Separatists, Gangsters and Other Statesmen: The State, Secession and Organized Crime in Serbia and Georgia, 1989-2012

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Separatists, Gangsters and Other Statesmen: 
The State, Secession and Organized Crime in Serbia and Georgia, 1989-2012

A dissertation presented

by

Danilo Mandić

to

The Department of Sociology

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in the subject of

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What role does organized crime play in determining the success of separatist movements? I explore the role of organized crime in the separatist movements of Kosovo in Serbia and South Ossetia in Georgia, two most similar cases that have generated different outcomes in levels of separatist movement success in 1989-2012 (inclusive). Through the comparison, I argue in six propositions that organized crime can both promote and retard separatist movement success. The explanatory propositions are: (1) organized crime can be formative of state structure, capacity and stability; (2) popular support for the separatist movement can directly depend on organized criminal activities; (3) organized criminal capacity can – through its relations to the host state and separatist movement – hinder or advance separatist success; (4) the ethnic heterogeneity/homogeneity of organized crime may determine its capacity and willingness to promote separatist success; (5) organized crime contributes to separatist movement success when it is (a) prepared and (b) predisposed to divert regional smuggling opportunities towards movement goals; and (6) whether host state repression helps or harms the separatist movement depends on the role that organized crime is fulfilling vis-à-vis the state and separatists.
The argument is developed in four steps. First, I examine regional indicators of a connection between separatist success and organized crime, justifying a comparison of Serbia/Kosovo and Georgia/South Ossetia as most similar cases. Second, I process-trace changes in the relational triad of host state, separatist movement and organized crime over the 24-year history, contending that different trajectories in these relations account for different levels of success for the two separatist movements. Third, I examine under what conditions aggregate regional smuggling trends before critical junctures of movement success in fact contribute to that success; I model criminal “filtering” of the aggregate criminal flows as a determinant of whether separatist goals are advanced or hindered. Finally, I compare two nefarious criminal episodes – organ smuggling in Kosovo and nuclear smuggling in South Ossetia – that harmed the separatist movements; I show that superior organized criminal capacity in Kosovo (reflected in its infrastructure, autonomy and community) managed to contain the harm of exposure from the nefarious episode.
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## ABBREVIATIONS

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<tr>
<td>BIA</td>
<td>State Security (Serbia)</td>
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<tr>
<td>CIS</td>
<td>Commonwealth of Independent States</td>
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<td>COE</td>
<td>Council of Europe</td>
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<td>CSTO</td>
<td>Collective Security Treaty Organization</td>
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<tr>
<td>DB</td>
<td>State Security (Serbia)</td>
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<td>DEA</td>
<td>Drug Enforcement Agency</td>
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<td>EULEX</td>
<td>EU Rule of Law Mission in Kosovo</td>
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<tr>
<td>FARK</td>
<td>Armed Forces of the Republic of Kosovo</td>
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<tr>
<td>IAEA</td>
<td>International Atomic Energy Agency</td>
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<td>ICTY</td>
<td>International Criminal Tribunal for the Former Yugoslavia</td>
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<td>IDP</td>
<td>Internally-Displaced Person</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<tr>
<td>I(N)GO</td>
<td>International (Non-)Governmental Organization</td>
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<tr>
<td>JCC</td>
<td>Joint Control Commission (South Ossetia)</td>
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<tr>
<td>JPKF</td>
<td>Joint Peacekeeping Forces (South Ossetia)</td>
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<tr>
<td>JSO</td>
<td>Unit for Special Operations (Serbia)</td>
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<tr>
<td>KFOR</td>
<td>NATO Kosovo Force</td>
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<tr>
<td>KLA</td>
<td>Kosovo Liberation Army</td>
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<tr>
<td>LDK</td>
<td>Democratic League of Kosovo</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
</tr>
<tr>
<td>OSCE</td>
<td>Organization for Security and Cooperation in Europe</td>
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<tr>
<td>SHIK</td>
<td>State Intelligence Services (Albania)</td>
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<tr>
<td>TPR</td>
<td>Trafficking in Persons Report</td>
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<tr>
<td>TraCCC</td>
<td>Terrorism, Transnational Crime and Corruption Center (Georgia)</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<tr>
<td>UNHCR</td>
<td>UN High Commissioner for Refugees</td>
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<tr>
<td>UNMIK</td>
<td>UN Interim Administration Mission in Kosovo</td>
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<tr>
<td>UNODC</td>
<td>UN Office on Drugs and Crime</td>
</tr>
<tr>
<td>USSR</td>
<td>Union of Soviet Socialist Republics</td>
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<td>WDR</td>
<td>World Drug Report</td>
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INTRODUCTION

What role does organized crime play in determining the success of separatist movements? In this work, I explore the role of organized crime in the separatist movements of Kosovo in Serbia and South Ossetia in Georgia, two most similar cases that have generated different outcomes in levels of separatist movement success. Though both are highly successful separatist movements in their regional contexts, Kosovar separatists are more successful than their South Ossetian peers. While South Ossetia could not function independently of Russian military, economic and diplomatic aid, Kosovo’s capacity to do so without international administration is considerable and growing as of 2012.

A crucial factor explaining this divergence, I argue, is that organized crime played a different role vis-à-vis the host state and separatist movement in the two cases. While organized crime was highly conducive to separatist success in Kosovo, it was less so in South Ossetia – a remarkable difference given overwhelming similarities between Serbia and Georgia between 1989 and 2012.

In this Introduction, I (1) define separatism, (2) explore the intersection of organized crime and separatism; (3) review four subfields of social movements literature, indicating explanatory propositions that guide the dissertation; and (4) provide an outline of the chapters that follow.

Defining Separatism

“Cases” will refer to formally-recognized UN member states – Serbia and Georgia – which host separatist movements. Kosovo and South Ossetia thus exist within cases, but are not cases themselves. These are separatist challengers: social movements claiming increased
independence from the centralized government for a sizable subsection of the population on a specified territory, or for the surrender of some of the centralized government’s sovereignty to a foreign state. Among ex-Yugoslav and ex-Soviet cases, these claims range from increased regional autonomy within the extant constitutional framework, to full secession and formation of internationally-recognized new borders. The demands may be formulated as “independence,” “self-determination,” “autonomy,” “decentralization,” “partition,” “secession” or simply “liberation.” The substance of the claim-making depends on separatist capacity, patron state interests, host state strategy, experiences of regional peers and other factors – but the claims are understood as evolving demands of a single movement. Violence is intentionally excluded from the definition: a peaceful limited-autonomy movement is as separatist as a violent full-independence movement.

Irredentism as a Subcategory of Separatism

The clause in the definition referring to a foreign state is meant to include cases of “irredentism” (Calhoun 1997, p.97) or “irredentist nationalism” (Hechter 2000, p.15-17). Such separatist movements seek greater integration into neighboring nation-states, which may be receptive or hostile to the idea. Following Breuilly (1994), I treat the unificationist nationalisms of the neighboring patron states as “resources which help shape the character and achievements of the separatist” movement seeking patronage (p.12) – but the two are distinct. The nationalist unification movement in Albania is a partner of (but distinct from) the Kosovo separatist movement; analogously, the nationalist unification movement of Russians/Ossetians in Russia is a partner of (though distinct from) South Ossetian separatism. I refer to the unificationist neighboring states as “patrons” or “patron-states.”
Separatist Success vis-a-vis Irredentism

Separatist movements sometimes opt for irredentism, sometimes not. This is primarily an outcome of necessity, only secondarily of nationalist or ideological conviction. Separatist movements often lack the capacity to exist as independent entities, and thus cannot decline irredentist options even as they prefer to be independent of their patron. Other separatist movements do not pursue irredentism because they have the capacity to function without merger, even though their patron states are willing to integrate them.

