



REPUBLIC OF SERBIA
**THE PROSECUTOR'S OFFICE
FOR ORGANIZED CRIME**
MP no.94/20
Belgrade, November 27, 2020
MR/MVĐ

**Meeting minutes and conclusions from the on-line meeting of the Executive Board of the
Permanent Conference of Organized Crime Prosecutors**

12. november 2020., Zoom platform

Meeting of the Executive Board was held on-line, in the composition determined in accordance with the conclusions from the 5. meeting of the Permanent Conference of Organized Crime Prosecutors, and the participants were Ms. Vilma Ruskovska, Chief Prosecutor of the Basic Public Prosecutor's Office for Criminal Prosecution of Organized Crime and Corruption, Mr. Kozmin Daniel Halalau, Prosecutor, Directorate for Investigating Organized Crime and Terrorism (D.I.I.C.O.T), Mr. Saša Čađenović, Deputy of the Special prosecutor of the Republic of Montenegro, as well as Mr. Miljko Radisavljević, Head of Secretariat of the Permanent Conference of Organized Crime Prosecutors. Beside the members of the Board participants were also Mr. Federico Cafeiro de Raho, National Prosecutor, Mr. Giovanni Ruso and Mr. Michele Del Prete, Deputy Prosecutors, National Anti-Mafia and counterterrorism Directorate (DNA), Mr. Mladen Nenadić, Prosecutor for Organized Crime of the Republic of Serbia, Ms. Dragana Stojanović and Ms. Milica Vujanić Đorđević, contact point of Secretariat, as well as the representatives of the OSCE Mission to Serbia, Mr. Umberto Severini, Senior Organized crime Advisor and Ms. Marina Markov, National Programme Officer, as well as Ms. Iris Pilka, Confiscation of illegally acquired property project manager at the Secretariat of the OSCE in Vienna.

The Head of the Secretariat Miljko Radisavljević suggested that the following issues be considered:

1. The impact of a pandemic COVID-19 on prosecution activities
2. Implementation of the conclusions from the 5. meeting of the Permanent Conference of Organized Crime Prosecutors – lessons learned
3. Discussion on the topics for the 6. meeting of the Permanent Conference of Organized Crime Prosecutors (mode, place and topics for the 6. meeting of the Permanent Conference of Organized Crime Prosecutors)

Bearing in mind that there were no proposals to amend the agenda, Head of the Secretariat suggested that the presentations be moved to the items on the agenda.

The first item on the agenda was The impact of a pandemic COVID-19 on prosecution activities.

Mr. Federico Cafiero de Raho, National Prosecutor National Anti-Mafia and counterterrorism Directorate (DNA) – stated that 'Ndranhgeta, Camorra and other mafias slowed down their activities, and that money flow is also slowed down during the pandemic. On national level modus operandi of drug trafficking is changed. Mafia took advantage of the pandemic to help economically the poorest part of the population and in that way to invest in legal flows of illegally acquired incomes, and in that way also they gained sympathy of the population. The most dangerous is just the use of the enormous amount of money gained illegally by the mafia through criminal activities and investment of that money in legal flows, which is particularly affected by the complete slow down in the economy. The mafia operates in a way that „pumps“ large amounts of money into private companies, which owners „on paper“ remains the same, but in fact these companies are run by the mafia and in that way illegally gained money is injected in the legal flows. Financial and economic analysis on the national level are in progress in order to identify sectors which are most endangered in the manner described.

In Italy and Albania arrests are ongoing based on the the rogatory letters, that is on the basis of the international mutual legal assistance, and that kind of assistance is excellent also with other countries. Regarding burning question of terrorism, monitoring of the extreme right formation and anarchists is continued, which are identified as protesters on protests that took place in Italy since the beginning of pandemic in order to disturb public order and peace. He pointed out that excellent cooperation is achieved on that field with France.

