with approximately 40.000 habitants, situated on south Republic of Serbia. It is located on the border Bosnia and Herzegovina-Croatia-Montenegro. From the border with Montenegro on the west, it is distanced by only 15 km, and 30 km from the border on northeast. From the border with Croatia, it is distanced 20 km. for our considerations is important fact that through Trebinje passes one of the new arms of Balkan route of drug. Trebinje is located in a valley surrounded by mountains and water. From Trebinje leads five ways. One path leads to Bileća, and continue to other territory of Republic of Serbia. Another way leads to west and through Ljubinje to Bosnia and Herzegovina. Third way leads to border with Montenegro and Nikšić. Fourth way leads to another border with Montenegro and Herceg Novi. Finally, fifth way leads to Croatia. Dealers smuggle a drug through one of the borders with Montenegro (border crossing Vračanovići, Vilusi and Zupci), and then enter in Trebinje. One part of the drug remains in Trebinje, while the rest continuing further to Dubrovnik and Croatia. Marijuana comes from direction of Montenegro and passing through Trebinje, while cocaine from Middle East passes a bit north from Trebinje. For smugglers it is significant shift over Bileća's lake. Under cover of darkens, using fishing boats, they transfer narcotics from Montenegro to Republic of Serbia, and then through Trebinje to Croatia.



Picture 1: Position of Bileća's lake (with red pen is recorded the most used crossing over the lake)

In addition to the fact that this region is known as a transit area, it is known also as a region for cultivation of Indian hemp (aka "domestic", because it is different from the Indian hemp which comes from Albania, known as "Albanian"). Plantations are

mainly located in specific configurations of terrain, such as cracks, coves, and valleys and other like that. It is made on the lands, which is property of the state or a private owner who does not visit them (of course, with exemption when owners make them). Plantations like them are found in a village of Krnjin kamen, on border between Bileća and Ljubinje, than in the village named Crgovo (between Bileća and Nevesinje) and in a village Do, near the Bileća. Finally, there was a plantation in village Prerac in Bileća's municipality.

In Bosnia, among 55 legal border crossing, there are approximately 400 illegal crossings. Forty of them are near Trebinje. Those are crosses where cars can pass. Across legal border crossings one part of drug go further. However, remains passes across these crossings. But, it is not whole story. Drug dealers transfer a drug across hiking trails and paths. It is impossible to count these paths. What makes these roads special is a fact that a large number of them are made by smugglers of drugs and cigarettes. They build them so tightly that they can withstand the weight of large trucks. Border Police can hardly control all roads, due to the lack of personnel in its police. They often close this crossing with cement blocks, but then smugglers come with machines and they move these blocks.

4. CORRUPTION AND MONEY LAUNDERING

Drug trafficking brings to the criminals a large amounts of money. When that sum reaches a certain level, there is a question of further investments, or, money laundering. In addition, there is a corruption in police. For example, in Brazil, India and China, research show a great deal of corruption in police and court machinery, and there is existence of real and fictions companies that are the front for drug-dealers trafficking operations.⁴⁶ Therefore, in a fight against drug trafficking we should have in mind this moment. Police have to hire high professionals between financial experts and train them further for this job. This is not case in Trebinje. Police should track transactions of suspicious persons, and their standard of living. In the beginning, increase of the standard notice through the way of life observed person. He begins to live a luxurious life, buys expensive houses and cars, but he have not material basis for that. He is unemployed and often uneducated. Police should monitor and controls assets near and

⁴⁶ M. Schiray, *Introduction: drug trafficking, organized crime, and public policy for drug control*, Drugs, criminal organizations & public policies, 2001, 352.

further relatives of such persons.⁴⁷ In Trebinje large part of population, especially between youth, is unemployed or on the edge of existence. Many companies go to bankrupt and close. In contrast to such wealth and social status, these persons can be seen in cafes for whole days. They do not work, apparently, nothing, but drive for local conditions, expensive cars. The art of being. In the modern era of universal surveillance, interception and recording, which may in some aspects of their application exceeds the limit of human dignity and privacy; it is strange and surprising that drug dealers remain untouchable and “unknown”. We have great arrests of drug dealers on all televisions. Tomorrow, in silence, they mostly go home. We believe that this is an issue that about which we should deeply think. Police should focus their attention on that field and checking the property of such persons and their detailed observation.

According to the State Department report on control of narcotics and the fight against crime, Bosnia becomes a significant drug hub. Inefficient legal system and government corruption enable success of drug trafficking. Because of their mutual conflicts and political differences, there is no comprehensive strategy at the state level to stop a drug trade. In addition, there are no laws that focused on corruption in the public sector, and processes that are started against employees in that sector were never completed. An investigation about missing 20 kg of heroin from the vault of Federal Interior Minister does not showing any progress. Corrupt officials used a drug trade to come to the big gains, which then use for their own purposes. Since it is matter of politic and practice, Bosnia does not support or facilitate illicit production and drug trafficking, but it simply happens. However, there is no evidence of involvement high government politicians in drug trafficking. It is the same case with money laundering acquired in business with narcotics. International community helps and assists national institutions in fight with this evil, and in a fight with corruption and money laundering.⁴⁸ Big drug dealers remain outside of government’s reach and police can arrest just petty criminals. In contrast, statements of Bosnian officials are full of praise for its work. It is sufficient to cite a statement during arrest of two teenagers in 2005, when police found 20 kg of heroin. He said that it is a crown of successful cooperation and breaking international drug smuggling chain. It is not given any hint that they will arrest persons who are in a higher rank in drug trafficking. Dealers are untouchable. Unofficial, but in the local courts known fact is that a Court of first instance in Trebinje

⁴⁷ Ž. Aleksić, *Pranje novca i nedozvoljen promet droga*, Izbor sudske prakse, 3/04, 2004, 11.

⁴⁸ www.state.gov/p/inl/rls/nrcrpt/2005, January 2010

issues over then hundred orders in investigations, which did not result because criminals knew for them before they have been issued and implemented.

According to the State Department report from 2008, corruption stays one of the most serious and biggest problems. In addition, a report of European Commission from the same year considers a corruption widespread and cancer in this state.⁴⁹ Corruption is particularly dangerous because it involves political corruption as much as corruption in a private sector. Anti-corruption strategy, which was adopted in 2006, had not success. Corruption did not spare members of Trebinje's police, regular police and border police both. In the last few years, eight police officers were accused for corruption. It is also stated that money laundering in Bosnia stems mostly from drug smuggling, corruption and tax evasion. However, in reality we do not recognize efforts to stop it.

5. INTERNATIONAL AND DOMESTIC CRIMINAL ORGANIZATIONS IN THE ILLEGAL DRUG TRAFFICKING

In the world, Colombian cartels hold the primary place in the production and trafficking of cocaine and they are deeply rooted in authorities in Colombia. Cartels operate not only in Colombia, but they operate in United States and other countries in the world. In the early 90-is United States enters in uncompromising fight with cartel Medellin from Colombia, and they destroyed him completely with arresting a number of persons and murders of their leaders: Pablo Escobar and Rodriguez Vocha. However, while they were destroying Medellin cartel in Colombia developed Cali cartel. Both have a name like a city where are they from.⁵⁰ Unlike Medellin, Cali cartel in silence built its power, and it spread across the world, in cooperating with local criminal groups.⁵¹

Supervision under smuggling heroin from Myanmar oversees Chinese Triads. They directly work with various Chinese and Thai ethnic groups, redeem heroin, and make distribution. Their primary base is Hong Kong. Particularly is active about 50

⁴⁹ www.ec.europa.eu/enlargement/pdf/press_corner/keydocuments/reports_nov_2008/bosnia_herzegovina_progress_report_en, February 2010

⁵⁰ D. Nikolić, *op. cit.*, 394.

⁵¹ About Mexico's organizations, see: J. S. Beitel, *Mexico's drug trafficking organizations*, Trends Organ Crim, vol. 15, 64-74; C. Martinez, *Transnational Criminal Organizations*, Military Review, September-October 2012, 58-62, H. Campbell, *Drug trafficking stories: Everyday forms of Narco-folklore on the U.S.-Mexico border*, International Journal of Drug Policy, vol. 16, 2005, 326-333

triads who from Hong Kong manage with flow of heroin and opium.⁵² They work in the USA. About that fact we have data that show that in 1990-is heroin was the most wanted drug in this country. Besides Triads, most recently appears Chinese Tonzi,⁵³ but we must not forget Japanese Yakuza. Yakuza closely cooperate with Cali, even in the Japanese market.⁵⁴

However, Albania is now base of world crime. Albanian mafia has about half million members, and its main business is illegal trade of narcotics. It is located on the top of pyramid criminal organizations, and great danger of this mafia confirms State Department.⁵⁵ By strengthening of Albanian mafia came from two reasons: capital accumulation acquired by drug trafficking and cigarettes, and because association of Albanians from Kosovo, Macedonia, Albania and Turkey in one cartel. After last war on Balkan, Albanian mafia rises spreads out across the Europe. A data show that Albanian mafia in Switzerland holds 70% of drug market.⁵⁶ Protectionism of West, and untimely action of Interpol and other organizations that deals with fight against organized crime helped this expansion. In addition, there was help American CIA in training Albanian terrorists in war against Yugoslavian army which, in turn, helped drug trafficking. The corruption reaches high in the government. According to the some sources, Safet Zulaj is involved in illegal trade and of oil and drugs. Existence of money laundering is well known. It is believed that a large amount of money laundered through privatization process.⁵⁷ Through Trebinje, dealers switch mostly marijuana from Albania, which has an excellent quality.

Another organization worked in Sarajevo. It was organization of brothers Hamdije and Ljutvije Dacić, and Acik Džan, who developed a drug network in nine European countries. As leaders of large organization, they transferred heroin from Afghanistan to Western Europe. Nevertheless, they were under observation of police for a long time. Hamdija Dacić was arrested in November 1999, with 12, 5 kg of heroin. However, he escaped from prison and hided at his brother. Sarajevo police, in cooperation with Croatian and Slovenian police tried to break down that drug network

⁵² D. Petrović, *Organizovanje zločinačkih udruženja*, Beograd, 1996, 21.