In the ex-Yugoslav and ex-Soviet cases, there are no instances of a separatist movement that prefers irredentism when it has a realistic prospect of full independence. Accordingly, I treat a non-unificationist separatist movement as more “successful” than an irredentist one. A crucial difference between Kosovo and South Ossetia by the end of the period under examination is: South Ossetia has not managed to mobilize for outright independence, leaving merger with Russia the sole credible option. Without integration into Russia, South Ossetia could hardly expect to achieve its level of autonomy from the host state. Kosovo’s separatist movement is more successful because it has realized independence to a much greater degree. In other words, Kosovo’s level of autonomy is such that the separatists need not rely on integration with Albania to escape the host state.

The adoption of irredentism is an indicator of the level of success, but not a decisive one. In Chapter 1, I define success in detail with selected criteria, categorizing “weakly successful,” “moderately successful,” and “highly successful” separatist movements. General patron state support for separatism, along with a broader set of international circumstances, is a critical factor
promoting success. Patron state support for non-irredentist separatism indicates greater success
than support for irredentist separatism.

**Introducing Organized Crime: a Neglected Non-State Actor**

Organized criminals have been defined as “agents involved in durable, disciplined, and
hierarchical relationships for the purpose of planning and executing criminal activity” (Hislope
and Mughane 2012, p.270), differing form ordinary criminals in their hierarchical organization
and transnational scope. For the purposes of this study, the definition is further narrowed in two
regards. First, the durability, discipline and hierarchy in question are extensive – analogous to
military command structures. As will become clear, Serbian, Georgian, Kosovar and Ossetian
organized criminals were foundationally constituted as militias, later evolving into looser
institutional arrangements. Second, the criminal activity considered will primarily be smuggling
and extortion/protection – two major components of “extralegal governance”; these organized
criminal networks can thus also be called *mafias* (Varese 2011, p.5-6), though their territory of
origin and ethnic makeup will not be their defining feature.

It is understood that “criminal syndicates function like mini-states” (Hislope and
Mughane 2012, p.270), a theme that Tilly famously proposed in conceptualizing modern states
as “our largest examples of organized crime” (Tilly 1985, p.169). The study of separatist regions
is uniquely instructive in this context, as they host a variety of forms of organized crime in
unrestrained interaction.

---

1 On the uneasy distinction between extortion and protection, see Ibid (p.204): “‘What is seen as extortion from the
outsider is viewed as self-protection by the insider.’”
Though “these networks can be built on top of preexisting ethnic or regional connections,” a distinction is often made between a more classic “mafia model” and groups which…

are simply informal groups of friends and family, often from the same ethnic group and the same town or village, who are then able to extend their primary relationships across international borders. These networks can also be self-reproducing [i.e. with rotating criminals in similar roles constituting a durable hierarchy] (King 2010, p.174).

Though certainly not as rigorously hierarchical as a Weberian bureaucracy, even these more informal criminal networks are rule-governed, oriented towards profit, and enforce clear hierarchical domination (though sometimes not transparent to outsiders). As “military discipline gives birth to all discipline” (Weber 1968, p.1155; Malešević 2010, p.25), it is central to our analytic focus that organized criminal militias have formed the very backbone of criminal enterprise in Serbia (the JSO), Georgia (the Mkhedrioni), Kosovo (the KLA) and South Ossetia (South Ossetian military) at critical junctures of organized criminal influence on the state and the separatist movement. I treat these organizations as the bases of organized crime, acknowledging that they all underwent transformations as to their resemblance to a “pure” mafia model.

Throughout the subsequent chapters, therefore, organized crime will refer to structured social collectivities analogous to more familiar forms of social movement collectivities: “basic action groups” of a handful of criminals (such as the four nuclear traffickers in Chapter 4) form “networks” (such as the arms smuggling ring between Albania and Kosovo discussed in Chapter 3), which in turn become more permanent collaborative structures, or “enduring networks” (such as the nearly decade-long Ergneti Market explored in Chapters 2-3), which ultimately generates an entire organized criminal “milieu” marked by communities with criminal lifestyles, shared
experiences and patronage-client expectations (such as the criminal community around nefarious episodes discussed in Chapter 4) (Rucht 2013, p.171-175).

The Intersection of Separatism and Organized Crime

Separatist movements have predominantly been studied for their international security and legal implications (Kolsto and Blakkisrud 2011; Kohen 2006; Lynch 2004; Fearon 2004), for the features that determine their levels of violence (Dutter 2012; Walter 2009; Fearon and Laitin 2003; Brubaker and Laitin 1998), and for the ethnic dynamics that produce them (Hale 2008; Fox 2002; Chalk 2001; Mousseau 2001; Hechter 2000; Smith 1979). In 2000, a conservative definition of separatist movements listed over 300 cases of ethnic separatism since 1945 (Hewitt and Cheetham 2000), many of them entirely unrelated to ethnic conflicts between states or internal national disputes over control of the state or its reform in extant borders. A recurring observation in many of these studies is that organized crime – somehow or another – appears to correlate with separatist movements.

The convergence of borderless, lawless territories under separatist dispute with criminal networks was made possible by economic globalization. Recent studies of organized crime have emphasized its transnational, globalized character (Reichel and Albanese 2013; Sterling 1994; Naim 1997; Shelley 1995, 2010; Varese 2011). Not as attached to territory as it once was, organized crime migrates easily and quickly to respond to openings in labor and material markets – not unlike firms do. Thus analyses focusing on the organization of the criminal group itself (prominent until the 1980s) were replaced by a focus on the commodity being traded and the ways criminal enterprise crosses borders. It would be a mistake, however, to reduce illicit trade to a simple economic enterprise motivated by profit. In the case of the arms trade in the Balkans,
for example, it has been shown that standard economic incentives (particularly along the lines of rational choice theoretical assumptions) are poor indicators of a variety of outcomes. Ethnic, political and cultural loyalties must be taken into account (Arsovska and Kostakos 2008).

Separatists seek to identify a set of interests and perspectives that supposedly belong to a clearly delineated group within the state in question. Simultaneously, however, they make more universal claims to legitimate their cause in the eyes of potential international partners, as well as to legitimate those partners to their constituencies. As one scholar noted, “[t]he success of separatist movements depends in part on their ability to translate cosmopolitan ideas into indigenous vernaculars” (Spencer 1998, p.56). The importance of organized crime networks is due to the fact that they often pervade these very constituencies, offering protection, employment, and goods and services superior to those offered by the centralized state (Anderson 2004). Separatist movements, typically prohibited from relying on state resources, are naturally led to interact with criminal supplies of people, funds, arms and other supplies. Thus the world’s largest ethnic organized crime network – the Russian mafia – is present in every one of the ex-Soviet countries with separatist divisions (Vaksberg 1991; Jones & Moskoff 1991); analogously, the concentration of Balkan mafias is greatest in the region’s most disputed areas. Furthermore, as the cases of Chechnya and Bosnia demonstrate, organized crime can be supportive of both sides of an ethnic dispute (Glenny 2008).

