



EDITORIAL

This winter edition 3/2016 completes the third year of the **BALKAN CRIMINOLOGY NEWS**. We are proud that our newsletter which is one of the key media for the promotion of the Max Planck Partner Group for Balkan Criminology and the Balkan Criminology Network and their research activities is receiving more and more attention. This is a good indicator of the growing visibility and impact of Balkan Criminology, in the region, in Europe, and beyond.

Dissemination is a key feature for professional recognition by the international research community. Therefore the MPPG and the BCNet were intensively/widely promoted and represented at this year's symposium of the European Society on Criminology (ESC) in Münster, Germany. A more detailed report can be found in this issue. We are particularly happy that the Münster symposium also saw the election of Professor Gorazd Meško from the University of Maribor, Slovenia, and BCNet member as ESC's next President. The MPPG and the BCNet have actively supported his candidature (see **BALKAN CRIMINOLOGY NEWS** 1/2016 and the ESC Newsletter 2/2016). Gorazd is the first representative of our BCNet who will hold this prestigious/important position of the European criminology community. Congratulations! Please see his personal address on page 5 of this issue. International attention for the Balkan region as an area of criminological research will certainly increase even further when the University of Sarajevo's Faculty of Criminalistics, Criminology and Security Studies which had hosted our annual conference in 2015 will be the venue of the ESC Symposium in 2018.

Further congratulations go to Professor Letizia Paoli, head of MPPG's international Scientific Advisory Board, who received the 2016 Thorsten Sellin & Sheldon and Eleanor Glueck Award of the American Society of Criminology (ASC). The prize was handed in November during ASC's conference in New Orleans. In addition she received the Distinguished Scholar Award of the Association for the Study of Organized Crime. See also page 5 of this issue.

We would like to express our gratitude for all the attention and support we could enjoy in 2016 and to convey all good wishes for a successful and happy 2017.

The Editorial Team

BC RESEARCH PROJECTS

Conducting Empirical Research Without Funding – Impossibility, Challenge or Opportunity?

Anna-Maria Getoš Kalac & Matea Belačić

Introduction

The idea for this article evolved after discussing the non-participation of one of the BCNet partner countries in the ISRD3 Study due to lack of funding for the implementation of the survey.¹ Not only is the lack of funding a reasonable argument for not getting involved in research projects of this magnitude, but it is probably one of the major obstacles for most of the researchers from our region with regards to participation in such international empirical undertakings. However, if researchers from the region want to become more recognised on the European and even international level and develop into relevant players in the highly competitive scientific arena, where research funds are scarce and difficult to obtain, they ought to consider the long-term benefits of participation in such studies over any potential financial gain and even accept some sort of loss in terms of funds,

work effort and time. As the following elaborations will show, conducting empirical research without funding, although on first thought simply impossible, is undoubtedly highly challenging, but at the same time a valuable opportunity which, in the end, may turn into a great success story with many additional benefits in the context of teaching, mentorships, publications etc. The article is not intended to be a piece of self-glorification, but a sincere attempt to encour-

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age more researchers from our region to accept the challenge of conducting unfunded large-scale empirical research. It also aims to make the issue of conducting unfunded criminological research in the Balkans and neighbouring countries a new topic for discussion and exchange of experience via our BC-Net and the BCNews.

The Impossibility

As if conducting large-scale empirical research were not challenging enough as it is.² But to do it without any funding at all? Impossible! At least that is what pops up in one's head upon first consideration. But to get invited to the ISRD Study seemed to be a small success in itself,³ far too precious as to be discarded over such earthly things as money. And, in all honesty, a couple of years back an involvement in another unfunded empirical research project, although far smaller and less renown, turned out to be a prudent decision and great success.⁴ So, how difficult could it be with the ISRD3? Impossible! But after somewhat thoughtlessly having accepted the ISRD3 participation, the notion of "impossible" became impossible itself. After several fruitless attempts to raise research funds on the national level, the ISRD3 questionnaire was translated and we started working on the organisation of the field work, while waiting for the necessary government approvals. Although it was highly discouraging to see the study being conducted with funding in other countries of the region, it simply had to be doable without funds and quitting was no longer an option.

The Challenge

From the onset of the study it was clear that unfunded ISRD3 participation would mean a serious sacrifice in terms of own time and work effort. And even this would not be enough to conduct the study – other enthusiasts would be needed. It was not really challenging to convince oneself to take on countless hours of volunteering, but to recruit others to do the same – that was the actual challenge. Luckily, working and teaching at university provides one with direct access to a large number of potential volunteers – students. Two of those potential volunteers were just starting to write their master's theses on the ISRD3 topic and, quite frankly, had rather limited options in terms of declining to participate. Still, that was by far not enough if the target sample of 1,800

pupils in two major Croatian cities was to be reached, especially without unreasonably overloading the already recruited 'volunteers' with months of unpaid fieldwork. So, students enrolled in the criminology seminar were offered the possibility of participating in the field work. And, surprisingly enough, almost all of them gladly accepted. From their point of view, it meant getting out of the classroom, into the field, where they would spend a few hours distributing and collecting questionnaires, and afterwards writing a brief report about the whole experience, instead of submitting a seminar paper. The idea of participating in something actually meaningful, instead of writing a paper doomed to end up in the trash, after their professor having skimmed through it, seemed to be a great source of motivation for most of them. The rest probably did a cost benefit analysis and considered the study-volunteering to be less time consuming than the writing of a seminar paper. Be it as it may, in the end a total of 113 seminar students (62 of them in Varaždin and Zagreb, 51 of them the second time in Zagreb), two master students, two volunteer students and one postdoc volunteered for the ISRD3 Study in Croatia.