⁵³ R. Jović, A. Savić, R. Kuljača, *Droge i terorizam*, Bar, 2007, 161.

⁵⁴ DEA, *Worldwide Cocaine Situation*, Report and Japan: „Land of show“ Geopolitical drug dispathshno, 2-3

⁵⁵ www.state.gov/p/inl/rls/nrcrpt/2005, January 2010.

⁵⁶ M. Lopušina, *Albanska mafija – najveće zlo Evrope*, www.lopusina.com/knjiga.html?id=45, February 2010.

⁵⁷ M. Kosudovski, *Kosovski „borci za oslobođenje“*

in 2002, but with no success. Finally, in 2009, SIPA arrested leaders of this criminal organization.

In region of Trebinje, the most important is group from Bileća. Police suspected this group for transfer about 500 kg of narcotics across national borders. In addition, they were connected with Croatian criminal group that transported about 800 kg of narcotics across national borders. This group is completely broken in action of CPS Trebinje. In that action, they arrested 12 persons. It is believed that a head of this organization was Marica Ćulum, lawyer from Banja Luka. A few months later police arrested one more person in the attempt of smuggling about 80 kg of skunk across the border with Montenegro. It was associated with Bileća group.

In the city of Trebinje worked a few criminal groups. Certainly, the most important is group that is broken in action with code name "Leotar". In that action, there was arrested 89 persons. The group worked under direction of Nikola Šaraba. Some persons from group avoided an arrest, but they are arrested later in the subsequent actions in distinguished cities, like Novi Sad. There was arrested a few persons whom police considered that they are on the top of organization broken in Trebinje. Police followed them for months and arrested in moment when they tried to establish illegal drug trade. Then, in cooperation of CPS Trebinje and MIA of Federation BiH, is broken group that worked with drug between Trebinje, Mostar and Gacko. On that occasion, police arrested 13 persons, Serbian and Bosnian nationality.

6. DRUG TRAFFICKING IN HERZEGOVINA

6.1. Methods and sources of knowledge for a crime

In forensic science exists a large number for finding out for crime. There stay out activity of police, public, media and different types of criminal applications.⁵⁸ Which way will be applied depends from type of crime and environment in which an offence was committed. Different ways of detecting crime are endemic for different environments. Police activities in a big cities are a most important way for finding out that a crime is committed, while in a small cities, like Trebinje, another ways come to the importance. However, knowledge from the theory is not used sufficiently. In text that follows, we will try to explain why that is so.

⁵⁸ B. Simonović, *Kriminalistika*, Kragujevac, 2004, 22.

Introducing new trends in the detection and prevention a crime, CPS Trebinje in recent years changed its way of acting. Due to the poor results in a fight against crime, especially organized crime, police in the world in a last 15-20 years use a proactive approach. Unlike a reactive approach that is focused on the discovery of committed crimes, proactive approach means identifying problems that can lead to the criminal behavior. Police has to cooperate with citizens, if it wants to succeed in this. Because that, police developed a new strategy, known as community policing. Community policing or police in the neighborhood is a police strategy, philosophy based on the idea that cooperation, and support in the community can help control crime and reduce fear.⁵⁹ Community members help police to identify suspects, detain offenders and for pointing out to the police on the problems.⁶⁰ Community policing encompasses a much broader aspects of police work and requires the involvement of all state structures in a joint operation with the police.⁶¹

The concept of community policing began with its implementation in the year 2005. In the centers of Public Safety are formed committees for the implementation projects. Development of police in this country is in progress for several years. General police is relieved by establishment of judiciary, communally and security police, and it is facilitated its work in this sector. Project community policing started in municipality of Prijedor, as the first pilot municipality in Serbian Republic, and then in Doboј and other cities. The purpose of the project is implementation of project community policing and strategy of community safety, which would have a preventive influence on crime.⁶² This concept implemented in Trebinje, too. Adequate conditions that would be enable full implementation are not achieved yet, but it tends to be. In this concept, much attention was dedicated to the problem of drug abuse. Police indicated to the citizens that it is just one factor in a battle against drug crime, and just with involvement of local communities, there can be made more on this field. At the same time, police organized many forums and meetings and invited a public to cooperation.

⁵⁹ For some aspects in drug trafficking, see: W. Walsch, G. Vito, R. Tewksbury, G. Wilson, *Fighting back in bright leaf: Community policing and drug trafficking in public housing*, American Journal of Crminal Justice, vol. 25, no. 1, 2000, 77-92.

⁶⁰ Committee on Law and Justice, *Fairness and Effectiveness in Policing*, National Academies Press, 2004, 24, www.nap.edu/books/0309084334/html/, February 2010.

⁶¹ U. Pena, *Nacionalne strategije suprotstavljanja pojedinim vrstama kriminaliteta i njihova implementacija*, Bezbjednost, 1/09, Banja Luka, 2009, 71

⁶² B. Simonović, *Rad policije u zajednici*, Banja Luka, 2006, 387.

In detecting and proving crimes related with illegal production and trafficking of drugs, police, border police and customs authorities bring the main cargo. Within CPS, there are special departments that work only in detecting criminal offences related to illicit production and trafficking of drug. In many cases, they come to the main findings. However, citizens often give this information. There are different group of citizens who can provide information for police, divided in two groups: the informers and informants. The main difference between them is that informers are usually persons who in some case, accidentally come to the knowledge about crime, and say it to police, while informants are the persons from criminal milieu. In addition, we have whistleblowers,⁶³ who are type of first group.

From one side, as informers are especially important conductors on buses, street vendors, waiters, receptionists etc. From other side, fight against organized crime would be impossible without use of informants. Those are mostly persons from criminal milieu. They help police from their personal reasons, which are mostly vicious nature (expect money for return), or because the fear for their lives or lives of his family, vanity, folly, desire for revenge etc.⁶⁴ The motive is often, for providing information, need informant for some favors. When the issue is drug trafficking, informant in practice usually reveals a shipment of his opponent, in exchange for smoothly passage of his transfer. In addition, informants who are not involved in drug trafficking seek as a favor certain sum of money. Because of the limited budget, police in Trebinje does not use informants. Municipality has no money for this purpose. For example, we will mention the fact that budget of Brcko District has a 150.000 KM per year for use of informants. However, in practice exist undercover informants, who police officer know and whom he has a confidence. It is internal communication between the officer and person from criminal environment, where consequences are not known because of their complex and difficult nature.

Police can know for the committed crimes from the different and variety forms of public gossip. In larger cities, public gossip has a smaller importance, but in a small city, like Trebinje, it is very applicable. In Trebinje, many people know each other, personally or by reputation. This is a case especially in other municipalities in Herzegovina: Bileća, Gacko, Nevesinje and Ljubinje. It is often story in people which child is in a bad company, who is a drug addict, what type of drug uses, how long, from

⁶³ J. Ćirić, *Whistleblowers*, Pravna riječ, Banja Luka, 23/2010, 533-544.

⁶⁴ R. Ronin, *Obaveštajni rad*, Beograd, 2009, 34-35.

whom he purchases and about questions like that. On that way, MUP obtains a base from which they can start a search for the perpetrators of this kind of crime.

In criminal practice, different kinds of criminal application have an importance in detecting crimes. Among them, we have extract applications that somebody committed a crime (which can be anonymous, pseudonymous and signed – applications in which police know who is a person who submits an application), application of the plaintiffs, witnesses and other subjects who know that crime is committed. Finally, we have self-applications. In connection with crimes related to drug trafficking, the most common are medical applications and applications of custom services. Anonymous applications are also common. Why this is so, there are several explanations. Frequently, it comes from fear. It is a fear for own life, and then for lives of their family. Then, there is a fear of drug addict that he will remain without drug, because he is able to give policy only his own dealer. Uninformed drug addicts have a fear from criminal proceeding, although in this Republic not exist a crime for acquisition and possession of drug for personal use.

Finally, police can find out for a crime from media. Through them, it can find out for the committed and planed crimes, especially when they study advertisement section. The problem arises if the government controls the mass media, because government can be involved in the criminal activities. We mention this because recently one journal from Trebinje published series of texts about connects between high positioned persons from government in Trebinje with criminal activities. What is u true, it is not known, but police have to pay attention on this problem.

6.2. Criminal intelligence in the process of finding out for crimes

Intelligence activity is one of the oldest activities of organized human society, from primitive forms of communal life to the most developed countries and their alliances of modern times. Modern intelligence activity is conditioned by the existence of intelligence agencies, as a part of state apparatus in the security system. Its main activity is collection of information. Along with a development of science and technology, the requirements for data and information are increasing. In addition, capacity for their storage is greater and their transmission is very speed.⁶⁵ Criminal intelligence work is attempt of integration of knowledge from the area of intelligence,

⁶⁵ Ibidem

strategy, strategic management and criminology, whose concept is relative new approach in forensic science. Criminal intelligence is police's (investigation) activity and philosophy, which include the process of obtaining, analyzing and evaluating interesting data for police, with intention of efficiently combating against crime at all levels.⁶⁶ Its results, like strategic assessment, profiling of problems and profiling of perpetrators, enable development of strategies and adequate tactical responses on expected threat of crime society. From this, we can conclude that criminal intelligence follows a proactive approach to crime. The most important reason for development of this form of police acting we can find in inefficiency of existing approaches to drug prevention. Its previous development owed to the new findings in area of strategic planning and strategic management, and to the development computer's software. Another factor in its implementation is pressure of Europol on the all-European states. However, since it is a new way of approaching to the crime, some problems have to show, but they will be solved in future.⁶⁷

7. METHODS AND POSSIBILITIES OF TREBINJE POLICE

7.1. Introduction

CPS Trebinje mainly his work focus in the detection of serious crimes, especially murders, but it is also dedicated on the fight against drug trafficking. Police daily carry out prevention and detection of criminal offences related to drug trafficking, by planning various actions and preventive and operational work. Attention is also focused on the seizure of vehicles, falsification of documents and smuggling of goods and people. It gives a significant contribution to the prevention of illegal production and drug trafficking. One part of the activities is aimed to the shedding light n crimes related on drugs. Second part is aimed on the discovering plantations of Indian hemp. Police needs better material and technical resources for more effective fight against transit of narcotics. This problem solves, in one part, by increasing training of police, which leads to the better results. In the recent years, CPS Trebinje carried out a serious of activities on discovering plantations. Conditions and effects of fight against drug trafficking, in this moment, are not satisfactory. Especially, we consider essential creating teams that will deal exclusively against this dangerous phenomenon. Successfully detection of

⁶⁶ A. Dvoršek, *Kriminalistički obavještajni rad i njegove perspektive u kriminalistici*, www.fw.uni-mb.si/, April 2010, 1

⁶⁷ Ibidem

drug trafficking requires superior expertise, knowledge of routes and modes of transport of illegal narcotics. Persons who transport a drug are highly skilled and cunning. At the appropriate place in this work, we will present by which instrumentality dealers want to traffic a drug to the place of arrival. The main goal of agencies that fight against this evil is disabling such transports and capture of smugglers, and detection and destruction of crops and laboratories.