Finally, just as organized criminal networks depend on each other transnationally, separatist conflicts influence each other, both within areas and between them. The rapid series of secessions after 1991 – the bulk of them concentrated in Eastern Europe, Transcaucasia, Central Asia and the Baltic Sea area – prompted scholars to argue that “separatism is contagious,” not unlike “the common cold” or “cancer” (Ayres and Saideman 2000). Within the ex-Soviet area,
the impact of Russian intervention in Chechnya, and later in Georgia, seems to have shaped other separatists’ strategies. Moldova, Azerbaijan and Tajikistan all make reference to Georgia’s experience in dealing with their own secessionist pressures. Within the ex-Yugoslav space, every separatist claim in Bosnia and Herzegovina is paralleled by its opponent – the Serbian, Bosnian Muslim and Croatian claims. The declarations of independence of South Ossetia and Abkhazia in 2008 were in no small part responses to the US- and European-backed proclamation of Kosovo’s independence. The separatists within Georgia took advantage of the US’s stance in the Balkans to legitimate their own cause, Russia supported the two breakaway provinces militarily to mirror what the US did in Kosovo, and separatist peers throughout the ex-Soviet and ex-Yugoslav areas affiliated themselves with Serbia or Georgia, depending on their interests. In sum, separatist movement behavior sets precedents for its peers, and successful movements are under pressure to react and adapt to situations perceived as analogous to their own.

Social Movements: What’s So Special about Separatism?

For better or worse, social movements include a wide variety of collective action forms seeking social reorganization, ranging from revolutionary overthrown and geopolitical reconfiguration to village-level water distribution. Separatist movements are an understudied subset of social movements in general: sustained patterns of collective actions aimed at social change on behalf of a somewhat delineated group. Separatist movements are exceptional in three crucial ways: (1) the desired social change is the strengthening of autonomy/independence of what is formally part of the host state, and thus the curtailing of its sovereignty; (2) the collective actions and associated claim-making do not strive to include a majority of the host state’s
subjects; and (3) the delineated group is primarily ethnic/national (thus separatist movements are typically nationalist) and is associated with a territory overlapping with that of the host state.

In examining the success of separatist movements in relation to their reliance on organized crime, I situate my research in four subfields, drawing on valuable elements and identifying weaknesses in each (see summary in Table #1 below). Hirschman’s classic Exit, Voice, Loyalty (1970) categorizes three reactions to social (including state) decline. Most social movements’ collective actions and goals relate to the latter two in relation to the state. Separatist movements, on the other hand, are wholly concerned with exit. I contend that the social movements literature stands to benefit from better understanding of this particularity.

The Argument

Six explanatory propositions will be offered: (1) organized crime can be formative of state structure, capacity and stability; (2) popular support for the separatist movement can directly depend on organized criminal activities; (3) organized criminal capacity can – through its relations to the host state and separatist movement – hinder or advance separatist success; (4) the ethnic heterogeneity/homogeneity of organized crime may determine its capacity and willingness to promote separatist success; (5) organized crime contributes to separatist movement success when it is (a) prepared and (b) predisposed to divert regional smuggling opportunities towards movement goals; and (6) whether host state repression helps or harms the separatist movement depends on the role that organized crime is fulfilling vis-à-vis the state and separatists.

Political Process Approach
It remains conventional wisdom that resource availability enhances the likelihood of social movement success. Departing from the resource mobilization literature (for review, see Edwards and McCarthy 2004), Tarrow (2011), McAdam (1996), Meyer and Staggenborg (1996), and Tilly (2007) emphasize political process and “political opportunity structure,” the wider environment which determines how state challengers are able to mobilize resources and apply them in galvanizing support. Political opportunity structure is said to include

1. the relative openness or closure of the institutionalized political system;
2. the stability or instability of the broad set of elite alignments that typically undergird a polity;
3. the presence or absence of elite allies;
4. and the state’s capacity and propensity for repression (McAdam et al. 1996, p.27).

This shifts attention from social movements themselves to the broader society in which they maneuver, as well as to political resources over economic and cultural/symbolic ones. McAdam (1982) criticizes the traditional resource mobilization approach for its focus on elites at the expense of mass collective action. His own political process model emphasizes the distinction between “members” and the excluded “challengers,” the latter being able to generate successful insurgency when (1) organizational readiness, (2) insurgent consciousness and (3) the political opportunity structure are favorable. Thus “insurgent consciousness” requires a cognitive framework in which participants are persuaded of the necessity of collective action (Tarrow 2011). In addition to the distinction between members and challengers, the literature distinguishes adherents – those supportive of the movement – from bystanders – those disinterested or uninvolved whom movements seek to turn into adherents. Here I arrive at the first general proposition, inserting organized crime as an independent agent:
**Explanatory Proposition #1: Organized crime can be formative of state structure, capacity and stability.**

The political opportunity structure, in other words, can be molded by mafias. Through coup d’etat, partial state-capture or even marginal control over certain host state branches (particularly the repressive ones – police, army, etc.) organized criminal networks can directly determine: (a) the openness of the host state, (b) its capacity/predisposition for repression of separatism, and (c) its overall stability and elite configuration. Furthermore, organized crime can indirectly form state capacity by contributing to broader societal processes that demobilize the separatist movement, that undermine “insurgent consciousness” on the part of separatist constituencies, and that make both separatist and state elites reliant on criminal resources for their survival.

I stress “can be” to avoid any overly ambitious causal generalizations. Partly in response to criticisms (Goodwin and Jasper 1999) of the conceptual vagueness of “political opportunity structure,” McAdam, Tarrow and Tilly (2001, 2008) develop an agenda for process tracing in pursuit of “causal mechanisms.” Rather than striving for general causes, process tracing of closely-paired cases of separatism over longer historical periods can reveal recurrent patterns that account for movement success at different stages of political mobilization (Beach and Pederson 2013). This qualified form of causal inference allows for different periods to be characterized by different causal configurations (McAdam, Tarrow and Tilly 2001), so that separatist success in one period may be attributable to organized criminal agency/relations, but not in another. Although not sufficient to discount alternative explanations, process tracing of a small-N subset of movements may be more effective than large-N quantitative studies at identifying neglected processes across collective action campaigns (Amenta et al. 2002).
A few exceptions aside (Kitschelt 1986; Banaszak 1996), most process tracing in this subfield has focused on single case studies, with very little comparative work juxtaposing two or more social movements (for discussion of possible reasons, see Amenta 2003, p.119-120). My comparison of separatist movements in Serbia and Georgia – justified as closely paired, most similar cases – is an excellent opportunity for “a mechanism-based program of inquiry into historical political processes” (Tilly 2008, p.150-157). The temporal scope (1989-2012) is manageable. The political processes affecting separatist movement trajectory are diverse (wars, state collapses, “revolutions,” mobilizations, demobilizations, etc.), but have apparent recurrences in certain neglected mechanisms (i.e. those involving organized crime). And the outcomes are intriguingly different (the Kosovar movement is more successful), tying the inquiry to broader concerns about movement outcomes (on “Defining Movement ‘Success’”, see Gamson in Goodwin and Jasper 2009, p.413-417).

Furthermore, focusing on separatist movements vis-a-vis organized crime is worthwhile to counter two general biases in the political process literature (as well as the resource mobilization literature before it): one towards reformist movements, which seek to replace state elites or remodel state structure, and another towards inclusionary movements, which seek to give excluded constituencies greater rights or access to resources being denied. There is a related tendency to focus on movements widely considered progressive, while more reactionary ones are quick to be classified as “countermovements” (see for example Koopmans and Statham 1999 on the extreme right). Prominent studies have focused on US Civil Rights activists (McAdam 1982; Morris 1986), New Left and students (Albert and Albert 1984; Breines 1989; Gitlin 1993; Miller and Miller 1987), the poor (Piven and Cloward 1977; Gallie 1983), women (Banaszak 1996; Soule et al. 1999; McCammon et al. 2002), the LGBT population and AIDS activists (Bernstein...
1997; Gamson 1989); opponents of nuclear energy (Jasper 1990; Joppke 1993; Kitschelt 1986), etc.