Mr. Mladen Nenadić, Prosecutor for Organized Crime of the Republic of Serbia, pointed out that since the beginning of the pandemic it has been possible to identify three phases, and that: 1. phase of state of emergency, 2. phase of tightening measures, and 3. phase, in which we currently find ourselves, again a sharp raise in the number of infected. During the first phase curfew was in effect and prohibition of movement, especially restriction of international transportation, whereby this restriction has led to a reduction in the activities of criminal groups. During that phase the goal of the Prosecutor's Office for Organized Crime was completion of ongoing investigations. During the second phase there were extraordinary circumstances, respectively occurrence of tests on COVID, which organized crime groups took advantage and made false negative tests for the entry of persons into other countries in the region, which was revealed and further activities were prevented. Work was done on controlling the procurement of the equipment and test with the international legal assistance. When it comes to drug trafficking, during this phase, there were several realizations on the territory of the Republic of Serbia and several realizations with colleagues from abroad. Smuggling of migrants is present at all phases, and several organized crime groups activities were cut off. Pandemic is by all means suitable soil for development of corruption, therefore several pre-trial proceedings have been initiated to prevent corruption, and also there was one realization. During the third phase criminal proceedings against defendant Darko Šarić was finished, and the problem of the slowness of criminal proceedings in front of the court persists, against which Prosecutor's Office for Organized Crime is fighting by concluding as many as possible Plea Agreements. He pointed out that it is especially important that Prosecutor's Office for Organized Crime has excellent cooperation in the field of international legal assistance, because he believes that mutual cooperation is key to good results, with which all participants agreed.

Representatives of the OSCE stated on this agenda item that the key way of working during the pandemic is continuous operation.

G-da Vilma Ruskovska, Chief Prosecutor of the Republic of the North Macedonia pointed out that drug trafficking even during the pandemic is not waning, especially regarding marijuana, from Albania, but there is no shortage of cocaine or heroin also. Constantly they have cases regarding drug trafficking, as well as smuggling of migrants by the organized crime groups. She suggested forming of a JIT in composition of Macedonia, Greece and Serbia, in order to improve work on prevention and suppression of work on so called „Balkan route“, which works at full steam even during pandemic. She also informed that a month ago in Macedonia was discovered and processed terrorist organization, that firearms was found, ammunition and other terrorist equipment such as belt which is used by a suicide bombers, intended to carry out terrorist acts.

Mr. Cosmin Daniel Halalau, Prosecutor D.I.I.C.O.T., highlighted that there were fewer cases during the march and may, because in Romania was lock down, and at the moment the situation is dire, because daily there is 10.000 infected and around 200 deceased. As we speak, he pointed out, the police action is in progress, 300 apartments are being searched, on the territory of the Romania, and that in the case which that prosecutor's office follow up about a year, and considers it as a very successful realization. On the international plan, on-line and electronic measures are in progress due to pandemic, which he considers very good, because in that way it is possible to continue working, and he had a special words of praise for this project.

Mr. Saša Čadenović, Deputy of the Special Prosecutor of the Republic of Montenegro, stated that Montenegro was exception during the first raid of the pandemic, lock down prevented even the trials, and therefore police, prosecution and criminals actions were reduced, because in that moment even inter-municipal movement was prohibited. That period members and organizers of organized crime groups used for planing their activities regarding criminal offences in the future. After lock down it comes to a „storm“ and there were attempts, and even the realization of the commission of criminal acts by the organized crime groups, but especially illegal crossing of the state border is increased, of which he would single out attempt to transfer a citizen of Colombia for the purpose of the liquidation on the territory of the Republic of Montenegro, which acts are prevented by successful monitoring of organized crime groups works. However, crimes against life and limb are increased, as well as smuggling of the cigarettes and narcotics. The reason for this, he believes, is in fact that due to pandemic action of custom officers, as well as other state authorities, is weakened. When it comes to human trafficking, they are mostly Turkish citizens. Trials have been reduced during the second wave also, especially those to organized crime groups, which justifies with a large number of defendants in those cases. He pointed out that they have excellent cooperation with countries from the region and that there were few realizations, even in this terms. However, cooperation is at a lower level than before and he believes that there is still more space to raise that level. Regarding financial investigations and confiscation of property, he said that on that fields there is no stagnation.