7.2. Information gathering, surveillance and ambushes

Through their regular duties, members of CPS Trebinje obtain information that analyze. On that basis, they make strategies. Thus, basic method that they use in detecting drug offenders is collecting information. That is a method which is applied by all polices in the world. First, it is necessary to know which persons are able to give information, particularly in regard on their work place, environment where live and move, and criminal activity in which they are involved.⁶⁸ When police come to those persons, it has to do interview with them, and persuade them for cooperation. Police officer has to lead carefully conversation and sees their properties. Often, these are people who are caught in the criminal offence. Police with them lead conversation with aim in discovering other persons involved in crime. They, in return, seek favors for themselves. Since police in Trebinje does not use informers, information source for them are these persons.

In Republic of Serbia, in Directorate of Criminal Police, is organized Department for criminal-intelligence analysis, where police obtains, process, interprets, integrates, evaluates, and analyzes data.⁶⁹ In Trebinje is also organized special department for organized crime and intelligence analysis, so-called 4X4 Department. According to information that we received, Department is successful in its work. Unlike some other policies in BiH, which have a problem with accepting solutions offered by analytics, Trebinje police has no such problem. However, problem is a fact that criminal intelligence work only as logistical support on specific investigations, not to assist in developing politics, strategic and tactical solutions. There are, too, problems with professional competence of analysts, i.e. their lack of knowledge and experience in this

⁶⁸ V. Rakočević, *op. cit.*, 155.

⁶⁹ www.eradovi.info/index.php?option=btg_rad&idrad=467, April 2010

field. In addition, since this form of policing just started to develop, with time problems police will overcome problems of this type.

One way for obtaining information is cooperation agreement, as a form of plea bargaining. In that process defendant and prosecutor negotiate about conditions under which defendant will plead guilty for committed crime. In American criminal justice system, this institute is widely used in cases of drug abuse,⁷⁰ and, on that way, prosecutor gets some information about other offenders in a chain of drug trafficking. However, in Republic of Serbska, and Trebinje, is not used this purpose of plea agreement. Police would get useful information, and defendant would get a more lenient sanction.

Besides collecting information, CPS Trebinje conducts supervision over the persons whom they suspect that they are involved in smuggling, registered dealers, and registered drug addicts. On that way, they obtain useful information regarding to the persons from chain of illegal drug trade. This measure is called measure of intensive supervision, and includes operational control of suspicious points, known as objects where drug offenders and drug addicts comes, as well as control sites where they distribute drug.⁷¹ In Herzegovina, police usually reviews bars in the evening. Of course, it does not lose from the sight persons from different companies, hospitals and hotels, because they can provide useful information for this purpose.

For drug transport, dealers mostly use vehicles, regardless of their nature or purpose. Vehicles have a great opportunity for hiding drug. Dealers hide a drug in a fuel tank, behind the wheel,⁷² bumper, in the ceiling, under the driver's seat, in windshield wipers. Persons hide a drug in their clothes and things, artificial stomach and other parts of the body, in the natural cavities of the body, in the suitcases with double bottom or in soled shoes. In addition, they can swallow a drug. For drugs hiding there are especially suitable labeled TIR trucks, because they are under protection of special custom regime on the borders of Europe. That benefit smugglers use and hide a drug in tracks, when significantly reduce a chance for drug detection.⁷³ Traffic police in Herzegovina, allocated on all exits from cities, have success in its work and find drugs hidden in vehicles that pass through the cities and surrounding areas. However, presumption is that great amounts of drugs passed undisturbed. Smugglers possess exquisite cunning,

⁷⁰ M. Simović, *Krivično procesno pravo – posebni dio*, Banja Luka, 2006, 75- 80.

⁷¹ V. Rakočević, *op. cit*, 155.

⁷² For searching these places, police use a special probe, which uses police in Herzegovina.

⁷³ M. Bošković, *op. cit*, 216.

perfidy, and insolence. They often send vehicle with drug surrounded by escort of vehicles different types and categories. Some of them go a few kilometers on front of vehicle that transporting a drug, and scout a terrain. If they meet a police patrol, they warn a vehicle that transports a drug. That vehicle stops in the moment and wait a free way for further. Others go behind of vehicle and, in a case of pursuit, they arrange on the way and slow down a pursuit until drug vehicle reach a safety place. It is not rare police corruption if it stops a critical car, even without police knowledge that car transport a drug. It is not unusual for smugglers to make different tricks. They sometimes allow to police to detect smaller and insignificant amounts, and on that way, they reduce and divert police's attention while large quantities of drug pass smoothly.



Picture 2: Drugs found hidden in a car and small marijuana plants

As a result of cooperate work between police from Trebinje and other agencies, Serbian and Montenegrin, there are often findings that certain amount of drug will pass through Herzegovina in specific time and on specific place. Then police prepare an ambush. Especially active in ambush preparing is Border police. The most important requirement for successful ambush is well prepared plan, and police's ability for that action. Otherwise, for successful ambush are important forensics' rules of speed, surprise and secrecy.⁷⁴ On described way, police arrest smugglers on "fresh act",⁷⁵ and police is able to provide necessary evidences. During the ambush, police in Herzegovina

⁷⁴ V. Vodinelić, *Kriminalistika*, Beograd, 1984, 88.

⁷⁵ That is a most rarely way of finding out for the crime, when police finds an offender on the crime scene during committing a crime or immediately after that moment, with fresh traces on him.

use stingers.⁷⁶ Stinger enables stopping a vehicle on relative easy and quickly way. Especially significant is its possibility to stop selective vehicle, without danger on other cars is traffic. It is a device in a shape of rhomboids more linked with spines, which are turned up. Police paced it across the road and it is tied with cable which end holds a police officer who stands out, on the open or hidden place, behind the road. He directs a stinger under any vehicle that passes road. At the moment of crossing the stinger, spines stick in a tires and release an air, allowing a stopping a vehicle after a few meters. Spike's replacement is relative simple, and does not take more the few minutes. Stinger, also, can stop a buses, trucks and similar vehicles. A special type is mini-stinger, which police places under tires of suspicious vehicles and prevent from running from the place where it is located.

During interviews with members of border police, we found out for different difficulties during ambushes. Leaving aside smugglers' unwillingness for peaceful surrender, they hide an explosive in vehicles, so, in a case where they do not have any exit, they activate explosive device in vehicle. On that way, they destroy drugs and evidences. Of course, there always remain specific methods of proving. In several occasions, when they followed vehicles from drug, police is raid into ambush when on that place support for smugglers came. Police had to withdraw in those cases, without achieving any result. On the other hand, because of the proximity of the border, police sometimes in their action exceed on the territory of Montenegro. A big smugglers know how far reach jurisdiction of police. To avoid this, polices of Herzegovina and Montenegro organize a joint actions. These actions are especially common in drug smuggling from Montenegro via Bileća's lake, which belong to the Montenegro in one part.⁷⁷ Members of CPS Trebinje are capable to recognize signs of nervousness. Therefore, if a person transfer drug over the border in his stomach, he has to cross the border as soon as possible. Otherwise, a bag with drug will break in his stomach and he will die. As soon as police starts to retain him, he starts to show signs of nervousness and police officer, who passed training for recognition persons who smuggle or hide

⁷⁶ They are produced by a company STINGER SPIKE SYSTEMS, and their price is around 400\$. BiH received some stingers as a form of international assistance a few years ago. See www.fedsig.com, February 2010

⁷⁷ Once, Border police moved boundaries of their jurisdiction. Smugglers noticed them from one peak and they started to shout how police has no jurisdiction there. Then a police officer, by using similarity Herzegovinian and Montenegrin accent, began to play Montenegrin. After that, smugglers surrendered to the police.

something, will suspect on drug. He will take this person to a special room, where that person will, using laxatives remove all drugs from the body.

For detecting drugs, it is advisable using dogs. From one side, Border police started dog training program in 2003, with intention on preventing drug trafficking. Since 2006, all stations have a officary dogs, including all Herzegovina's stations of Border police. However, significant results are not obtained. Dogs go out just in cases when police have a report of smuggling, or if it is necessary detailed inspection of suspicious vehicle. Through the country, only two police stations had a success, and it discovered just small amounts of narcotics. Borders police in Herzegovina, which protects a border with Montenegro and Croatia, did not have success until now. It is obvious that dogs, simply, are not used. Although Border police, generally, has success in fight against drug trafficking, obvious, they do not trust enough in dogs' ability. Considering that this is part of Balkan route, it is clear that in the battle with drug trafficking it has to use all enabled instruments. CPS Trebinje, from other side, uses dogs with success. But, it also brings dogs on terrain just in cases when there is a report.

Finally, police uses on the crime scene special equipments to determine presence of drugs in the body. On that way, it gets certain information that suspicious person is under influence of drug, or, there is a high possibility for that. However, about the chemical analysis, Clinical Hospital Centre in Trebinje does not work it. When it is necessary, police sends a sample for chemical analysis in Crime Technical Centre in Banja Luka, for further analysis.