This bias is in part a reaction to pre-1960s tendencies to treat sustained collective behavior as effectively irrational, disorderly and non-normal conduct of disgruntled groups (Turner and Killian 1957; Smelser 1962). McAdam notes that American sociology in particular had hosted a “simmering hostility” between social movements and “collective behavior” as competing fields of study in the 1970s and early 1980s (2007, pp.420-423). The collective behavior approach had overused its focus on abnormality and deviation in social action. “Departures from normative routines” were given overwhelming focus, as if they differentiate an “‘error term’ of social life” that is to be separated entirely from normal, routine collective behavior. Thus social movements were relegated to “fads, crazes, panics, disasters, crowds” and other irrational social forms (ibid., p.420).

The disciplinary opposition to this approach was invested in legitimizing the study of social movements by emphasizing “the normalcy of collective action [and] reclaiming the study of social movements” with a reappraisal of what is normal, rational and deviant (ibid. p.421-422). The subsequent focus on reformist and inclusionary movements allowed for approaching such phenomena as the “normal” and rational pursuit of understandable goals through noninstitutional means. Social movement theorists routinely marvel at the increasing

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2 So-called new social movement theory has expanded the scope to movements after the 1960s, emphasizing supposed post-industrial particularities (Buechler 2000; Cohen 1985; Larana et al. 1994). It contrasts its subject matter with that of the older (mostly working class) movements of interest to Marxian theory. Emphasis was placed on the constructed nature of collective identity and consciousness, including those of class, ethnic, gender, sexual orientation, youth and antiwar activist categories. The “new” social movements are characterized by politicization of spheres traditionally thought to be apolitical, the prominence of cultural and symbolic demands and ways of forging identity, and their greater emphasis on participatory and non-hierarchical organizational forms. Critics (Pichardo 1997) have argued that the allegedly new movements do not differ significantly from older ones (reminding that traditional movements did indeed rely on symbolism and non-material, cultural construction of collective identity), and that the few differences between traditional and new movements are explained well by older theories (including the differences between pre- and post-industrial movement organization).
nonviolence of social movements over the centuries, pointing out their convergence with processes of democratization, economic prosperity/development, and other welcome dynamics (Tilly and Wood 2009, p.123-144).

I would suggest that this reappraisal has contributed to an overemphasis in the “other” direction, ignoring war-torn, mafia-ridden contexts. The strategies and mobilization processes of separatist movements under criminal control (or with significant criminal relations) are indeed abnormal in underappreciated ways. Organized crime can not only reconfigure the costs of political action through traditional channels, but can redefine those channels – making them more or less institutional, lawful, popular and violent. Though separatist movements are by no means regressive, nor is organized crime an “error term” by any means (on the contrary, as Chapter 1 explores), our models of political processes promoting separatist mobilization are inadequate in such contexts.

The principal reason, I contend, is that organized criminal activities are in fact significantly irregular compared to most claim-making and mobilizing activities. They typically include intimidation, racketeering, extortion, blackmail, smuggling, kidnapping and murder – all driven by profit. As I show in subsequent chapters, these activities – depending on the nature of criminal relations to the separatist movement – can truly make-or-break the cognitive liberation or “insurgent consciousness” of movement adherents pushing for secession:

*Explanatory Proposition #2: Popular support for the separatist movement can directly depend on organized criminal activities.*

First, organized crime poses a burden of illegitimacy and stigma on the separatist movement. The host state, in addition to considering separatism illegitimate *per se*, is predisposed to treat movement challengers as *doubly* illegitimate for being affiliated with
organized crime. The traditional moral attitude towards nationalism was that it was legitimate “when it tends to unite, in a compact whole, scattered groups of population,” while separatism was “illegitimate when it tends to divide a state” (see Hobsbawm 1990, p.33). Adding organized criminal association makes this intuitive illegitimacy even worse. Thus insurgent consciousness has to overcome double stigmatization: one for the separatism, and another for the criminality. Both Serbia and Georgia put great emphasis on portraying separatist elites as mafias (with or without accompanying repression), thus repelling sympathy and support both domestically and internationally.

Second, the ability of movement adherents to “convert” bystanders can be complicated if organized criminal profiteering is associated with movement identity. Ordinary Kosovar and South Ossetian bystanders might be more unwilling, skeptical or frightened to engage in contention (let alone risk their lives) for claim-makers whose motives are tainted by criminal stigma. When organized crime is considered particularly inhumane by elites, adherents, and bystanders alike, separatists can hardly mobilize with it. In Chapter 4, I consider two examples of nefarious organized crime that harmed the separatist cause because it was considered highly illegitimate, stigmatizing the movement. Such barriers to insurgent consciousness are qualitatively different from more familiar dilemmas concerning violent tactics.

Finally, reliance on criminal patronage networks – especially if bystanders have been relying on them for goods, services, employment, protection, etc. regardless of separatist activities – may empower adherents to mobilize bystanders more effectively. The threat or use of force implicit in such demands allows for insurgent consciousness to be coerced in ways that noncriminal mobilization cannot afford. It is more difficult for a Kosovar or South Ossetian to deny a request from a local separatist leader who has been a clan-based drug lord in the area,
than from an adherent who has no criminal patronage. Organized criminal clans, in other words, may be binding in ways that ordinary activist networks (see Clemens and Hughes 2002, p.209-212) are simply not. As I show in subsequent chapters, such criminal patronage networks can be employed to promote as well as retard separatist ideology or ethnic consciousness – depending on the role of organized crime.

State-Centered Approach

Countering what was perceived as a society-centered bias in research on revolutionary movements, Skocpol (1979) and Evans and Skocpol (1985) molded a subfield that stresses the autonomy of the political sphere and the centrality of the state in determining social movement outcomes (Goldstone 1980, 1991; Parsa 2000; Goodwin 2001). Against explanations that stress mobilization of mass support, deliberate behaviors of major social agents, and cultural identity-formation, state-centered theory argues that movement success is the product of structural conditions such as the decomposition of the state and its bureaucracy. “‘Revolutions are not made, they come’” as byproducts of structural changes (Skocpol 1979, p.17). Foreign pressures and entanglements, an inability to counter burdens put on the state, and a domestic power vacuum were some of the common factors precipitating revolution in Russia, China and France (Skocpol 1979). Analogously, separatist movements would be precipitated by the host state’s ineffective bureaucracy, external military and economic pressures, and impotence in fighting organized crime (i.e. monopolizing force, protection rent, etc.).

More generally, 20th century waves of decolonization, revolution and geopolitical turf war have been contextual catalysts for separatist proliferation. It is almost a truism that “secessionist nationalisms are often forged from failed projects of broader national integration”
(Calhoun 1997, p.102), with the collapse of the Soviet Union being a paradigmatic example (Wimmer 2012, p.104-5). The difficulty is that such multi-ethnic state breakdown is equally conducive to unificationist, “macro-nationalistic” and “pan-movements” that seek to redraw and combine boundaries without separatism *per se* (Snyder 1982). Not to mention that reformist nationalist movements are as likely as separatist or unificationist ones. Some authors even distinguish between *secession*, when “internal incongruence” is boosted by state weakness, and *irredentism*, or “external incongruence” boosted by state strength (Miller 2013, p.81) – as if state strength is the only interesting dimension varying across such cases.