The second item on the agenda was **Implementation of the conclusions from the 5. meeting of the Permanent Conference of Organized Crime Prosecutors – lessons learned.**

Mr. Miljko Radisavljevic, Head of Secretariat, repeated that from 03.-05.06.2019. in Bucharest was held **5. Permanent Conference of Organized Crime Prosecutors**, that D.I.I.C.O.T. was excellent host, and on that he congratulated and expressed gratitude on behalf of all members of the Permanent Conference. As the most significant result he pointed out signing the Declaration of Intent and named joining Greece to the Permanent Conference. He reminded that three topics were discussed in Bucharest: terrorism, financial investigations and irregular migrations, that each of this topics was covered by two prosecution offices, given them their own perspectives, that open conversations were held and similar experiences were noted, work methodologies, but problems also.

A) On the issue of terrorism, Gordana Tadić (Bosnia and Herzegovina) and Vilma Ruskovska (Northern Macedonia) on the 5. Conference especially pointed out on the challenges that come along with the return of the so-called foreign terrorist fighters to their countries of origin. It was concluded that in the most of the countries prosecutors are involved in multidisciplinary working groups in whose focus are terrorist organization, that it is an approach to the preventive part of the anti-terrorist system, and that such an approach is necessary to effectively address these issues. He pointed out that members of the Conference agreed that they frequently face reality that countries have partial information about persons who are involved in terrorist activities and that their unification is usually delayed by terrorist activities in which those persons are involved. Real information unification about that persons essentially does not require overly sophisticated international cooperation in information exchange. Therefore it is important to encourage and exhort competent authorities to exchange information about persons involved in such activities. He reminded that last year it was very interesting to hear Frederico De Raho in Bucharest when he spoke in which way Italy collects and distributes those information with interested countries. The need for intensive international cooperation is also reminded by the latest terrorist act in Vienna, committed by the person who is an Austrian citizen, originating from Northern Macedonia.

He pointed to the expectations of the Secretariat that members deliver information about institutions for preventing terrorism in their countries (coordination bodies, work groups, etc.), about repressive part of the state institutions in charge of detection and prosecution of criminal offences related to terrorism and those that are not in confidentiality. Also, he reminded on the agreement in Bucharest that members deliver to the Secretariat final judgments rendered regarding terrorist activities and criminal offences related to terrorism translated in English and that, if it is possible, not be anonymized in relation to convicts because of the significance of the names and other data about defendants for activities which are subject of investigation in other countries.

B) Giovanni Ruso and Michele Del Prete in Bucharest spoke about financial investigations and their significance for confiscation of illegally acquired property. Once again they emphasized remarkable importance timely international cooperation in detection, seizure and confiscation of property. The members got acquainted with different grounds and methods of confiscation illegally acquired property and agreed that every country provide an overview of its seizure/confiscation of property to the Secretariat (not the text of applicable laws but the general principles of confiscation and seizure of property), which has not yet been done.

C) He reminded that third session of the Conference held in Bucharest was dedicated to the irregular migrations, that Vanja Marušić and Mladen Nenadić pointed out good cooperation between USKOK and POOC in this area, that from serbian point of view this criminal phenomenon is still relevant because since then there have been successful processing of several more organized crime groups, which operated in the territory of the Republic of Serbia, that it was discussed about possible connection of the illegal migration with terrorism and human trafficking, that except at colleagues in the DNA, in other cases that kind of connections are not confirmed, that Michele Del Prete emphasized the need for investigation and prosecution higher levels of the criminal organizations which control complete migrant routes from the country of origin to the final destination, because they are included in illegal activities local criminal organizations of the countries through which territories migrants are transferred and that the agreement has been achieved that such levels can be reached only through even more intensive cooperation, and as most efficient way members identified Joint investigation teams. It was pointed out last year that there is still a problem regarding interpreters/translators in criminal proceedings initiated for smuggling of migrants, that Secretariat didn't received names of the interpreters/translators for migrants native language and especially Urdu, Pasta, Panjabi, Farsi, Tamil, Bangla, and that was one of the Conference conclusions.