After having mastered the personnel-challenge it quickly became obvious that at least some sort of institutional support would be needed in order to cover basic research costs, such as copying the research questionnaire and transportation to and from and around Varaždin. After some convincing, the Zagreb Faculty of Law agreed to take on the copying of the questionnaires and the City of Varaždin organised a bus to pick up the student-volunteers in Zagreb, drive them to all their schools (10 of them), and back to Zagreb.

Zagreb, although easily accessible with public transportation, turned out to be a complete disaster in terms of feedback from the schools and parental consent. This was mainly due to the reluctance of the Zagreb City Office for Education, which in contrast to the enthusiasm of the same office in Varaždin City, more or less sabotaged the field work. After having collected only 368 questionnaires, we decided to give it another shot and organised a second round. But before contacting the schools we organised a presentation of the ISRD3 in Croatia, where one of the speakers was the Ombudsman for Children. We invited all the school principals from Varaždin, where the study was a great success, as well as all the officials from their city in charge of education. We also invited all

the principals from the sample schools in Zagreb. This face to face meeting facilitated a far better response rate in our second round of Zagreb field work and resolved the challenge of low response rates of schools and parents.

The last big challenge was the data entry. Since the ISRD3 in Croatia was conducted as a paper-pencil and not on-line study, it would have been possible to delegate to our army of volunteer-students, but after careful consideration the task of data entry was rather given to the only person who received payment (1,091.64 Euros for the whole sample of 1,744 questionnaires). So, in terms of actual money spent on the ISRD3 in Croatia this was it: 1,091.64 Euros.

The Opportunity for Success

In the end, the ISRD3 Study in Croatia was conducted on a total sample of 1,744 participants in two major cities (Varaždin – total sample of all schools, and Zagreb – random sample excluding schools that took part in the BECAN⁵) in time and without any research funding. The only money spent was for the data entry, 1,091.64 Euros, which also could have been avoided. The two other major research costs were generously covered by the Zagreb Faculty of Law (copying of questionnaires) and Varaždin City (bus transfer and copying of questionnaires).

Besides successfully conducting the ISRD3 for the first time in Croatia, the study participation offered additional benefits for all the volunteers involved: two master theses were successfully completed using the collected data; one PhD research project is in its final phase; several publications and conference presentations on the ISRD3 were realised; numerous professional contacts could be established and the study participation turned out to be a highly valuable reference for getting involved in other projects.

Besides these more ‘scientific’ benefits, in the context of teaching and seminar implementation, the study was a huge success with the participating volunteer-students, who were given the opportunity and the experience to take part in an actual criminological empirical study. Combined with focusing seminar teaching on the subject of juvenile and child delinquency, the learning effect was boosted and even some negative stereotypes resolved, as the following field report demonstrates:

“For my master thesis I chose to participate in the ISRD3 study. Among various schools we also visited a high school in Zagreb’s Dubrava. As an interesting anecdote I would like to point out an interview with one of the students from that school, which is considered to be one of the high schools in Zagreb with less well-to-do pupils. One of the survey questions was ‘Have you ever stolen anything?’ One of the pupils filling in the questionnaires just in front of me asked for clarification. He told me that once he had eaten a kebab and hadn’t paid for it because at that moment he had had no money. The next day he came back to the same restaurant and paid the owner for the kebab that he had eaten the previous day. His question addressed to me was if that act is to be considered a theft. I mention this anecdote because I was at that moment faced with my own prejudices. I came to that high school with the belief that students there were more disobedient and, among other things, prone to delinquency and various forms of deviant behaviour. That kind of contemplation turned out to be completely wrong, since these children were not more violent or disobedient than children in other Zagreb high schools. They just generally had a lower score at enrolment to school and actually all of their deviations in behaviour mostly turned out to be the result of a restless adolescent period with harmless consequences.

Among other things, research with minors taught me that life around us should be looked at critically with greater scepticism towards the information served by the media. I consider that to be the ultimate purpose of criminology and victimology as a social science. My impression during the research was that Zagreb high school students in most cases, with certain exceptions that prove the thesis, are conditionally ‘good’ kids with manners and who display certain awe to teachers and parents. That was the most interesting conclusion of the entire research because the media nowadays write about violence in schools and among young people and describe children and adolescents as a population that has no fear of authority and is prone to violence. After processing the research data there was no reason to believe that nowadays children and youths are more delinquent than expected. Overall, the most interesting fact for me was that, in previous ISRD studies, post-communist countries and countries with a more repressive system had significantly better results than the Western European

and Anglo-Saxon countries. I personally think that the gained knowledge is useful and applicable in future changes in law, as it is always good to apply a method that has already shown good results in the past, while it is necessary to pay attention that it is in harmony with modern times.”

Finally, the unfunded ISRD3 participation was a big success in various dimensions, including advancement of research skills and experience, earning valuable references and making very useful professional contacts, delivering conference papers, producing publications, master theses and a PhD project. In fact, the lack of funding in a way forced the transmission of knowledge from research into teaching, and enabled a large number of students to acquire hands-on practical criminological experience, in

many instances simultaneously resolving negative stereotypes about ‘today’s youth’. On the basis of the Croatian ISRD3 experience, and despite the tremendous time consumption and lack of funding, the participation in such unfunded studies has to be warmly recommended, as the direct and indirect benefits of involvement by far outweighed the encountered disadvantages.