We are left with an unsatisfying platitude: that the collapse of big states produces a cacophony of movements from subordinate national groups (along with other, non-nationalistic claim-makers), and that “nationalism can be employed equally in the service of unification or secession” (Calhoun 1997, p.103). State collapse simply causes separatism, organized crime, and a welter of other disorderly things – and state consolidation and strength prevents them. The relations among the byproducts are mysterious.

As I will argue, organized crime is a factor that helps us answer the question being begged in the conflation of separatist and unificationist movements as two products of a common cause (state collapse). Namely, under what circumstances is the separatist option more likely than the unificationist one? In the cases of Serbia and Georgia, I contend, the role of organized crime in the relational triad of host state-separatist movement-organized crime largely determined the relative success of separatist movements – sometimes *against* host state and separatist movement interests. Under very similar contexts of macro-state collapse (Yugoslavia

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3 Breuilly (1994), with his political determinism vis-à-vis nationalism, is also a state-centered analyst in this regard. He focuses on the “relationship between the nationalist movement and the state which it either opposes or controls,” deducing a three-part classification: “separation,” “reform,” and “unification” (p.9). Between the early movements of “unification or separation,” “separatist movements are the more important and common of the two” (p.375). I agree, adding that the same is true of the constellation of movements after the Cold War.
The South Ossetian movement was irredentist because organized crime assumed an impartial bystander role, while the Kosovar movement was separatist because organized crime assumed a *divisor et imperator* role (Chapter 2).

The key insight is that organized crime has a *capacity* akin to familiar state and movement capacity. It controls borders, territory, coercive force; it extracts resources, offers “rent protection” (Tilly 1985, p.175), seeks to control markets; and it enforces discipline through indoctrination and penalties for disobedience – often through institutionalized, formalized hierarchies with strict rules of conduct. It may be true that most modern state capacities are such that a sufficient monopoly over these activities simply makes non-state agents’ capacities irrelevant. But countries torn by separatist movements are different. In such cases, state-separatist relations are never fully direct or independent of criminal interests, strategies and resources.

I should emphasize in particular the first capacity item: *borders*. Separatist movements are distinct from anti-colonial movements as well as revolutionary ones because they do not merely seek independence for an already-separately administered territory. They seek boundary changes, which empowers organized crime networks because: (1) their dominance over smuggling across disputed borders can lead them to undermine state capacity or separatist movement progress, depending on whether disputed borders are profitable to them or not; (2) the greater the state-separatist collision (especially violent), the more likely criminal circles are to engage in “brokerage” between them, adjudicating competing claims about migrations, customs posts, tariffs, traffic, jurisdictional lines for businesses, etc.; and (3) since separatist movements (unlike reformist ones) are deliberately excluded from legal, state-approved resources, cross-
border demand is greater: illicit commodities ranging from bread and gas, to guns and uniforms for separatist constituencies, all empower criminal traders.

Thus organized crime does not merely compensate for state incapacity/failure/withdrawal reactively; it pro-actively creates relations with (a) the host state, (b) the separatist movement, and (c) organized criminal networks independent of both. It is through these relations that it affects separatist outcomes:

*Explanatory Proposition #3: Organized criminal capacity can – through its relations to the host state and separatist movement – hinder or advance separatist success.*

It has been stressed that state-centered approaches do not deny non-state actors, nor do they treat states as omnipotent or singularly important (Goodwin 1996; 2001). Nevertheless, the behaviors of groups, organizations and individuals are largely discounted, being relevant only in the context of greater structural shifts in state power that determine the chances of its challengers. Although scholars in this subfield have sought to incorporate the role of ideology, culture and emotion into such a structuralist approach (Foran 2005, 2009; Selbin 2010; Reed 2004), it remains limited in its ability to explain the ethnic identification processes and cultural-interpretive negotiations over who “belongs” to the separatist nation opposed to the host nation. The extent of ethnic particularism (vs. multi-ethnicity) of organized criminal enterprise, as we shall see, can affect movement outcomes – ethnic-based smuggling and multi-ethnic smuggling can produce very different effects.

The interdependence of warmaking and statemaking has led state-centered theorists to acknowledge the essential similarity in what states and gangsters do: “Banditry, piracy, gangland rivalry, policing and war making all belong on the same continuum” (Tilly 1985, p.170). It was the centralization of the state apparatus through inter-state rivalries that drew the “uncertain,
elastic line between ‘legitimate’ and ‘illegitimate’ violence” on that continuum. As the administrative bureaucracies for extracting capital and for exerting force in war expanded and became “relatively unified and permanent,” so did the supposed legitimacy (p.173). But little attention has been paid to reversals of this process in separatist regions long after the emergence of the modern nation-state. Indeed, the forms of organized coercion that have received attention in mainstream sociology have been almost exclusively state-related or state-based, including policing/surveillance practices and even terrorism (see Malešević 2010, p.10). Separatist movements by definition promote decentralization, and often engage in warmaking and statemaking at the expense of host state coercive institutions. It is thus natural to expect that organized criminal activities develop an elective affinity with separatist movement activities.

An important, somewhat paradoxical feature of state-movement relations is the effect of state co-optation (Johnston 2011, p.95-96). States may incorporate certain activities of social movements by offering funding sources for movement organizations (as when the host state funds the separatist minority’s educational programs); by providing services to movement adherents in response to demands (as when minority refugees from separatist war are offered housing opportunities to return from the disputed province to the host state proper); or by including movement leaders in formal state institutions (as when parliamentary delegate spots are reserved for separatist representatives). Although such co-optation may increase the visibility of the separatist movement and strengthen some of its activities in civil society, it simultaneously tends to create division among secessionists (between the moderate beneficiaries of the state’s concessions and the extreme adherents who feel marginalized, insisting that the national cause has been betrayed) and to promote host state stability. By “bargaining selectively with the minimum coalition that seems likely to produce tolerable demands,” while “offering minimal
concessions, co-opting the challengers’ leaders, repressing the extremist groups, and promoting
demobilization of the rest” (Tilly 2005, p.309-10), states have the unique capacity to set
challengers’ agendas as well as their own. It should be noted that such activities need not be
deliberate and agentic. Rather, the unintended effects of such co-optation can preserve state
sovereignty.

In Chapters 2-4, I review a variety of criminal co-optations of both state (through coup
d’État) and separatist movement (through elimination of anti-state rivals). These represent the
most conspicuous relations of organized crime with the host state that directly affect separatist
outcomes. As will become clear, co-optation attempts by the host state are often inconsequential
compared to those by organized crime.

In accordance with the Weberian intuition that state legitimacy is crucially determined by
its relations to external power center, a central concern of state-centered approaches is the
“special attention devoted to international contexts” (Skocpol 1979, p.5). The subfield
complicates the boundary between “internal” affairs of an entity like the host state and the
“external” conditions in its geopolitical surroundings. Thus military threats, economic sanctions
and diplomatic pressures from abroad encourage certain outcomes in domestic politics and
discourage others. Endogenous mobilization factors such as separatist tactics, resource use
(illegal or otherwise), and appeals to ethnic identity interact with exogenous factors such as
population shifts, foreign military intervention and transnational criminal trafficking. Economic
stability, levels of elite cohesion and levels of popular mobilization within a state are only a few
of the variables highly contingent on international setting – and all are crucial factors bearing on
domestic social movement outcomes. The transnational nature of organized criminal networks
-especially across patron state populations) is equally relevant.
Finally, the subfield has set helpful methodological precedents for case selection and regional comparisons that allow for isolation of relevant causal factors. This approach has been applied to revolutionary movements (for review, see Goldstone 2003), welfare policy-oriented movements (see Amenta 2003), and movements during broader democratization and modernization processes (see Mahoney 2003). In Goodwin’s study of revolutions (2001), cross-regional and intra-regional comparisons, accompanied by theoretically-driven selection of cases, showed that regional and geopolitical effects can be “controlled” for. A tradition of “contextualized comparisons” has been adopted (Locke and Thelen 1995; Ragin 1987) allowing for “specific sets of cases that exhibit sufficient similarity to be meaningfully compared to one another” without excessive causal generalization that loses sight of historical contingency (Mahoney and Ruschemeyer 2003, p.8-15). With proper acknowledgment of scope conditions and careful process-tracing, even small-n comparisons can suggest compelling causal explanations (albeit not universalistic ones), especially such that tie neglected factors (e.g. organized crime) to familiar ones (e.g. social movements). I adopt the two critical methodological components – (1) contextual comparisons and (2) process-tracing – in Chapters 1-3.