8. ACTIVITIES ON SUPPRESSION DRUG TRAFFICKING

Police from Trebinje, from year to year notes growing success on the field of fight against drug trafficking. The most famous operation was carried out in 2008, under code name "Leotar". In the first wave of action, police arrested 56 persons, searched over 200 locations where found narcotic drugs and weapons. Action lasted four days, but police prepared it six months, in cooperation with Federal police, MUP of Herzegovina-Neretva Canton, and polices of Montenegro and Croatia. The whole action was carried out under supervision of the competent prosecutor's office. Police found 60 kg of marijuana, 635 grams of cocaine and certain amount of hashish. In the continue of action, police arrested another 33 persons. Of the total number if arrested persons, police conduct 17 persons to the Special prosecutor, 21 to the BiH Prosecutor office,

and 11 to the District prosecutor. EU police mission, which has closely followed action, praised the professional conducting with action. Action “Leotar” is considered as a biggest action in BiH ever conducted.

In the November 2004, CPS Trebinje, in cooperation with police from Bileća, in a family house in Bileća found 80 kg of marijuana. After that, when they searched one rented flat found a bag with 45 grams of heroin and a bag with 60 grams of cocaine. In august 2008, during the search on festival “Hertz”, police found small amounts of ecstasy, marijuana and hashish. In the same month, police search apartment in Trebinje and found small amounts of marijuana and heroin. Around Bileća, police arrested one person in the attempt to smuggle 80 kg of marijuana across the border with Montenegro. In August 2005, police deprived of freedom one person for possession 10 grams of heroin.

In July 2006, in the early morning, members of MUP Special units, CPS Trebinje and Unit for support, on the 14 locations in Bileća perform synchronized action with aim-finding persons who deals with organized crime. Action is result of two-month work. Action performed 94 persons, in which they arrested one person, and seized 641, 10 grams of marijuana, 2, 4 grams of speed, 5, 2 grams of heroin and 88 grams of in that moment unknown material, but with subsequent analysis they will find that this is also type of narcotics. In mid February 2007, police arrested one person for possession 667 grams of marijuana and for suspicion that it helps one person from Herceg Novi to enjoy narcotic heroin. In 2008, police seized 684,708 grams of cocaine, 225,507 grams of heroin, 99 cannabis plants, 96 pieces of cannabis seeds, and 3.465, 054 grams of marijuana. During the breaking of Bileća group, police searched 42 locations – 22 in Bileća and 20 on the territory of East Sarajevo: Foča, Višegrad and Ilidža. On that occasion, police arrested 20 persons, who are suspected for transferring 500 kg of marijuana from Montenegro.

At the beginning of February 2009, police deprived from liberty passenger on the bus relation Trebinje-Belgrade, for possession 218,057 grams of heroin. In the June, police started action under code name “Plantation”. At one person, police found 14, 2 grams of marijuana. In late August, members of CPS Trebinje, on the road Nevesinje-Gacko, searched two cars, when they found 100 grams of heroin and digital scales. They arrested three persons: two from Gacko and one from Novi Sad. In September, in joint action of CPS Trebinje and MUP Federation BiH, they arrested 13 persons and found 2 kg of heroin. In one car, police found traces of the drug, which is further

indication that they deal with drug. In December, in the same year, in Perovića Bridge, police deprived from freedom one person. In its car, from left and right side of the back seat, behind protective barriers, police found 10 packages of skunk, with a total weight of 8.644 grams. Arrested person was member of CPS Trebinje. Finally, at the beginning of 2010 year, CPS Trebinje performed two successful actions. In the first action, this derived from 26. February, in the routine control of one car, police patrol found two packages of 8 kg and 1 kg of skunk. Two days later, police arrested two people for possession 2 kg of heroin. One of them police has arrested year ago, but it was released because lack of evidences.

Second part of activities police directs on the discovering of marijuana plantations. In August 2005, in the village Krnjin kamen, on the border between Bileća's and Ljubinje's municipality, police found two large marijuana plantations with more than 1.700 stems, and with total weight of about 1.500 kg excellent quality. Plantations were planted on almost inaccessible rocky terrain. There were not any roads to lead to them. To reach those plantations police had to go on foot, making their way through undergrowth. The stems were more than three meters high, making this marijuana to like on the trees. According to estimates, a price of wholesale quantities of marijuana would be approximately 300.000 KM, while in smaller amounts it would be reach a price of one million dollars.

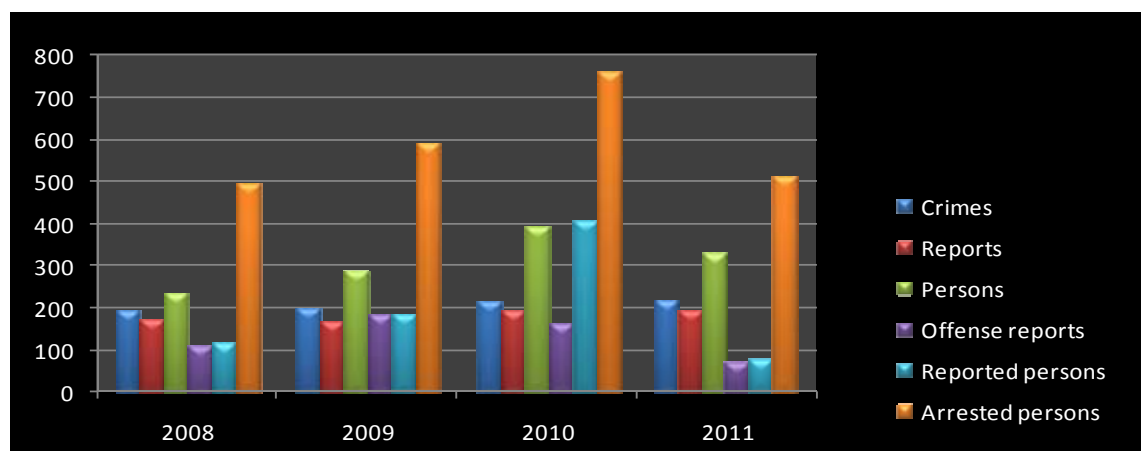
Three days after this operation, police found in area of Nesevinje and Bileća municipality another two plantations, with 400 and 500 marijuana plants, height of 1-2 meters. According to the police reports, with discovery of these plantations, police prevented production of 250-300 kg marijuana. Their market value was about 180.000 KM. After these actions, police in municipality of Bileća discovered one plantation, but it also found 78 kg and 100 grams of dried marijuana in a makeshift kiln on the plantation. Otherwise, a band that warns of a minefield surrounded an entire plantation. However, it drew attention to the plantation. Then, in Zasad field, in the municipality of Trebinje, police found plantation with 5 Indian hemp height of 80 cm, in the vicinity of wastewater collector.

Border police in the country, which department in Trebinje is considered as the best, also has success in its work. In recent year, members of this department were usually finding small packages of marijuana, with 5-10 kg. In 2009, Border police seized 2 kg of heroin. In addition, it found three plantations of marijuana, with 18, 23, and 115 stems.

As we can see from these data, in the last few years CPS Trebinje had success in clarifying crimes related to narcotics. From one hand, a certain number of arrested persons is from Trebinje, but also from Bileća, (who are mostly members of Bileća-group) and from Gacko and Ljubinje. The largest number of arrested from action “Leotar” is from Trebinje. On the other hand, the biggest number of found plantations is from other Herzegovina’s municipalities.

9. STATISTICS OF POLICE AND COURTS FROM TREBINJE

At this place, we will give a brief overview on the crime statistics in Republic of Serbska, and then we will switch to the consideration on crimes related to narcotics in Herzegovina. In the 2011, police discovered 219 crimes, what is in higher percent in comparison with previous year. Because of the basic suspicion of committing these crimes, police submitted 193 reports against 329 persons; number of submitted report is higher then in previous year, but number of reported persons decreased for 16,03%.⁷⁸ This data is shown on the graphic below.



Graph 1: Ratio on statistics data from the period 2008-2011 year

Quantity of seized drugs illustrated is in the panel below.

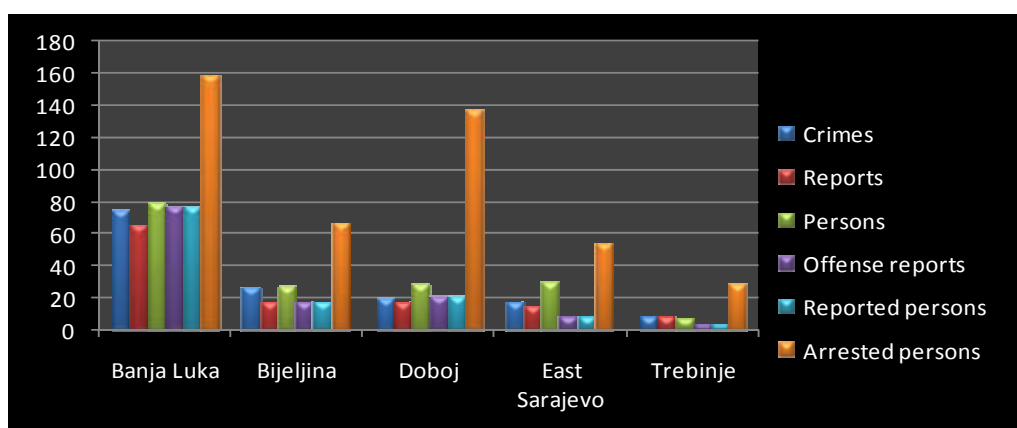
TYPE	2008	2009	2010	2011
Heroin	11.092,88 gr	14.852,14 gr	1340,34gr	773,57 gr
Cocaine	787,43 gr	787,09 gr.	331,65gr	193 gr.
Marijuana	56.928,55 gr	22.660,14 gr	207527,3gr	213083 gr