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Notes

- 1 For the ISRD3 in Croatia see: www.balkan-criminology.eu/en/projects/isrd3.
- 2 In the case of conducting the ISRD3 in Croatia, first time involvement meant getting all sorts of permissions from government bodies, local officials, school principals, parents etc. Then there was the research instrument, its translation, re-translation, editing and testing. The sampling was a challenge in itself due to overlaps with another study that targeted the same population. This meant to get the list of schools involved in the other study and excluding them from our ISRD3 sample. Last but not least, the schools’ response rate in Zagreb proved to be every researcher’s nightmare, making it necessary to repeat the whole process a second time.
- 3 Here we have to thank our colleague and dear friend from the BCNet, Associate Professor Dr. Almir Maljević, who recommended us to the ISRD Board.
- 4 It was the survey on “Fear of crime and punitivity among University students”, where we managed to collect a sample of 1,230 questionnaires – the largest sample of all the participating countries. See: Getoš, A.-M. & Giebel, S. (2013), Perceptions of fear of crime and punitivity among university students in Croatia. In: Kury, H. & Winterdyk, J. (eds.), Fear of crime and punitiveness: results from international student surveys, Bochum, 105-138.
- 5 BECAN – Balkan Epidemiological Study on Child Abuse and Neglect. See: Ajduković, M. et al (2013), Epidemiological Research of Prevalence and Incidence of Family Violence on Children in Croatia, Ljetopis socijalnog rada, Vol. 19 No. 3, 367-412.

RESEARCH NEWS

ESC Fellowship

The European Society of Criminology (ESC) invites researchers in criminology who are involved in criminological research to apply for a fellowship to attend the annual conference of the ESC. The 2017 conference will take place in Cardiff, Wales. Applicants must be based in one of the following countries: Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Georgia, Kosovo, Moldova, Montenegro, Romania, Russia, Serbia, The Former Yugoslav Republic of Macedonia, Turkey, or

Ukraine. The fellowship includes the waiving of the registration fees for the conference plus an additional amount of € 500 to cover travel and accommodation expenses.

Priority will be given to postgraduate or early career researchers. Up to three fellowships will be awarded each year. The deadline for applications is 31 March 2017. More information is available at www.esc-eurocrim.org/index.php/activities/fellowship. We strongly encourage interested persons to apply.

NEWS FROM BC PARTNERS

Election of Professor Gorazd Meško as President of the ESC

Dear Colleagues, members of the MPPG for Balkan Criminology and the BC Network,

I want to express my sincere appreciation and gratitude for your support with my nomination for the presidency of the European Society of Criminology. Special thanks go to colleagues who took part at the 2016 ESC and supported my nomination with an active participation in the election. As you probably know, I will become president of the ESC in 2017 in Cardiff and will finish my term at the end of the ESC conference in Sarajevo, BiH, in 2018.

I believe that we all can enrich the future ESC conferences, especially in Sarajevo, with our contributions and present our criminological research, not only to the European but also to a wider international criminological community.

Thank you again!

Sincerely,

Gorazd Meško

President-elect of the ESC



Photo: private

Prof. Dr. Gorazd Meško is the Head of the Institute of Criminal Justice and Security Research and Head of the Criminology Department, University of Maribor, Ljubljana, Slovenia, and partner in the BCNet. International activities include visiting scholarships in Cambridge and Oxford. From 2005 to 2006 he was member of ESC's Executive Board (elected). [See editorial.](#)

Two prestigious awards for Professor Letizia Paoli

I am very pleased and honored to receive these two prestigious awards that recognize my work and publications in the area of organized crime and beyond. And I am amazed by the coincidence of the two awards: it is a real privilege to be granted two such awards during a single conference!

As a former researcher (1998 – 2006) of the Freiburg Max Planck Institute for Foreign and International Criminal Law, I am also grateful to the Max Planck Society and in particular to Prof. Hans-Jörg Albrecht, the director of the Freiburg MPI Department of Criminology, for their long-lasting support. Without the MPI and MPG's generous funding and excellent infrastructure and without Prof. Albrecht's benevolent trust and expert guidance, I would not have been able to start some of the projects that have now been honored by the Sellin & Glueck Award – the highest award given by the American Society of Criminology to scholars from outside the USA – and the Distinguished Scholar Award of the International Association for the Study of Organized Crime.

In Freiburg, among others, I finalized my monograph on the Italian mafia and run projects on German cannabis policy, the illegal drug trade in Russia, the world heroin market, on organized crime manifestations and policies in 13 countries in Europe. My eight years at the Freiburg MPI, in other words, allowed me to start producing those "contributions to international criminology" and, specifically, to organized crime research, which have now been recognized by the two awards.

Grazie!

Letizia Paoli



Photo: private

Prof. Dr. Letizia Paoli is full professor of criminology at the Leuven Institute of Criminology, Faculty of Law, Catholic University of Leuven, Belgium. Member of the Executive Board of the ESC (elected), member of the Advisory Board of Europol's Serious and Organized Crime Threat Assessment and member of UNODC's Scientific Advisory Board of the UN World Drug Report. She is also heading the MPPG's Scientific Advisory Board. [See editorial.](#)

Some observations on the Illinois State Commission's Report on Criminal Justice and Sentencing Reform

Evisa Kambellari

A report on a Criminal Justice System and Sentencing Reform was launched in December 2015 in the state of Illinois. The report is part of a governmental action plan to rethink and reduce the nation's unprecedentedly high rates of incarceration. The report notes that prison overcrowding remains a serious problem, with state prisons operating at roughly 150 percent of designed capacity; moreover, most of the inmates are serving time for non-violent offenses. Recent insights into the government's goal of reducing crime have however found that "high rates of incarceration frustrate these goals, creating instead a cycle of crime, imprisonment, and recidivism."