Ethnic/Nationalist Social Movements

Because of their predominantly ethnic/national basis, separatist movements are best categorized as a subset of nationalist movements. They rely, in other words, on identity claims based on ethnic/national markers and claims of territorial sovereignty that conflict with formally existing ones. Separatists are nationalists in Gellner’s strict sense: they hold that “the political

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4 Stinchcombe distinguished between “historicist” and “constant cause” explanations (1968, p.101-4). This dissertation, like most comparative small-n studies, aims for the latter.
and national unit should be congruent” (Gellner 1983, p.1), feeling trapped in an “internal incongruence” of the host country (Miller 2013, p.81-83). Their particularity is in their wish for outright withdrawal from existing state authority, which is especially vulnerable to secessionist conflict when it has a short history of direct rule (Wimmer, Cederman and Min 2009).

Though diverse in its purposes (see Olzak 2004 for a review), a central concern of this subfield is to explain the general increase in nationalist movements since the end of the Cold War, and especially the apparent switch from nationalism as a force for integration to one for disintegration in the modern period. Not unlike their 19th century predecessors, many believed that “the barriers of nationality,” far from being erected around ever-smaller areas, would “melt and dissolve in the sunshine of science and art” (Hobsbawm 1990, p.38). Such progressive currents, as well as social Darwinism, Wilsonian self-determination and Leninist doctrines on nationalities, all anticipated the demise of secessionists. Instead, separatist movements have been on the rise since 1990, their exclusionary and non-reformist demands accelerating the multiplication of states.

Weber had pioneered the approach to “ethnicity” as a belief in common descent, thus as much a social perception as a static reality. Though themes of the objectivity of racial difference through heredity are present in his work, the Weberian approach has inspired the understanding of nationalist movements as executors of the belief in communal origin. Ethnic groups as foundations of political action require that sufficient numbers of movement participants consider (privately or publicly, rationally or otherwise) their shared ancestry a reality. Furthermore, social action on an ethnic basis relies as much on awareness of difference from out-groups as on

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5 See also review of “nation-builders” vs. “nation-splitters” in Ibid (p.163-5). Chapter 2 illustrates how organized crime can determine whether the separatist movement acts as “nation-splitter” (KLA for Serbia) or as “nation-builder” (Ergneti market for Georgia). Whether the movements function as one or the other may have nothing to do with their nationalist ideologies, which malleably adapt to criminal interests when necessary.
familiarity with the in-group (see Fenton 2010, p.60-62). Thus separatists mobilize not only against the host state, but against its titular ethnicity – markers such as accent, dress, custom, humor style, etc. can readily become cultural reference points for separatist mobilization. Considering the plethora of national disputes with readily detectable ethnic/racial markers, Kosovo Albanians/Serbs and Georgians/South Ossetians are, in fact, tremendously similar categories. Their phenotypical appearances, popular clothing, language abilities, occupational profiles and predominantly secular customs are extremely akin by comparative standards.\(^6\) It took immense social engineering to solidify the divisive ethnic markers with which separatist movements operate in those two contexts.

Simmel also expanded on the same theme:

> Within certain groups, it may even be a piece of political wisdom to see to it that there be some enemies in order for the unity of the members to be effective and for the group to remain conscious of this unity as its vital interest” (Simmel 2010, p.98).

External threats, Simmel, argued, are the *sina qua non* of ethnic/national mobilization (see Malešević 2010, p.185). Anderson (1991) established that nationalist movements crucially presuppose an “imagined community” of people with a shared identity that is – because of modern communication networks and literacy – perceived to be broader than that of kinship, village or town. This shared identity is in large part a product of relational cultural meanings negotiated by nation-builders, opponents and external powers (Brubaker 1996). I should like to add that organized criminal nation-builders and/or nation-decomposers (depending on their role) can also be agents of ethnic/national construction in this context.

The affirmation of a national identity within an existing nation-state is: (1) a reaction to the host state’s nation-building efforts, (2) an attempt at negotiating with the minority ethnicity

\(^6\) For a comprehensive list of post-1945 separatist movements, and their corresponding ethno-political groups, see Gurr (2000) and Carment and James (1997).
seeking to separate, and (3) an imperfect compromise with international stake-holders. Smith (1979) has argued that initial state-building steps such as the creation of a centralized bureaucracy and a national education system encourage separatism by producing ideological challenges to national identity claims. Studies have addressed how such ethnic identity and solidarity are transformed into ethnic mobilization (Beissinger 2002; Brubaker 1996), to what extent ethnic/nationalist movements are distinctly modern in their goals (Gellner 1983; Smith 1986; Wimmer 2013), and how ethnic loyalties relate to labor market cleavages and economic inequality (Ragin 1979; Olzak and Nagel 1986; Medrano 1994). The effects of organized crime on separatist mobilization, identity-formation, anti-state strategy and – perhaps most importantly – state-building in parallel to the host state, have been neglected.

**Explanatory Proposition #4:** The ethnic heterogeneity/homogeneity of organized crime may determine its capacity and willingness to promote separatist success.

In Chapter 3, I survey a variety of possibilities for criminal benefits to the separatist movement – in the form of arms, drugs, human trafficking and related financial gains – that are determined not merely by host state repression, separatist mobilization, or geopolitical context but also by the ethnic particularism of organized criminal enterprises. In Chapter 4, I illustrate that organized crime can perform the function of ethnic mobilization *on behalf* of the separatist movement quite effectively – at the barrel of a gun. It does so with appeals to identity, but for its own reasons, and relying on clan-based kinship ties established by crime networks *against* state nationalization attempts.

A fair share of ethnic/nationalist movement research has focused on the effects of ethnic heterogeneity on the likelihood of violence and its durability. In a typically large-N study, Sambanis (2001) argues that civil war is more likely to erupt in states with high ethnic
heterogeneity and that economic and non-ethnic factors (such as energy consumption) are more likely to be focal points of collective violence in homogenous societies. Collier (2000), Collier et al. (2001) and Fearon and Laitin (2003) have found that ethnic diversity seems to prolong civil wars, particularly when the heterogeneity consists of a small number of large ethnic groups. Wimmer, Cederman and Min (2009), in contrast, challenge the view that diversity makes societies more conflict-prone; rather, countries with widespread exclusionary policies based on ethnicity and numerous elites sharing power in a segmented state increase the likelihood of armed conflict. Fearon (2001) acknowledges that anti-state movement access to external contraband resources (like arms) can be an important factor in prolonging violence, but the relation of such access to nonviolent movement success and the precise mechanisms by which this access may aid separatists is unexplored.