⁷⁸ Information on security situation, www.mup.rs, August 2012

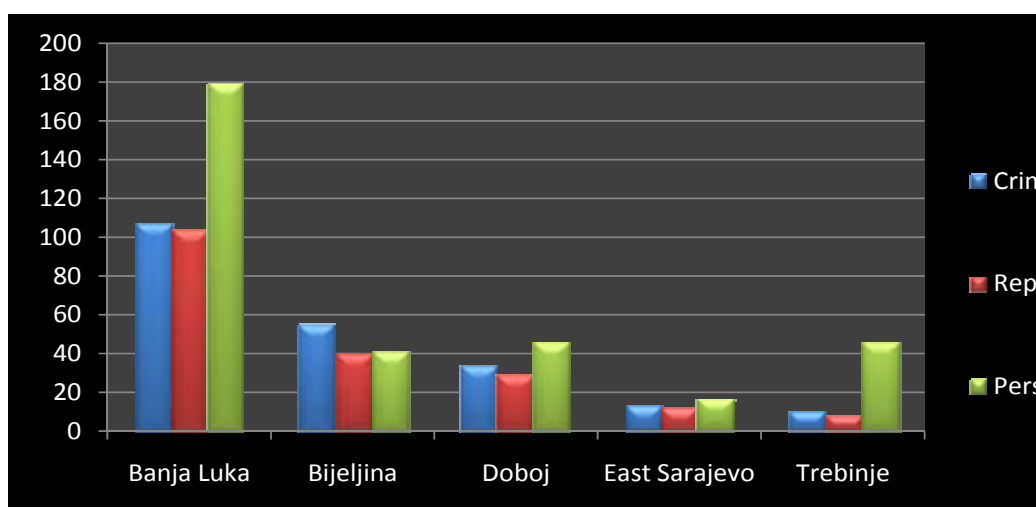
Hashish	111,7 gr	1,8 gr	1,3gr	10 gr
Amphetamine	1.721,8 gr	247,49 gr	1404,22 gr	791,44 gr
Cannabis - stems	697	1.266	1364	2162
Cannabis - seeds	3.029 gr	460 gr	84.747	6925
Ecstasy	570	225	120,5	3
Medicinal drugs	382	1.408	417	3613

Table 1: Amount of seized drugs in period 2008-2011

However, the smallest number detected crimes are in area of Herzegovina, what is shown on the next graph. It is surprising fact because one of the main drug traffics ways passes through Trebinje. Data from 2011 will be compared with data from 2009.

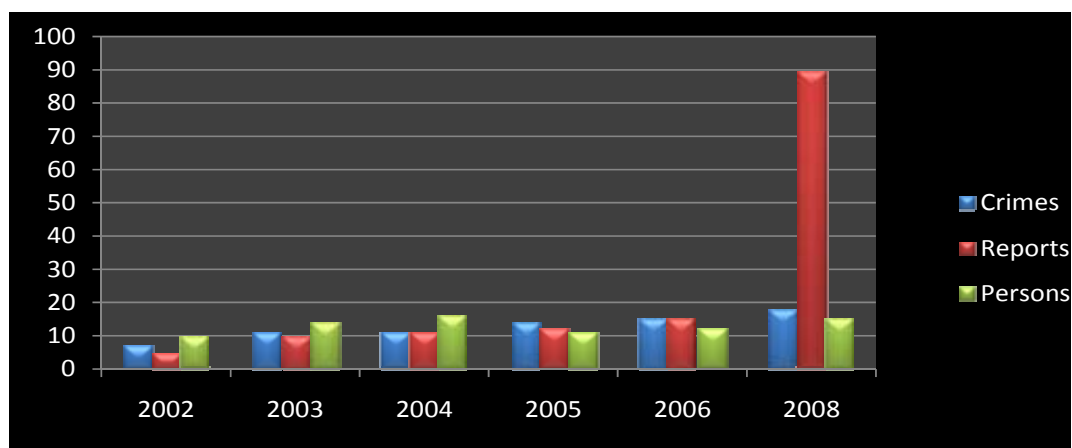


Graph 2: Statistic's data from 2009

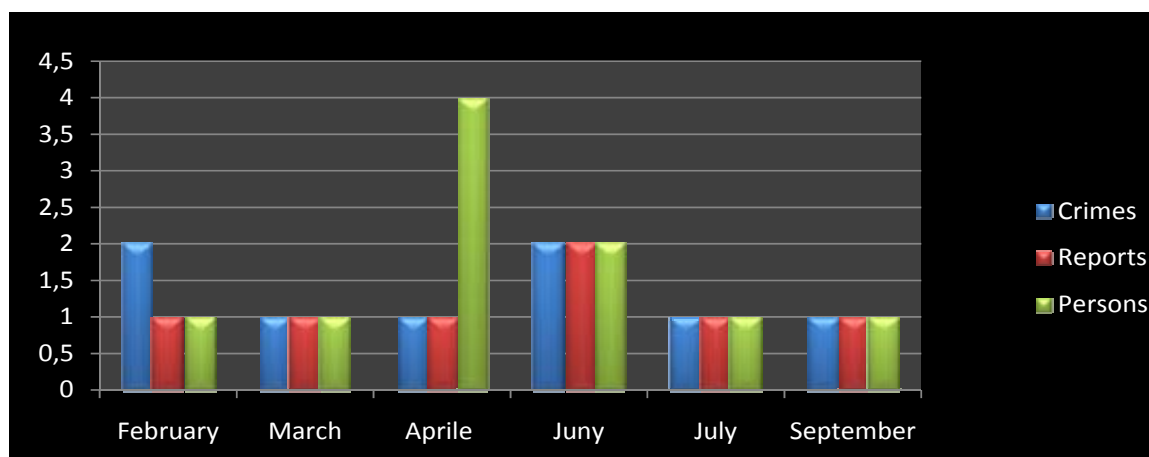


Graph 3: Statistic's data from 2011

In the period 2002-2008 police seized, in the area of Herzegovina, 655 kg of marijuana, 1,81 kg of heroin and found 8.913 cannabis stems and ten plantations (the most of them is related to 2006 and 2007 year). Statistic has processed data for crimes and perpetrators for 2007, we could find only to the October. For the past years, we could not find processed data. On the two next graphs, we will show these data.



Graph 4: Graphical representation of the crimes, reports, and reported persons in 2006-2006 and 2008 year



Graph 5: Graphical representation of the crimes, reports and reported persons for the first nine months in 2007

In Trebinje, the number of solved crimes related to narcotics in 2009 is significantly higher than earlier. Above fact, we can trace through data of District court, which sentenced in the 2009 more people than in the four previous year together. However, the Court of first instance judge for significantly more crimes than District court. District court is competent only for severe form of the crime *Unauthorized*

production and sale of narcotics, while in the last years was not trials for crime *Enabling of drug use* on the District court. Statistically we will forward cases from 2005 to 2009 (we were not able to get data from previous years because of the change monitoring cases). As far as District court, we will cover the period 2005-2010. We have adjusted tables for some specificity.

Year	<i>Unauthorized production and sale of narcotics</i>	<i>Enabling of drug use</i>
2005	8	2
2006	6	-
2007	6	-
2008	6	-

Table 2: Statistics of sentenced cases on the Court of first instance

Overall, in the watched four years, on the Court of first instance are sentenced 26 crimes of *Unauthorized production and sale of narcotics* and 2 crimes of *Enabling drug use*. All persons are sentenced. Sentences are in the range from one month to three years, where 80% of all sentences are length to the one year. From other side, on the law level of sentences affects a fact that in the approximately 50% of all cases is reached guilty agreement. In addition, a court imposed four suspended sentence. However, it is obvious that these sentences are more severe than sentences on the District court.

On the District court were not a large number of cases.

Year	Number of crimes	Number of sentenced persons	Number of released persons
2005	-	-	-
2006	1	1	-
2007	1	1	-
2008	1	2	-
2009	4	15	3
2010 (to 15. January)	1	2	-

Table 3: Statistics of sentenced cases on the District court

District court did not sentence for the crime *Enabling of drug use*. So, statistic is based on a crime *Unauthorized production and sale of narcotics*. Nevertheless, here is interesting a fact that there were not trials for drug production, than for other forms of

that crime. Type of drug is usually cannabis, and then heroin and marijuana. Sentences are in range from 3 months to 2 years and 6 months. We think that it is not enough severe. If we take into consideration that for the crime from paragraph 2, court can punish a defendant from 3 to 15 years, it is evident that penalties are not severe enough. Between them, there are not sentence that is on the minimum of possible sentence. Twenty defendant reached plea agreement, which means that just one person did not reached an agreement. However, neither the possibility of reducing sentences by plea agreement does justify such a low sentences. In addition, just four of sentenced persons are not recidivists. Everyone else already committed several crimes, the same or different kinds. In Table 3. are listed persons who are released from procedural reasons or because there were not enough evidences that they committed a crime. In the legislation of Republic of Serbska, is not yet criminalized as a crime possession of small amounts of narcotics. Courts qualify such cases as holding small amounts of drugs for personal use and release those persons. Even the fact that police found in garden of one of these persons buried 10.000 KM, not initiated a police investigation in that direction. Finally, it should be noticed that defendant are in 50% of cases – juveniles.

10. DRUG ABUSE CONTROL

10.1. Introduction

Control of drug abuse is established on three levels: international, regional and national. In fact, drug abuse control is implemented through preventive and repressive labor. The control system includes a wide combination of social action that has aim suppression and prevention of production, circulation, and consumption of drugs. However, with all normative-legal regulation of control is regulated repressive measures, but preventive measures, without which no success in the countering to this phenomenon, remain unjustly neglected. In contrast, in other countries, preventive measures take a priority. For example, in England, a focus is on the protection of young people. One of the protection programs is involving parents in schools to patrol and keep an eye on children. On the other hand, only program that had a success is one to one took, without usually practiced group interviews.⁷⁹

⁷⁹ J. Bogdanović-Ćurić, A. Radeta, *Sprovođenje programa emocionalne inteligencije u trebinjskim srednjim školama*, Radovi filozofskog fakulteta, Pale 2004-2005, 6-7, 552, *Dropout Prevention Planning Guidebook*, www.psesd.org/images/stories/, March 2010

Young people from this area were, mostly due to war and loss of loved, and then because hard social post-war situation, exposed to stress, which led to anti-social and aggressive behavior among adolescents.⁸⁰ This caused drug abuse and rapid spread of drug addiction. Throughout the region, situation is similar. In Bileća, for example, the massive unemployment has led to the situation where drug dealer, mostly high school student, is only person in family who brings money in house, and whom parents justifies absents from school by making different reasons. Families, not accustomed to problems like this one, deny it to the moment when it is too late to react. This behavior goes so far that even professors say that in this area no drug problem! Parents are the last who notice that their child has drug problem. Even then, they deny reality and flee from the truth or they try to solve a problem on the various inadequate ways. Drug user registers just in a moment when they start to heal freely, or when police arrest them.⁸¹ Consequently, there is need for preventive acting: first, there should eliminate circumstances in which a healthy man becomes a drug addict, and second, there should educationally act about the harmful effects of drug use and abuse. In addition, there should open an institutions that will deal with treatment of drug addicts, because in BiH exist just two centers like this.