Basically, the report provides a general overview of "current criminal justice and sentencing structure, sentencing practices, community supervision, and the use of alternatives to incarceration," and makes recommendations that would contribute in reducing Illinois' current prison population.

The report stresses the necessity of expanding the roles of other institutions in both crime prevention and rehabilitation of offenders. In this regard a number of recommendations are made: the establishment of local Criminal Justice Coordinating Councils to develop strategic plans for addressing crime and corrections policy; the wider use of existing alternatives to imprisonment for individuals with projected lengths of stay of less than 12 months; the implementation of evidence-based programs that targets criminogenic needs, particularly concerning cognitive behavioral therapy and substance abuse treatment.

Criminal Justice Coordinating Councils will include members of local government, local police, prosecutors, defense lawyers, teachers, churches etc. cetera. The main goal of these bodies will be the assessment of criminal risk factors in a close local environment. This approach will take into consideration the diverse socio-economic context of different localities within a country, and assess

EDITORS' NOTE

The author, partner in the Balkan Criminology Network from Albania, is currently attending an LL.M. program focused on "Criminal Law and Criminal Procedure" at University of Illinois College of Law, USA. In the following contribution she presents some observations on a proposal for a Criminal Justice System and Sentencing Reform that was launched in the state of Illinois.

how this affects the nature and amount of crime. The establishment of local mechanisms increases the chances of having a more realistic picture of criminogenic factors that operate in different cities.

Professor Andrew Leipold, a distinguished member of the University of Illinois' College of Law, has been part of the commission that worked on the report. He notes that in order to improve the performance of local agencies in addressing crime, more has to be done in expanding their access to state databases and other necessary sources.

An interesting proposal in the report requires that before a judge sentences a person to prison for a class 3 or 4 felony, he/she must explain to the court why incarceration is an appropriate sentence when: a) the offender has no prior probation sentences; or b) the offender has no prior convictions for a violent crime. Class 3 and 4 felonies are among the least serious felonies in the state with a criminal sentence ranging respectively from 2-5 years and from 1-3 years of imprisonment. Such felonies include retail and other non-violent theft, illegal possession of drugs etc.

Prof. Leipold explains that this requirement is designated to prompt the judges to think more before they impose an imprisonment sentence on certain categories of offenders.

When asked about the operation of the juvenile corrections system, Prof. Leipold noted that the use of "Boot Camps" might continue to be a good opportunity for the rehabilitation of certain categories of young offenders. "Boot Camps" are part of the state correctional system, which intends to be less restrictive than prison but harsher than probation.

They are centers in which young first-time offenders are subjected to strict discipline programs and other educational/vocational programs in order to increase their competent behavior. Although there are some controversies regarding the effect of such camps on young offenders, especially related to the physical training aspects, criminal justice professionals agree that the camps offer a good opportunity for establishing positive role models, which are sometimes missing in young offenders' lives.

Prof. Leipold states that: "Prison incapacitation sources work well. However, the overburdening of the system asks for engagement of other institutions in order to keep people out of prison. The need for a more comprehensive approach becomes more crucial in addressing crime problems in poor neighborhoods."



Interview with Andrew Leipold, Edwin M. Adams Professor of Law, University of Illinois' College of Law

cooperate with police (which in turn leads to lower levels of deterrence and a greater willingness to shift to "self-help tools").

The report also focuses on the need to implement efficient and reliable risk assessment tools when sentencing offenders. Prof. Leipold notes that: "Keeping low risk offenders in the same place as high risk offenders is often counterproductive. The effective application of risk assessment tools to classify offenders according to the level of their dangerousness is very important for accomplishing the rehabilitative goals of the imprisonment sentence."

He goes on to note that "the main goal of the report is to make criminal justice stakeholders think more about the person that stays behind a crime when applying crime assessment and sentencing tools."

In the report, it is stressed that the risk of a marginal effect of incarceration on poor communities is very high because "it exacerbates their existing social and economic disadvantages and thus can damage both their ability to reduce crime outside of the justice system and their relationship with the justice system." On the one hand, this approach aggravates other longstanding social and economic disadvantages and, on the other hand, can lead to a loss of trust among communities in the legitimacy of the system that may significantly reduce incentives to

Each recommendation presented in the report is followed by a brief rationale, as well as implementation steps that would help ensure that the recommendation achieves its goal. A complete version of the report is available here: www.icjia.org/cjreform2015/pdf/CJSR%20Final%20Report%20Part%20I%201-4-2016.pdf.

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BALKAN CRIMINOLOGY NEWS

All issues, current and previous, are permanently provided at

www.balkan-criminology.eu/en/publications/newsletter

BC EVENTS 2016

'Violence in the Balkans': Third Annual Conference of the Max Planck Partner Group for Balkan Criminology

Andra-Roxana Trandafir

The Third Annual Conference of the Max Planck Partner Group for Balkan Criminology took place in Bucharest, Romania, from 1-4 September 2016. The conference was hosted by the Faculty of Law, University of Bucharest, which is the oldest law school in Romania, and was co-funded by the Max Planck Society for the Advancement of Sciences, Germany.

The conference topic 'Violence in the Balkans' was illuminated by more than a dozen presentations in which participants addressed relevant issues that relate to violent crime in their countries. Intensive discussions covered a variety of topics, starting from the definition of the term 'violence' and further including legal aspects and practical problems in each of the legal systems represented, as well as methodological questions of how to measure and explain the actual extent of violent crimes in the different jurisdictions.