D) Also, he reminded that as the special question information of the DNA about Cloud SIDA/SIDNA System was considered for all interested participants, to show them an architecture and potential of the new SIDNA-Cloud System.

The second item on the agenda was **Discussion on the topic of maintenance of the 6. meeting.**

Mr. Saša Čadenović, Deputy of the Special Prosecutor of the Republic of Montenegro, stated that all participant are aware that Montenegro was supposed to be host of the 6. meeting of the Permanent Conference in the beginning of june 2020., however, bearing in mind pandemic, it is clear that all the participant are sceptical about maintenance of this meeting live, therefore he suggested on-line meeting, so that there would be no stagnation in work, due to unpredictable course of pandemic.

Representative of the OSCE Umberto Severini pointed out that they will provide the support in Conference work both short-term and long-term. By all means it is necessary to consider self-sustainability of the Conference after the end of the project in 2022. He pledged to launch an initiative for admission to Conference membership of the prosecution for organized crime of Austria. He suggested that the Conference meeting be planned, but it might be good that before the meeting another meeting of the Executive Board be held, and after that and Conference in Montenegro, if the conditions are right. In any case, he pledged that the Conference is held on-line on march 2021., because it is for now real situation, and hope is, although unlikely, that it would be held live.

Ms. Marina Markov, National Programme Officer, pointed out, that regarding the number of topics, which would be represented on the next Conference, and especially bearing in mind that that Conference, by all odds, would be held on-line, shouldn't be more than three, and perhaps that number should be reduced on two topics, so that they can be

properly processed. If circumstances regarding the pandemic change, she pledged to hold a live Conference as well until the end of the 2021..

Prosecutor **Federico De Raho** introduced participants of the meeting that Ministry of Justice of Italy brings to an end working on the Cloud SIDA software, that the pandemic slowed down activities on that project but that it is expected that it would be ended very soon successfully.

Giovanni Ruso pointed out that number of topics on the Conference shouldn't be necessarily restricted and that it would be wise to think in a way that Conference is one way of a platform through which even more than once a year current topics are considered. He supported the idea to launch an initiative towards Austria to join the Conference and that this would be the task of the Secretariat in the forthcoming period.

Participants suggested that topics, which would be discussed on the next Conference meeting, should be:

1. impact of the 5G network and cryptocurrency on organized crime groups acting;
2. impact of the pandemic on the emerging forms of crime and the work of the prosecution;
3. return of confiscated goods;
4. terrorism – whole world problem;
5. fight against smuggling of migrants, tobacco and firearms.

After discussion of the Executive Board members and consideration of all agenda items **Executive Board adopted the following conclusions:**

1. **6. Permanent Conference of Organized Crime Prosecutors will be held on-line in march 2021.**
2. **In period from 15.-25. january 2021. it will be held also on-line meeting of the Executive Board during which it will be determined topics for the Conference**
3. **Secretariat should take actions** towards acceding of competent Austrian prosecutor's office to the Permanent Conference of Organized Crime Prosecutors and signing the Declaration of Intent, and to invite the Austrian Prosecutor in charge of prosecuting organized crime cases as a guest to the Conference meeting
4. **that every member until 15. january propose topics**, which will be discussed on the Conference
5. **that Secretariat about next meeting of the Executive Board inform all members and invite them to deliver topics for discussion on the Conference. until 15. january 2021.**

**Head of Secretariat
of the Permanent Conference of Organized Crime
Prosecutors**

Miljko Radisavljević