10.2. Preventive acting on suppression of drug control

Prevention of drug abuse should be a primary task of society in drug control.⁸² Prevention is proactive process aimed at building capacity for the conservation and improvement of the health and welfare of people, including specifically identified individuals and population groups at high risk.⁸³ Prevention should conduct primarily among young people as a risk group, and among other social structures. It should be carried out in the systems of education, health, welfare, safety, and penitentiary institutions.⁸⁴ The measures are meant to prevent the initiation of drug abuse, and to prevent that test drug use does not turn into regular use. Faculty and school members

⁸⁰ J. Bogdanović-Čurić, A. Radeta, *Op. cit.*, Radovi filozofskog fakulteta, Pale 2004-2005, 6-7, 552

⁸¹ S. Lazić, *Špricevi i marihuana u školskom dvorištu*, Pravoslavlje, 952, www.pravoslavlje.spc.rs

⁸² R. Jović, A. Savić, R. Kuljača, *Op. cit.*, 273

⁸³ I. Cerić, N. Mehić-Basara, W. Oruč. H. Salihović, *Zloupotreba psihoaktivnih supstanci i lijekova*, Sarajevo, 2007

⁸⁴ *Državna strategija nadzora nad opojnim drogama, sprječavanja i suzbijanja zloupotrebe opojnih droga u Bosni i Hercegovini za period 2009-2013*

implement prevention through education. However, this kind of education should conduct students trained in education.

Second, non-institutional, but in our opinion substantial leverage in this type of prevention, is family. As the basic unit of society, it is essential in formation of each healthy person, and without it as a starting point in preventive, any further fight against drug addiction would be illusory. Healthy family means a healthy society, and today state in society is due, primarily, dissolution and disintegration of the family. Schools are educational institutions, and it act on the personality of young people, shaping and directing him. In Herzegovina's elementary schools, for students of 8th and 9th grade, each year there are holding lessons about harmful effects of drugs (except 2009 year, when it is not kept). Unfortunately, it is noticeable lack of interests of students for these classes. It happens that many leaves such classes. Some other group keeps just desire to see examples of drug that teachers bring and show in the lecture. In Trebinje, in 2008, classes are held in all three elementary schools, for members of 8th and 9th grade, and in the high school center. Lectures were not mandatory. We were not been able to get information about exact number of student who presented, but according to the information we have received from their head teachers, about 4/5 of student were on that classes.

Domestic and foreign authors agree that prevention should be implemented through strengthening of the families and community. Families should be strengthened through various counseling, therapy, and support (especially at the time of early child growing up). The community should be strengthened through support to his members, develop of concept of leader-representative of the community, as well as computer coordination as leverage to support their neighbors and members.⁸⁵

Besides the work on finding and breaking of drug trafficking chairs, CPS Trebinje part of its activities focus on prevention. Independently or in cooperation with schools or other organizations:

- organize lectures about harmful effects of drugs;
- implement action "Drug out from school";
- implement action "Educate an educators", when five students come to Public Safety Center, where authorized person hold them lecture

⁸⁵ M. Harrington, I. Perez-Johnson, A. Mecstroth, J. Bellotti, J. M. Love, *Protecting children from substance abuse*, Mathematica Policy research, www.rwjf.org/pr/product.jsp?id=14191, March 2010, 6

about harmful effects of drugs, and then they go in schools and hold a classes about it;

- implemented action “Choose life not drugs”;
- implement action “Types of drugs, adverse effects and tips for parents (Peace Trails Youth Leadership Adventure Programs”;
- implement a campaign “Choose life, choose health – drugs is a disease”;
- within Project of community policing on the meetings in local communities, one of the mandatory issues is drug;
- within Project of community policing organized action “Stop drugs”;
- organize press conferences for journalists on fight against drug trafficking issue;
- organize competitions for the best literary works on the theme “Choose life, not drug”;
- organize street racings on the theme of drugs;
- build sport terrains that young people turn to the sport and healthy activities;
- organize regular leafleting and pasting posters around town about harmful of drugs;
- organized anonymous telephone line 122, on which public can report a crime;
- in cooperation with the European Union Police Mission organized special unit, so-called Crime Stoppers, to whom citizens, calling 080-020-505, can report a crime.

Police, however, consider that cooperation with schools is not yet at the high level. In high schools, situation is very difficult. During the survey in 2000, it is noticed that a significant number of students (35, 33%) is not at all interested in matters related to drugs. Most of the respondents believed that drug is disease that destroys a person, but there have also been opinions that drug is something that brings a satisfaction. Some of them come to the information about drugs very early, most with fewer than 12 years. Sources of information about drugs are different, and the biggest source is television and movies, then the parents, while the role of school is very negligible. The number of respondents whom dealers offered drugs increases with age, especially between 18-s

and 19-year. Nevertheless, it is not significant percentage of offering drugs to children in elementary schools. Due to curiosity, many young people try marijuana. The most critical period for drug use is between 16-s and 18-year, in the school. In a case of problems with drugs, the great number will spoke with family, which point to the fact that the family still has a very important role. Nevertheless, it is a fact that many young persons does not know for institutions where should they go in a case of drug problems.⁸⁶

Number of drug addicts in Herzegovina increasing. In the year 2004, there were 65 registered drug addicts, who went in Belgrade for medical treatment (but, there were curried just five of them). If we start from the formula that on each registered drug addict come seven unregistered, we obtain a result that the number of unregistered drug addicts in 2004 was 455, i.e. in 2010 that number increase on the 2275. However, according to the unofficial information, the number is in the range 3000-3500 of drug addicts.

Center for Social Work is not especially active in solving this problem. Its cooperation with CPS Trebinje is weak, mainly because Center for Social Work has 07-15 working time, so, in time when juveniles commit crimes (in the late evening or night), workers of Center for Social Work are not available. That makes a difficult work for police, because they are mandatory to be present in these cases. Therefore, Center for Social Work should introduce employer for these cases. Church in prevention programs engages as far as it can. Judging from the experiences of other countries, a church can do a lot. In Russia, for example, church has tight cooperation with Federal Drug Control Service, with whom it signed agreement about work together. It turns out that a church was more supplies this institution instead that the institution provides help and support for church, especially with regard to training on the field of prevention.⁸⁷ Church in Herzegovina makes efforts to educate young people about drugs. In progress is preparation of the forums that will deal with this issue and city authorities have to help these efforts.

⁸⁶ *Rezultati ankete o raširenosti bolesti zavisnosti među mladima grada Trebinja*, Trebinje, 2000, 18-29

⁸⁷ S. Lazić, *Narkomanija kao posledica raspada duhovnosti*, Pravoslavlje, 953, www.pravoslavlje.spc.rs, March 2010

10.3. Repressive acting on suppression of drug control

Another type of drug abuse control measures are repressive measures. Without them, there is no effective control. Today, in the world does not a place without drug abuse. The lack of timely prevention significantly reduced the appearance on success of repressive measures. Repressive measures are related to:

1. detecting, identifying and punishing the perpetrators crime *Unauthorized production and sale of narcotics*;
2. detecting, identifying and punishing the perpetrators crime *Enabling of drug use*;
3. detecting and punishing of persons who are involved in smuggling of drugs and their supporters, as well as persons involved in organized crime in general;
4. stricter punishment of these persons, and
5. wherever is appropriate, the imposition of security measure *Compulsory treatment of alcoholics and drug addicts*.

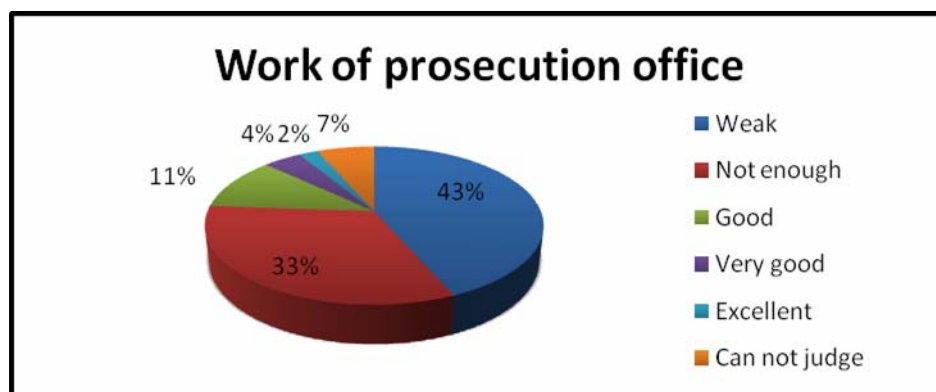
To repressive measures were successful, it is necessary, above all, cooperation. From one hand, the law provides mandatory cooperation between police, customs and judicial authorities, as well as their constant exchange of information about all offenders and offences related to the illegal production, storage and drug trafficking.⁸⁸ Without successful cooperation, there is no successful battle. On the other hand, all these measures must be carried out continuously, systematically and smoothly, on the local area and through whole country both. Members of CPS Trebinje believe that there is excellent cooperation with the District prosecutor's office, which is significant foundation for all actions. With the courts, as separate and independent authorities, that will eventually trial for these crimes, there is almost no contact.

11. SURVEY RESULTS

The survey among citizens was conducted in 25.02.2010. A sample was obtained by using a simple random sample. It had 100 respondents, of whom 50 were males and 50 females, aged from 18 to 72 years. In research, we used methods of quantitative and qualitative analysis of questionnaires and statistical method. Survey results are presented graphically and textually.