The conference was opened by Prof. Dr. Flavius Băias, Dean of the Bucharest Faculty of Law, who welcomed the participants and expressed his wish for a fruitful cooperation within the Max Planck Partner Group for Balkan Criminology. The German Embassy was represented by Mr. Matthias Mau, Head of the Legal and Consular Department of the Embassy of the Federal Republic of Germany to Romania, who pointed to some interesting aspects of the topic of the conference from a political point of view.



Photo: Faculty of Law, University of Bucharest



Photo: Faculty of Law, University of Bucharest

The first plenary speech by Assist. Prof. Dr. Andra Trandafir, Vice Dean of the Bucharest Faculty of Law, gave a comprehensive overview on violence, its history, its prevalence, and its regulation and control in the Balkans. It was emphasized that the widespread view that the region is characterized by high levels of violence – especially when compared to the rest of Europe – is not backed up by hard statistical data. The presentation was followed by the second plenary speech by Prof. Dr. Hans-Jörg Albrecht, Director of the Max Planck Institute for Foreign and International Criminal Law, Freiburg, Germany, which highlighted the development and current state of empirical research on lethal violence in Europe.

An additional highlight of the first conference day was a field trip named 'The Romanian Revolution Tour', which included a visit to the famous Parliament House.

On the second day, the conference continued with an introduction by Dr. Michael Kilchling, MPI Freiburg, into the concept and the design of the research projects on violence in the MPPG's current research program. Violence is a key feature in the historically rooted myths which have been well explored in Sundhaussen's pioneering historical and ethnological researches. These myths still shape the contemporary stereotypes of the Balkans as a region of rough- and wilderness, as a sanctuary of violence, as a paradise of illegal markets and organized crime, and even as an exporter of (violent) crime. Our research is meant as a starting point for the empirical analysis of the prevalence and impact of violence, based on self-generated reliable data.

The conference program continued with presentations on the regulation and prevalence of violent crime in different countries of the region: Assist. Prof. Dr. Andra Trandafir spoke about the situation in Romania, Prof. Dr. Gordana Bužarovska addressed current issues of violent crime in Macedonia, Assist. Prof. Dr. Katja Eman presented an overview of violence research in Slovenia since 1991, while Assist. Prof. Dr. Vesna Ratković spoke about violent crime in Montenegro. The fourth plenary speech was delivered by Prof. Dr. Marcelo F. Aebi, University of Lausanne, Switzerland. He presented comparative trends in homicide in the Balkans, as compared to those in Europe (EU 28), the United States, and other world regions. The second country-related session was opened by Dr. Janane Khoury from the Faculty of Law and Political and Administrative Sciences of the Lebanese University. This session brought attention to the situation of violent crime in Lebanon and the Middle East. Dr. Eszter Sárík from the National Institute of Criminology in Budapest presented an overview on homicide cases and other violent crimes in Hungary. Finally, Mr. Kar-



lo Ressler spoke about the role of violence in the context of human trafficking in Southeast Europe, followed by Ms. Reana Bezić who presented brand new findings from her empirical research on juvenile delinquency in the Balkans.

The wrap-up session headed by Prof. Dr. Hans-Jörg Albrecht, Dr. Michael Kilchling and Assist. Prof. Dr. Andra Trandafir summarized the main conclusions from the extensive and fruitful discussions. Based on these considerations the methodology and the time schedule of the research projects on violence in the Balkans will be reviewed and slightly adjusted.

The conference will be followed by the publication of the third issue of the Balkan Criminology Book Series which will gather the information presented in Bucharest as well as some additional chapters from those BCNet countries that were not represented at the conference. The book will be available in fall 2017.

*Assist. Prof. Dr. Andra-Roxana Trandafir,
Vice Dean of the Faculty of Law,
University of Bucharest*

MPPG at the 16th Annual Conference of the European Society of Criminology in Münster, Germany

Dominik Mišević & Reana Bezić

Münster, a picturesque university town in Germany which is, coincidentally, also rather famous as the hometown of popular TV crime series, hosted the 2016 Annual Conference of the European Society of Criminology. It gathered more than 1,200 participants from more than 50 countries. Some of the major topics were: prisons, policing, life-course criminology, economic crime, and state crime. In light of the fact that Europe is facing a serious refugee problem, Prof. Dr. Frieder Dunkel, the former ESC president, dedicated his keynote lecture to the implications of the migration crisis on criminology and criminal policy.

The MPPG for Balkan Criminology was represented in Münster with a variety of activities. Four themed panel sessions highlighted current research projects.

Panel no. 1, chaired by Prof. Dr. Hans-Jörg Albrecht, featured two presentations: Ms. Reana Bezić presented brand new findings from her analysis of ISRD3 data on juvenile delinquency in the Balkans, followed by Mr. Filip Vojta whose focus was on the etiology of terrorism and genocide and its perspectives for de-radicalization.

The program of the second panel, chaired by Dr. Michael Kilchling, included three presentations: Dr. Aleksandar Maršavelski discussed the phenomenology of crimes committed by political parties in the Balkans, Dr. Sunčana Roksandić Vidlička focused on critical aspects of EU's policies related to the recruitment activities of ISIS, and Mr. Besfort Lamallari from the Open Society Foundation for Albania gave an overview of the nexus between organized crime and politics in Albania.

The third panel featured the MPPG's research project on "Imprisonment in the Balkans". Chaired by Dr. Michael Kilchling with the contribution of Prof. Dr. Marcelo Aebi about prisons and prisoners in the Balkan countries from 2005 to 2014, and Prof. Dr. Gorazd Meško on an overview of penology and penal practice in Slovenia after 1991.