The issue of ethnic heterogeneity has been unfortunately conflated with separatist intentions and motivations. For instance, it has been argued that popular rejection of ethnic heterogeneity among the host state population can inadvertently – for chauvinistic reasons – support separatist success. Saideman offers a two-by-two pairing of weak or strong “identification with kin” (Russian Ossetian identification with South Ossetians, or Albanian identification with Kosovo Albanians) with a “tolerant attitude of heterogeneity” towards the other or an “intolerant attitude of homogeneity” towards the other (such as the attitudes of Serbs towards Albanians, or Georgians towards Ossetians) (Saideman 2013, p.346). The puzzle is thought to be that strong identification with kin – Serbian for Serbs in Kosovo, say – combined with a tolerant attitude towards heterogeneity in fact strengthens the host state’s irredentist resolve. The position “We’re OK with a substantial Albanian minority” is, in effect, more likely to produce aggressive policies to quell separatism in Kosovo than would be an intolerant attitude.
favoring homogeneity: “We are not OK with a substantial Albanian minority, so just let the separatists go.” Such arguments are routinely made to explain what may boost a separatist movement’s momentum:

The punchline here is that groups who hate may actually be opposed to international adventures because they might bring into the country more of the “others” that they despise. Xenophobia may actually serve as a brake on irredentism (Saideman 2013, p.347).

The limitation of such approaches is that excessive attention is paid to motivations of separatists on the one hand (e.g. whether they are driven primarily by ethnic, chauvinist/tolerant, or economic incentives), and on their tactics on the other (e.g. when and whether they deploy violence and how protracted it is). These concerns neglect the goals of organized crime in relation to separatism, and the relative successful of efforts to achieve them. Indeed, Kosovo and South Ossetia are utterly undesirable from a strategic, economic and especially ethno-nationalist logic. Yet the levels of xenophobia in the above-quoted sense have directly been promoted or deflated by organized criminal enterprise, in turn promoting or retarding separatist success.

Furthermore, the level of ethnic heterogeneity of organized crime itself (including its xenophobia in relation to criminal partnerships) can indirectly undermine or support separatist mobilization as an unintended consequence.

Thus I approach the movement outcome as a matter of separatist success, regardless of ethnic motivation or intention. Brubaker (1996) illustrates the value of treating ethnic sovereignty claims as a varying dimension: separatist movements appeal to national solidarity claims to fight for a range of levels of independence from the host state. Crucially, their success in achieving one or another level is not predictable by levels of violence or their chauvinistic intentions. For our purposes, three value-neutral levels of success are defined in Chapter 1.
In sum, this literature emphasizes the importance of ethnic/national identity as a powerful motivating force both for rank-and-file adherents as well as leaders of separatist movements, who may take advantage of ethnic loyalties for their own political preservation. The central theme is the fostering of an “us”-“them” distinction through appeals to ethnic inequality and what Wimmer (2013) calls ethnic boundary-making. The homogeneity of the in-group, furthermore, is crucially dependent on beliefs about the homogeneity of the threatening or exploitative out-group. Diasporas and ethnic migrations have been found to be powerful instigators of both ethnic identification and mobilization (Carment and James 1995); thus repeated instances of population dispersion and resettlement may strengthen separatist momentum. In the context of Serbia and Georgia, it is expected that organized criminal networks – which pervade diasporas and control borders – have the potential to influence separatist success. Their level of ethnic particularism in criminal enterprise is thought to be as relevant as ethnic dynamics in the host state as a whole.

Rational Choice Approach

Rational choice theory approaches separatism in the context of deliberate choices made by individuals, state elites and social movement organizations, assuming a great deal of certainty about the consequences of these choices. Social movement success ultimately depends on the amalgam of decisions resulting from competing cost-benefit analyses of states and their challengers. The decision to engage in violence, in particular, has been modeled on the basis of expected gains from state control, reasons for trust in civil war contexts and economic gains and losses (Fearon 1995; Wintrobe 2006; Laitin 1995, 2007). Separatism through civil war simply emerges when it “is profitable for potential insurgents, in that they can both survive and enjoy
some probability of winning the state” (Laitin 2007, p.22). Far from a product of state fragmentation, “secession is seen to be the outcome of a series of collective decisions made by regional leaders and populations” and their counterparts in the host states (Hechter 1992; p.467). Even the most seemingly irrational and chaotic wars, Kalyvas (2006) argues, have a logical structure to them, as rational strategies and interests of elites and local actors tragically clash. Ethnic secession in post-communist settings is more likely as the dilemma of “credible commitment” intensifies: the more distrustful minority groups are of the majority group’s willingness to secure protection and rights, the more rational it becomes to separate from the host state (Fearon 1994). Related concepts of the free rider problem, the prisoner’s dilemma, the security dilemma, etc. are often used to explain the leap from individual rationality to collective irrationality.

One readily-applicable insight from this subfield is that organized crime, once we have acknowledged it as an autonomous agent with independent relations to the host state and separatist movement, will advance separatist success if and when doing so is in its perceived self-interest – to secure a market share, increase profitability, eliminate rivals, gain immunity, etc. In Chapter 3 (and partially 4), I argue that disaggregating organized crime according to commodity, timing of smuggling, and regional opportunity for profit, reveals if and when the separatist movement will benefit from organized criminal resources:

*Explanatory Proposition #5: Organized crime contributes to separatist movement success when it is (a) prepared and (b) predisposed to divert regional smuggling opportunities towards movement goals.*

To this extent, I adopt a rationalistic approach to criminal agency – its promotion of separatist movement success (as with arms smuggling in Kosovo) is a byproduct of anticipated gains to
their profit-driven goals, as they perceive them. Similarly, organized criminal retardation of separatist movement success (as with the Ergneti Market in South Ossetia) is likewise a byproduct of criminal choices aimed at preserving and strengthening their capacity, not opposition to separatism as such. What I conceptualize as criminal “filtering” has to align with critical junctures of opportunity for separatist progress.

On the whole, however, a central weakness of the rational choice approach is a naïve, instrumentally-rational model of agency based on known goals of individual actors (or groups of them). Combined with the excessive emphasis on violence as the dependent variable, this results in what Malešević (2010) called “an overly rationalist and instrumentalist epistemology which conceptualizes human beings as *hominis economici* in pursuit of rational interests” (p.62). If not itself instrumentally rational, violence is at best “interpreted as an (often unintended) outcome of rational decision-making” (p.61). Accordingly, there is no acknowledgment of the distinction between violent and largely successful anti-state movements (Nagorno-Karabakh, Gorno-Badakhshan) and far more violent but less successful ones (Chechnya).

At the heart of rational-choice explanations of separatist outcomes is the relationship between repression and separatist mobilization: success is likely to increase as the cost of challenging the repressive host state decreases. Johnston (2011) reviews various approaches to the repression-mobilization relationship, including a crude rationalist model (when mobilization is inversely proportional to repression), a frustration-aggression model (where mobilization is directly proportional to repression), U-shaped models of moral outrage (where mobilization suddenly spikes after a “line of proportionality”) and of deterrence (where mobilization suddenly wanes after a “line of deterrence”), and several S-curved models that combine these linear ones (p.108-113). These approaches share the general view that movement challengers are as
successful as they are adept at realizing their self-interest, determined by how excessive state actions to subdue dissent are and how rational a “backlash” would be.