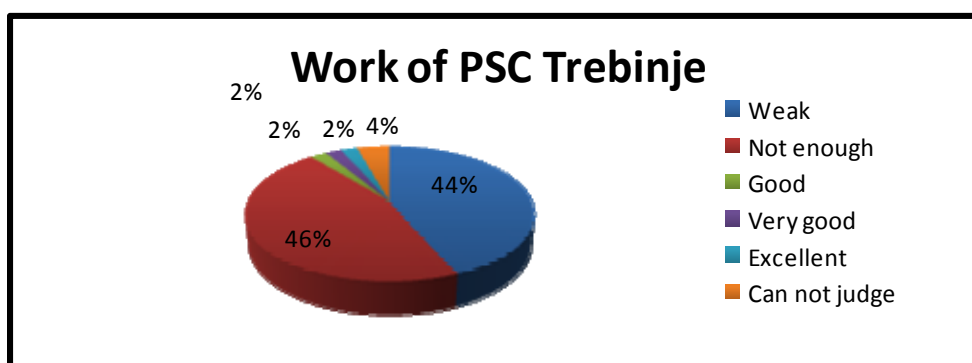
⁸⁸ R. Jović, A. Savić, R. Kuljača, *op. cit.*, 283

1. On question 1: Rate work of prosecution office against drug trafficking, we obtained next results:



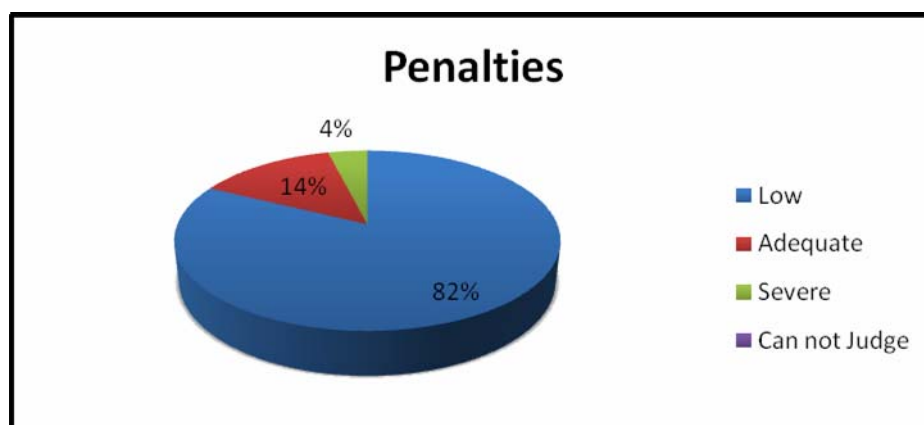
It is noticeable that a large number of respondents consider the work of the prosecution office weak or insufficient.

2. On question 2: Rate work of PSC Trebinje against drug trafficking, we obtained next results:



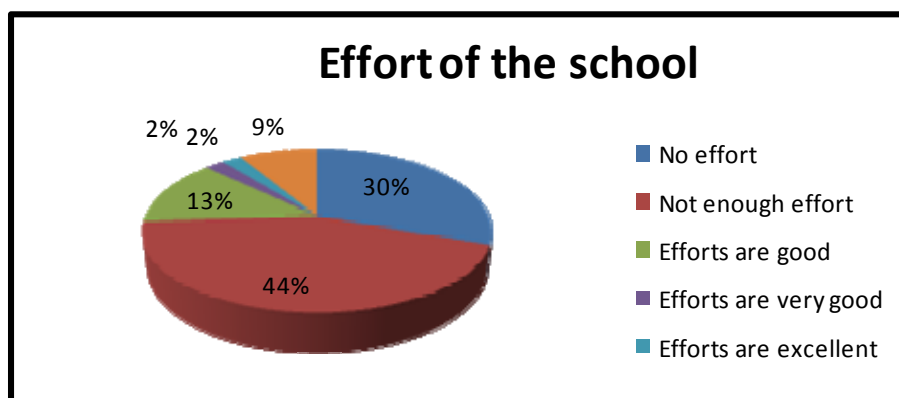
Answers on this question show that people's views about police's work against drug trafficking is very bad.

3. On question 3: Rate the appropriateness of sentences of courts to seriousness of the offence, we obtained next results:



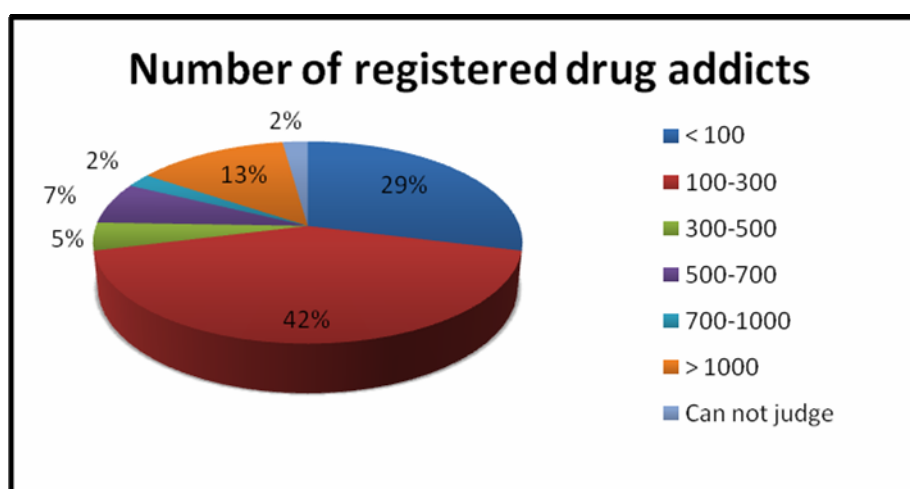
It is noticeable that citizens consider that penalties are too lenient.

4. On question 4: Rate efforts of school against drug addiction, we obtained next results:



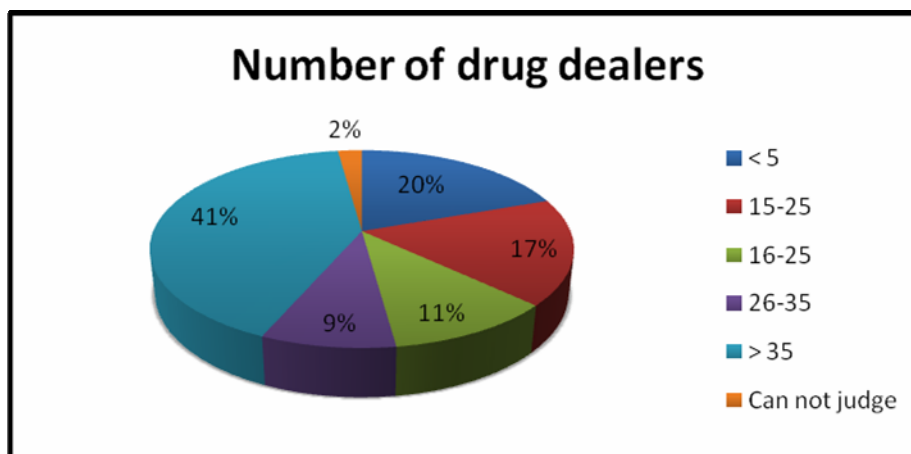
From graph, we can note that respondents feel that school does not make any enough efforts or it make a little efforts.

5. On question 5: How much is, on Your opinion, number of registered drug addicts in Trebinje, we obtained next results:



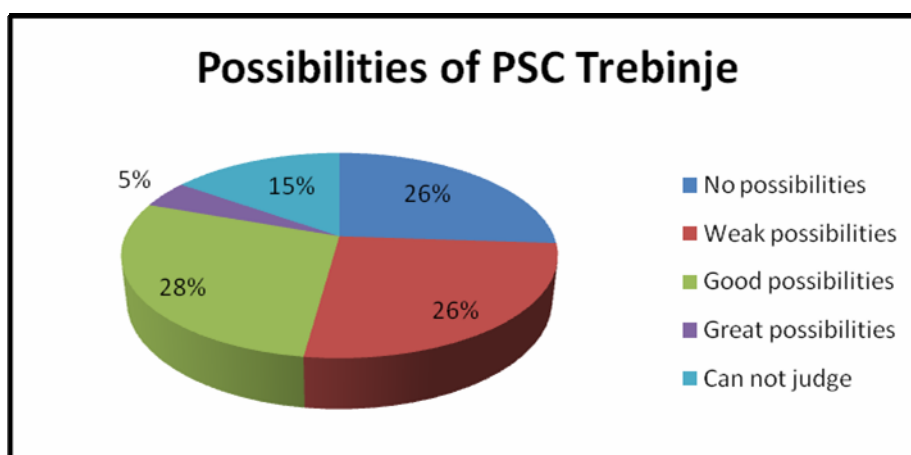
Citizens consider that number of registered drug addicts is small.

6. On question 6: How much is, on Your opinion, registered drug dealers in Trebinje, we obtained next results:



The largest number of respondents considers that registered dealers have more than 35, which indicate on awareness of the citizens about the fact how is widespread drug trafficking in Trebinje.

7. On the question 7: What are the possibilities of police to stop drug trafficking in Trebinje, we obtained next results:



From this, we can conclude that most of the citizens believe that police in Trebinje is unable to stop drug trafficking, or that possibilities are small, but it is not negligible number of people who believe that the police have good results.

Last two questions in questionnaire was open type: what measures should be introduced in the field of prevention to improve success in battle against drug trafficking and what measures should be introduced on the field of repression. Respondents gave different answers. All citizens agree that all have to be engaging in fighting against drug trafficking and they have to be more proactive. Then, citizens are dissatisfied with the police (which they consider corrupted) and schools. Twenty-three citizens believe that dismissal of the leading man and their replacement, will give a crop, even partially. Then, 43 persons consider that higher education would be useful,

and 47 citizens believe that there must be more programs against drug addiction. Finally, 18 respondents believe that opening of sports terrain and turning youth to sport and science could help in the fight against drug addiction. Regarding on the repression, citizens' position is unique: the imposition of higher penalties and sentences on defendants for drug crimes.