In the fourth panel the Balkan Homicide Study was introduced. Dr. Michael Kilchling and Prof. Dr. Almir Maljević presented the new empirical project which will be conducted in six Southeastern European countries: Albania, Bosnia and Herzegovina, Croatia, Macedonia, Serbia, and Turkey. The project is designed as a pilot study which, in the long run, should be realized in all BCNet partner countries.

In addition to the themed panel sessions, the MPPG also organized the second meeting of the ESC working group on Balkan Criminology which was set up in 2015 as a forum for experts in the field of criminology and criminal justice research with a focus on the Balkans. The meeting was chaired by Prof. Dr. Almir Maljević.



The authors at the MPPG stand

Photo: MK

The MPPG and its activities were further promoted at the Balkan Criminology stand which served as an information and meeting point in the ground floor of the book exhibition building.

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One-Week International Intensive Course on "Crime and Criminology in the Balkans"

This year's International Intensive Course on "Crime and Criminology in the Balkans" took place from 10-14 October 2016 at the Inter University Centre in Dubrovnik, Croatia. All the par-

ticipants were students from the Balkan region: Albania, Bosnia and Hercegovina, Croatia, Kosovo, Macedonia, Montenegro, Romania, Serbia, Slovenia, and Turkey.



The course was opened with a lecture by course director Prof. Dr. Almir Maljević from the University of Sarajevo, Bosnia and Hercegovina, on "Foreign Terrorist Fighters – Legal framework and challenges for effective investigation in the Balkans."

Themed lectures on the following days included "Theoretical and Methodological Impact of Victimology: Origins, Areas, Developments, Perspectives" and "Concepts of Participation of Victims

Photo: MK

in Criminal Trials in Civil Law, Common Law and International Tribunals – Impact of Comparative Research on the Development of Procedural Law and Practice” by Dr. Michael Kilchling (Max Planck Institute for Foreign and International Criminal Law, Freiburg, Germany), and “Medical Experiments, from Nuremberg to new Croatian Code on Protection of People with Mental Disabilities” by Dr. Sunčana Roksandić Vidlička, University of Zagreb.

An important component of the intensive course program was once again the methodology-oriented lectures and sessions which provide soft skill training. Prof. Dr. Marcelo Aebi (University of Lausanne, School of Criminal Sciences, Switzerland) delivered basic lessons on criminological research methods and techniques for finding data for comparative research amongst a variety of accessible online databases. Soft skills exercises included lessons on academic writing by Dr. Eszter Timár (Central European University, Budapest, Hungary) and an extra session on “How to develop a thesis from the idea to the final product”, delivered by Prof. Dr. Rüdiger Wulf (University of Tübingen, Germany).

EXTRA: Best Paper Award

A special feature of the BC Courses in 2016 was the **Best Paper Competition** which is part of the programme since 2015. The awarded paper will be submitted for publication to the European Journal of Criminology.

The competition was won by Mr. Nikola Vujičić of the Institute of Criminological and Sociological Research in Belgrade, Serbia, with his paper titled “Phenomenological and etiological characteristics of juveniles crime in Serbia”.

In the category of **Best Student Paper** the winner was Ms. Sara Frančeskin from the European Faculty of Law, Slovenia, with her paper on “Human trafficking and smuggling in the Balkans: What are the possibilities of repatriation of the victims according to the International law?” A summary of the award winner’s paper as well as an abridged version of the best student paper are presented below, too.

Congratulations to both winners and a big THANK YOU to all participants.

An integral part of the course program was dedicated to presentations by participants who could choose a topic of their own interest in advance. The presentations included a variety of interesting empirical analyses as well as comparisons between countries of the region, often followed by extensive discussions which resulted in the emergence of new ideas about new topics. Students had free choice whether or not to have their papers included for assessment in the best student paper competition. The paper selected is to be submitted for publication in the European Journal of Criminology. Due to the advanced status of the best paper’s author, the course directors decided to also declare the paper assessed second best and to publish it in the **BALKAN CRIMINOLOGY NEWS** (see below).

In conclusion, participants made active use of the opportunity to cooperate with colleagues from other parts of the region, to exchange materials, and to cooperate in new projects. Participants agreed that the course was pleasant and useful, not only for extensive exchange and discussion on criminology but also for refining academic writing skills.

*Mia Vuković and Mirta Horvat,
University of Zagreb, Faculty of Law*



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Phenomenological and Etiological Characteristics of Juvenile Crime in Serbia

Nikola Vujičić

The paper analyzes general characteristics of juvenile crime, with a special emphasis on the situation in the Republic of Serbia. The research is based on statistical data, comparative analyses, and a review of general theoretical concepts. In the first part of the paper a number of basic terminology notes are covered; based on the analysis of statistical data, the second part of the paper presents phenomenological Serbian data on juvenile crime from 2005 to 2014 (an assessment of tendencies in other European countries is also included). The third part of the paper is dedicated to the etiological dimension of crime, pointing out theoretical approaches that seek to explain why juveniles commit crime and to determine which factors affect the occurrence of undesirable behavior. Findings about juvenile crime in Serbia are listed in the final part of the paper.