Questionnaire among members of PSC Trebinje and Border police conducted on 28.02.2010. On this occasion, we got interesting data. Primarily, they confirmed the fact that a way through Trebinje is still very current for drug dealers. In recent years, they found almost every kind of drug from questionnaire, but mostly they found marijuana, heroin, and skunk. All founded plantations in area of Trebinje are plantations with marijuana, and until now they has not found any plantations of skunk as genetically modified marijuana. Besides the seizures in Trebinje, the largest seizures recorded in Bileća, and roads Trebinje-Bileća-Gacko-Nevesinje. Also, it is significant and unabated drug trafficking across the Bileća lake. During the seizures, members of PSC Trebinje did not have serious conflicts with dealers, what is in opposite with Border police, who had more serious armed conflicts.

Cooperation with police in Montenegro and Croatia is poor and not satisfactory. Maybe it is a little surprising fact that police from Croatia is more willing for cooperation than police from Montenegro (which can be associated with bigger corruption in that police). Croatian police, on the other hand, try to take all credit for drug seizures. It is not rare occurrence that Croatian police cross the border and confiscate a drug on territory Republic of Serbska. At regarding on cooperation with authorities of Republic of Serbska, it is noticeable disparity willingness on this field to cooperate. The police have good cooperation with prosecutor, while with the court it is rarely in contact. Schools show will for cooperation, but it is weak now. Collaboration with Center for Social Work is also low, because its working hours. However, there are some good relationships with some employees of the Center for Social Work, who helps a police after his work time.

Despite all prevention programs that has implemented, the number of drug addicts increase. Under the influence of drug, or to come to it, drug addicts perform different crimes. In the most cases, those are property crimes, which are made from above reasons, and which make Trebinje no different from other cities. Under the influence of drug, to the some degree, they commit crimes against safety of transport, while the lowest percentages of all crimes are violent crimes, under drug influence.

12. Conclusion

Drug addiction is one of the biggest threats to today's society. It is phenomenon that is spreading rapidly among people of all ages. First, drug addiction is problem of the sense of human life.⁸⁹ There is no accurate data about number of drug addicts in the world, but it is assumed that today that number exceeds 150 million of people, mostly males. Age limit is increasingly shifting to lower, and according to some statistics, among drug users is 30% of population younger than 12 years. There are many causes of drug consumption, and usually that is curiosity. As would say Dostoevsky, laziness is the mother of all vices. It is not necessary to emphasize how much and what kind of negative effects a drug have on the human body. Charles Baudelaire said: "They wanted (drug addicts – n. *V.T.*) to become angles, but they became animals". States on different ways regulate this issue, so, we can notices more lenient or more severe punishment. In criminal law legislator took views from international conventions, especially from United Nations Convention against Illicit Traffic in Narcotics Drugs and Psychotropic Substances.⁹⁰ So, this matter is quite adequately regulated. Regulations that ban illegal drug trafficking are constantly improved. However, abuse of drugs and number of drug addicts gets tremendous proportions. Preventing of drug abuse completely failed and abandoned in many countries, and lack of timely prevention in whole world has greatly reduced the possibility of repression.

The presentation about this complex problem is a result of viewing a fight against drug trafficking through available literature, as well as the analysis of practical work of all bodies involved in it. In this paper, we tried to introduce on better way preventive and repressive methods of fight against drug trafficking. One of the important items is that Bosnia and Herzegovina adopted the National Strategy against drug trafficking.⁹¹ This Strategy provides measures of prevention and education, as well as measures for reducing of offer on the drug market. It is based on 13 principles and represents a basic for acting authorities, institutions, associations, and other physical and legal person. Strategy formulates nine general aims: increase public awareness through community education to implement healthy lifestyles and maintenance of

⁸⁹ V. Panović, *Dajmo šansu dobroti i porodici*, Dveri srpske, br. 44, 4/09, Beograd, 2009.

⁹⁰ I. Marković, *Krivičnopravna regulativa zloupotrebe droga u zakonodavstvu Republike Srpske*, Glasnik pravde, 10-11, Banja Luka, 2003, 141.

⁹¹ *Državna strategija nadzora nad opojnim drogama, sprečavanja i suzbijanja zloupotrebe opojnih droga u Bosni i Hercegovini za period 2009-2013.*

mental health; suppression and prevention of further spread of drug abuse; prevent the development of drug addiction, mortality and health damage due to drug abuse; reducing damage to the community caused by drug abuse; reduction of demand for drugs, especially among young people; strengthening institutional capacity and responsible involvement of society; improving legislation and its application; reducing the supply of drugs and establishment of an independent Office for prevention of drug abuse on the state level.⁹² Prevention programs are regulated in details. It is anticipated that programs are being implemented in five areas: health, welfare, education, security and in correctional institutions. Especially important is fact that Strategy devotes special attention to children without parents, pupils in schools and students in student's dormitory. Measures for reducing drug supply on the drug market are also provided in details. Primarily, Strategy provides measures for police authorities to prevent and reduce offer of drugs on the illegal market in BiH. Then, strategy provide building of global capacity of investigative services for the fight against drug abuse and the spread of illegal drug markets, establishment of reference laboratory for toxicological findings, establishment information system and etc.⁹³

We can conclude that Strategy on comprehensive way regulates matter related to drug abuse and places ambitious aims. To what extent they will be able to achieve in practice is open question. For now, set targets gradually implemented. However, Strategy is the only basis for action and base for developing a National Action Plan against Drug Abuse. The Action Plan will provide the mechanisms for coordination with government of entities, because ensuring that actions that will be undertaken on the state's level are complementary with actions undertaken by government entities. In addition, entities should adopt specific strategies for the prevention of drug abuse, which will, together with policies of the state of Bosnia and Herzegovina to implement in practice.

PSC Trebinje approaches to this problem on the proper way, and it acts in several directions. It detects and breaks groups involved in drug trafficking, reveals marijuana plantations and organizes various preventive actions. However, abuse of drug is a problem that whom all has to face and work together. The results of survey showed that people transferred all responsibility to the police, ignoring the fact that the starting point in the fight against drug trafficking is family. Police, within the framework of its

⁹² Ibidem

⁹³ Ibidem

activities, should prevent contact with the drug, and it cut channels of drug trade. School, Center for Social Work, Red Cross and church should, in accordance with its possibilities, act preventively on young people. The courts should also understand serious problem of drug trafficking. By comparison, we will mention that in other countries courts impose more severe penalties than in the former Yugoslavia, and thus in Trebinje. During the creation of this work and researching of a problem about which people difficult and unwillingness speak, we faced with many difficulties. The biggest problem was to find out the official number of registered drug addicts and dealers. Due to introduction of a new system of monitoring court cases throughout Bosnia and Herzegovina, where cases no longer look at the type of crime, the data of Court of first instance were hardly obtained.

At the end of these considerations, we will give some suggestions:

- first of all, it is necessary that city budget provide material resources for implementation preventive programs – it is known that budget has a resources, but it is not known where it goes;
- conduct continue education in schools and strengthen control of them, and by possibilities introduce English system in them;
- include a church in all prevention programs;
- strengthen a supervision under drug addicts places;
- carry out education of parents;
- introduce an internal control in all types of police;
- organize joint meetings for parents on neighborhoods to discuss about situation in their neighborhoods and solve common problems;
- introduce a policeman who would constantly patrolling in certain area within concept of community policing;
- open the center for drug addicts, and for this purpose organize an action for donating money for its construction (on this place we will present the fact that in the neighboring city of Mostar opened this center, which currently treating 730 drug addicts, of whom 150 is on the daily therapy of methadone);
- install lighting in the park and other focal points of drug addicts that are in the areas where passing children and youth;
- strengthen cooperation among police, prosecutors, Center for Social Work, Red Cross, churches and schools;

- through local media constantly warn about dangers of drugs;
- because inefficiency and corruption, exchange police members with police members from other areas in country;
- improve monitoring of key points throughout the city for drug transport, and make better and more effective patrol schedule;
- build a network of operational links, informers and collaborators and find material resources in budget;
- keep an electronic record of all information related to registered drug addicts and dealers; as well as for their property and changes in property.

As noted, we must resolutely and publicly contribute to fighting against drug trafficking. This problem is complex, difficult, and pervasive. It should be solved in a long period, slowly and relentlessly, especially persistence, good organization and commitment. Only in a moment when everyone takes his part of responsibility and persevere in it and when everyone strengthen his consciousness about the importance of this issue, and when a practice affirms undeniable moral and human purpose of fighting against drug trafficking, we can hope to better quality and healthy society.

Вељко Турањанин*

СПРЕЧАВАЊЕ ТРГОВИНЕ ОПОЈНИМ ДРОГАМА НА ПОДРУЧЈУ ХЕРЦЕГОВИНЕ

У овом раду аутор се бави спречавањем трговине опојним дрогама на подручју Херцеговине. Садржински, рад се састоји из три цјелине. У првом дијелу рада аутор даје општи приказ трговине опојним дрогама, те уложи појединих међународних организација у спречавању ове појаве. Поштом објашњава савремене путеве дроге, повезаност трговине дрогом са корупцијом и прањем новца, те приказује одређене међународне и националне организоване криминалне групе које се баве илегалном трговином опојним дрогама. У другом дијелу рада аутор објашњава трговину дрогом у Херцеговини, почев од начина сазнања за ова кривична дјела, преко могућности за спречавања трговине, усјеха полиције и статистичких података о заплијенама дроге, до статистичких података судова. Такође, у овом дијелу рада аутор приказује резултате испитивања спроведеног путем анкетног уједињеника међу грађанима и припадницима полиције. Трећи дио рада аутор посвећује превентивним и репресивним активностима на спречавању трговине дрогом, те на крају даје критичку анализу и формулише одређене приједлоге за побољшање стања у овој важној области.

КЉУЧНЕ РИЈЕЧИ: опојне дроге, Херцеговина, кривично дјело, статистички подаци, превентивне и репресивне активности

* Сарадник у настави на кривичноправном смјеру на Правном факултету Универзитета у Крагујевцу