Concerning juvenile crime in the Republic of Serbia, we can state the following for the observed ten-year period:

- The share of minors (persons between the age of 14 and 18) in the overall crime structure is relatively low: it amounts to 3.7% of the total number of reported persons.
- Compared to the period before the adoption of the *Law on Juvenile Offenders and Criminal Protection of Juveniles 2005 – Republic of Serbia*, i.e., compared to the beginning of the 21st century, when the average share of minors in the overall crime structure amounted to 2.5%, in the observed period there was an increase by somewhat more than 1%, which is most often explained by the transitional period Serbian society has experienced over the last 15 years.
- As the average share of minors in the overall crime structure in the region is 9.3% (according to the data presented in the last issue of the European Sourcebook), it can be ascertained that minors in the Republic of Serbia commit crimes more rarely than their peers from other European countries.
- When it comes to gender structure, there has been an increase in the share of females in the overall juvenile crime structure in the observed period by around 1% (the multi-year average amounts to around 7%).
- Reported juvenile crime structure: ranges within the multi-year averages, i.e., minors in Serbia most often commit property crimes (the average: 60%) while it should be noted that there has been a constant decrease in this group of offenses in the period from 2005 to 2011 (the lowest share was recorded in 2011 and it amounted to 56.7%) with a considerable increase in the share of offenses against public order and safety and legal instruments. In the period from 2012 to 2014 an increase in the share of property crimes in the overall reported juvenile crime structure was recorded again.
- Although minors in Serbia most often commit property crimes, the data that is worrying is that they considerably more often than their peers in other European countries commit crimes with the elements of violence, such as murder, grievous bodily harm, or rape – a fact that has already been pointed out earlier by the Serbian academic community.
- Victimization: Since the data on persons who are victimized by minors varies considerably in each observed year (the paper provides examples for 2013 and 2014), which is a result of poor availability of data recorded for statistical materials, general conclusions about the victims of juvenile offenders should not be made, even though such a tendency can sometimes be perceived in domestic literature on victimology.
- Penal policy of courts changes from year to year. What is commendable is that the courts in recent years are increasingly opting for the imposition of disciplinary measures. Juvenile imprisonment for older juveniles was imposed in only 1% of cases. The European average in terms of the imposition of non-custodial

measures amounts to 54.9% and the Republic of Serbia with an average rate of about 96% is among the countries that most commonly used this type of sanctions against minors (in this group are also: Slovenia, the United Kingdom, Poland, Croatia, and Greece).

The paper refers to some basic theoretical concepts indicated in the literature on criminology, but also to more recent, mostly longitudinal research. The example of a longitudinal research carried out by Karl Hill and his associates, or the so-called the *Rochester Study*, could serve as a model for carrying out research which should answer the question why minors in the Republic of Serbia in 2/3 of cases commit crimes in groups, i.e., why in 70% of cases other minors appear to be accomplices to crimes.

Irrespective of the positive developments in terms of legislation, we should not forget that crime cannot be controlled only via legal provisions: it is necessary to activate a number of other mechanisms, primarily in the field of prevention (from the perspective of criminology, it seems that we can find adequate answers in integrative theories and theories of risk factors and protective factors).

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Human trafficking and smuggling in the Balkans: What are the possibilities of repatriation of the victims according to the International law?

Sara Frančeškin

Over the years, smuggling has evolved into a sophisticated service industry, with certain routes and enclaves used by smugglers becoming practically institutionalized; for example: from Mexico and Central America to the United States, from West Asia through Greece and Turkey to Western Europe, and within East and Southeast Asia. Responsible for the rising business of people smuggling are a combination of interacting factors, from weak legislation and lax border controls to corrupt officials and the power of organized crime. The complexity of a smuggling network depends upon the route to be



taken and the nature of the journey. For routes that are well known and tested, smugglers may function more as family enterprises and utilize fairly contained operations. The more complex the route, the more members of a smuggling network must be recruited. Smugglers form temporary business alliances, and the organization of smugglers can best be understood and described as the completion of ad hoc tasks in which activities are specialized and controlled by individuals that deal with each other on a one-to-one basis.

Human smuggling will become one of the most important international (worldwide) challenges in the next years. Unlike human trafficking, people smuggling is characterized by the consent between customers and smugglers – a contractual agreement that typically terminates upon arrival at the final destination. However, in reality, smuggling situations can nonetheless descend into situations that can best be described as extreme human rights abuses, with smuggled migrants subject to threats, abuse, exploitation, and torture and even death at the hands of smugglers. Because every country has different economies and governments, this problem cannot be universally classified, which makes it more difficult for law enforcement to stop smuggling of people, as they have to adapt to the conditions in different states.

In 2015, the ongoing civil war in Syria has led to massive displacement and reliance on people smugglers to assist people to seek safe-harbour in Europe. This has also led to unprecedented movements – and deaths – across the Mediterranean. UNHCR statistics show that there have been almost one million arrivals by sea in Europe in 2015, and more than 2,900 dead or missing migrants. According to the IOM Missing Migrant Project, there have been also more than 3,800 deaths during migration around the world. The problem with human trafficking and smuggling is not that the anti-trafficking campaigns are not effective but that the data collection and migrant management is not as it should be. Data collection is an important tool for controlling trespassing and its analysis is often used to shape anti-trafficking policies. Another major problem for the victims is repatriation.¹ Article 8 of the Trafficking Protocol enables the repatriation of victims of trafficking with due regard for that person's safety it should be voluntary for the victims and the government should

not contact law enforcement or other officials in the intended country of repatriation. A victim should never be repatriated to a situation where they are at risk of serious harm or death.

Competent state authorities must ensure that any planned or actual return of a smuggled migrant is consistent with international law, in particular human rights, refugee and humanitarian law, including the principle of non-refoulement, the principle of non-discrimination, the right to life, the prohibition on torture and other forms of cruel, inhumane, or degrading treatment or punishment, and where children are involved, the best interest of the child.² The Protocol against the Smuggling of Migrants clearly contemplates the return of smuggled migrants. However, it is clear from the obligations in article 16, paragraph 1, and the “saving clause” in article 19, paragraph 1, of the Protocol that states parties to the Protocol must ensure that any processes or procedures with regard to return of smuggled migrants comply with international law, particularly human rights, refugee and humanitarian law.

Researching this problem in practical terms, many issues need to be considered in the development of policies and procedures regarding returns, in order to ensure compliance with international legal obligations. Good practices are described in the Council of Europe's Twenty Guidelines on Forced Return, including the following:³

- Promoting voluntary return of smuggled migrants who have no claim for protection. Voluntary return presents fewer risks to the human rights of smuggled migrants than forced return.
- Ensuring that any decision to return a smuggled migrant is made in accordance with an established legal process that is subject to review. This will ensure the avoidance of arbitrariness in the decision-making process (guarantee against the risk of discrimination).
- Establishing that any decision to return a smuggled migrant has been taken after full consideration of any claims to international protection and of the issue of whether the proposed return would violate the individual's human rights (in particular, the right to life and the right to freedom from torture and other forms of cruel, inhumane, or degrading treatment or punishment).

- Certify that any removal order is made on the basis of reasonable and objective examination of the particular facts of each individual case.
- Guarantee that the returnee is provided with, in a language they can understand, a copy of the removal order and information about available review processes.
- Ensuring the lawfulness of detention pending the returns process, including time limits on the length of any detention, conditions of detention, and the availability of judicial remedies against detention.
- Ensure safety, order, and dignity in the return process, which can be aided by seeking the cooperation of the returnees at all stages.

It is not the purpose of the Model Law to provide detailed guidance on how to establish a system to return irregular migrants, including smuggled mi-

grants. However it is important for legislation to ensure that any laws or regulations on this issue are clearly linked with the appropriate mechanisms that ensure respect for and promotion of the rights described above.

Notes

- 1 The process of returning a person – voluntarily or forcibly – to his or her place of origin or citizenship.
- 2 Model law against the smuggling of migrants, article 32: Protection of smuggled migrants in return process, (2015), www.unodc.org/documents/human-trafficking/Model_Law_Smuggling_of_Migrants_10-52715_Ebook.pdf.
- 3 *Council of Europe*, Twenty guidelines on forced return (2005), www.coe.int/t/dg3/migration/archives/Source/MalagaRegConf/20_Guidelines_Forced_Return_en.pdf.

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□ DISCUSSION

Violence in the Balkans: Myth vs. Reality... (Re)focusing the Research Agenda

John A. Winterdyk

As the esteemed Canadian writer, humorist, and teacher Stephen Leacock (1869-1944) once wrote: “It was Einstein who made all the trouble. In 1905 he announced that there was no such thing as absolute rest. After that there never was.” However, in the case of the Balkan region (or Southeastern Europe, as some prefer), there are various myths and truths (i.e., absolutes) about the presence of violence (i.e., extreme forms of aggression towards other human beings) in the region. Admittedly, the region has experienced some tragic and violent events throughout history and even more recently (e.g., former Yugoslavian war sometimes simply referred to as the ‘Balkan Wars’). Or read Maria Todorova’s *Imagining the Balkans* (1986) or Pavlos Hatzopoulos’s 2003 engaging piece on violence in the Balkans.

Collectively, among other such works and events, they have done little to abate the stereotype that the

region is rife with savagery, violence, and inhumane acts. However, a 2008 UN report and various regional reports have provided data showing that the region is largely safer than most other parts of Europe. Furthermore, despite our ‘obsession’ with violent crime, it is comparatively infrequent when compared to property crime, white collar/economic crimes, etc. Furthermore, the 2014 Global Peace Index map shows that countries like Hungary, Croatia, Bulgaria, and Romania rank in the top 40 most peaceful countries in the world – higher than the United Kingdom and France!

The MPPG and the Balkan Criminology Network are about to embark on two ambitious research projects. One will involve mapping out violence among at least seven countries in the region and the other will focus specifically on homicide. While the projects have the potential to provide the first comprehensive overview of violence in the region, like any research they will at best help fill some of the void in the existing fragmented related data. Similarly, while congruent with the near obsessions social scientists and in particular criminologists have with the study of homicide, the projects may want

to ensure they do not perpetuate the myths but approximate the reality. Some contemporary themes not currently being entertained may be worthy of consideration. They include: hate crime, the role of the media in fueling skewed images and ideas about violence in the Balkan region; violence in family settings vs. society; the nature and extent of possible violence against marginalized groups; and/or per-

haps documenting the range and nature of violence and control. To help further dispel certain myths, all or some of these issues ideally could/should be placed within a broader regional and international (European) context.

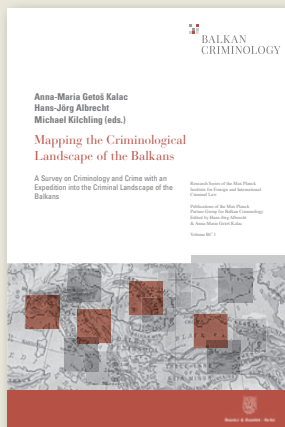
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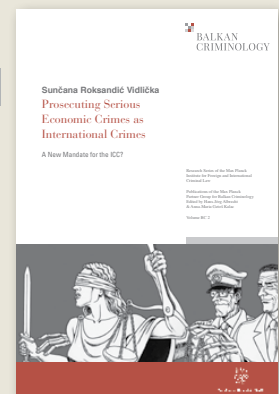
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