Arguably the most important work addressing separatist movements in particular is Hechter’s *Containing Nationalism* (2000). Building on the concept of the “solidary group,” Hechter points to peoples’ apparent need to belong and make sacrifices for a collectivity. Various interconnected and sometimes conflicting solidarities emerge out of this need, the nation being one of the most prominent. The nation is characterized by territoriality, a well-developed sense of collective history and an awareness of one or more external group offering collective goods similar to the ones provided by the nation (p.14). Nevertheless, nationalism is itself a subset of a larger category of solidary groups – namely, “ethnic groups” – which are ultimately the vital basis and precondition for it to flourish. His rational-choice premises rely on a culturalist approach to nationalist separatism. “Nationalism,” he writes, “ultimately rests on cultural distinctions” (2000; p.96), the salience of social identities in general being a product of “cultural division of labor” (p.101). The boundedly-rational agents at the center of his analysis are “culturally distinct groups” (p.112), albeit not as homogenous and essentialized as in other approaches (Huntington 1996).

Hechter addresses the question of what determines separatism’s success directly, arguing that the host state’s attempts to impose direct rule over (and revoke autonomy from) separatist regions increases separatism’s intensity and success. In other words, separatist movements will be more successful as attempts to impose direct rule escalate and as concessions to separatist demands are withdrawn: separatism is contained by limited “appeasement,” as it were. Ultimately, Hechter explains the intensity, form, likelihood and outcome of separatist activity with a simple cost-benefit analysis on behalf of those engaging in nationalism; the question is
whether a sufficient number of people (elites and intellectuals included) recognize that it is in
their interest and rationally feasible to adopt nationalist policies, given their perceptions of their
governance units and their solidary groups. “[I]ndirect rule inhibits nationalism” (45) because it
makes such policies less rational.

This argument has the merit of offering clear hypotheses, but has a crucial difficulty.
Namely, separatist movements with organized criminal bases may reverse Hechter’s dynamic.
The more concessions the host state makes, the more separatism will continue to escalate
because its elite and adherents have fewer disincentives to continue – and indeed expand – their
criminal enterprises. Indirect rule necessarily implies relegating anti-corruption and anti-criminal
activities to institutions that are weaker, less experienced and more fragmented than those of the
host state. Here I would conjecture my final proposition:

Explanatory Proposition #6: Whether host state repression helps or harms the separatist
movement depends on the role that organized crime is fulfilling vis-à-vis the state and
separatists.

Thus the relation between state repression and separatist mobilization will itself depend on
organized crime. Chapter 2-3 explore a dramatic example of a campaign of state repression
(Georgia’s push for reunification, 2004-8) that was effectively a self-fulfilling prophesy. The
host state assaulted South Ossetia to impose direct rule, but under the guise of a crackdown on
organized crime. But by destroying the organized criminal infrastructure, Georgia removed the
single greatest barrier to separatist mobilization and thus rekindled separatist progress. It would
be absurd to explain this causal chain as a reaction to increased direct rule or retraction of
autonomy from the separatists – neither the host state, nor the separatist movement can be said to
have acted in a calculating or rational way. Nor could the pre-repression state of affairs be
meaningfully understood as “indirect rule,” because the Ergneti Market was equally undermining state and separatist movement capacity. The organized criminal role was such that both separatism and state repression were disincentivized.
Table 1. Summary of Four Theoretical Subfields

<table>
<thead>
<tr>
<th>Theoretical Subfield</th>
<th>Main Factors Promoting Success of Separatism</th>
<th>Application</th>
<th>Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Political Process Approach</strong></td>
<td>Political opportunity structure; movement ability to convert bystanders into adherents and mobilize them.</td>
<td>Process tracing as method; political opportunity structure as context for movement success; importance of “insurgent consciousness” for movement mobilization.</td>
<td>Bias towards reformist and inclusionary movements; neglect of organized criminal determination of opportunity structure; neglect of separatist movements as social movements.</td>
</tr>
<tr>
<td><strong>State-Centered Approach</strong></td>
<td>State strength (extent of external, geopolitical, economic, bureaucratic pressures); extent of state co-optation.</td>
<td>Focus on intra- and inter-regional factors, on centrality of the state and on the complication of “internal”-“external” boundary of host state and separatist movement.</td>
<td>Tendency towards overly-structuralist explanations (instead of relational); neglect of organized criminal capacity and non-state actors.</td>
</tr>
<tr>
<td><strong>Ethnic/Nationalist Movements</strong></td>
<td>Effective appeals to ethnic/national identity and grievances; ethnic homogeneity of in-group and out-group, ethnic heterogeneity of host society as a whole.</td>
<td>Typology of success of separatist movements towards conceptualizing the outcome variable; centrality of in-group/out-group ethnic solidarity and mobilization.</td>
<td>Excessive emphasis on: homogeneity/heterogeneity as explanatory variable at the level of state and population; on ethnic/nationalist motivations and goals; and on violence as outcome.</td>
</tr>
<tr>
<td><strong>Rational Choice Approach</strong></td>
<td>The extent to which the host state curbs autonomy of separatist province.</td>
<td>Examination of strategies of direct vs. indirect rule of host state over breakaway province, and separatist reaction.</td>
<td>Simplistic model of instrumental rationality, particularly in relation to resort to violence and decisions to rely on criminal resources.</td>
</tr>
</tbody>
</table>
Chapter Outline

The research question “What role does organized crime play in determining the success of separatist movements?” is tackled in four steps, with sub-questions for each chapter. First, I examine regional indicators of a connection between separatist success and organized crime, justifying a comparison of Serbia/Kosovo and Georgia/South Ossetia as most similar cases. Second, I process-trace changes in the relational triad of host state, separatist movement and organized crime over a 23-year period, arguing that different trajectories in these relations account for different levels of success for the two separatist movements. Third, I examine under what conditions aggregate regional smuggling trends before critical junctures of movement success in fact contribute to that success; I argue that criminal “filtering” of the aggregate criminal flows determines whether separatist goals are advanced or hindered. Finally, I compare two nefarious criminal episodes – organ smuggling in Kosovo and nuclear smuggling in South Ossetia – that harmed the separatist movements; I argue that superior organized criminal capacity in Kosovo (reflected in its infrastructure, autonomy and community) managed to contain the harm of exposure from the nefarious episode.

In Chapter 1, I ask: What are the regional indicators of a link between organized crime and separatist outcomes in the ex-Yugoslav and ex-Soviet regions? I argue that organized crime vis-à-vis separatism is a worthwhile connection to explore through a comparison of Serbia and Georgia. First, I examine cross-regional similarities to exclude certain regional and geopolitical effects as major explanatory factors, as they are shared by (nearly) all ex-Yugoslav and ex-Soviet cases. Second, I identify geopolitical dependence, organized crime and state structure/strategy as general explanatory factors in separatist success. Third, I specify two negative cases – Chechnya as a moderately successful but highly criminalized case and Transnistria as a highly successful
but noncriminalized case – to isolate organized criminal variation and relations to state/separatist movement as crucial. Finally, I further justify the Kosovo-South Ossetia pairing as the most similar cases with additional resemblances.

In Chapter 2, I ask: How do changing relations of organized crime towards the host state and separatist movement affect separatist success? I process-trace host state, separatist movement and organized criminal relations in Serbia and Georgia, 1989-2012. I argue that the role of organized crime evolved differently in the two cases, explaining different levels of success for the two separatist movements. Namely, organized crime in Serbia evolved from the role of bystander, to divisor et imperator, to tertius gaudens; in contrast, organized crime in Georgia evolved from the role of tertius gaudens, to non-partisan mediator, to bystander. These differing trajectories – process-traced through three phases – account for the greater success of Kosovo’s separatist movement than South Ossetia’s. Taken as a whole, the trajectory of Kosovar separatism was one of continuous, uninterrupted progress; the trajectory of South Ossetian separatism was one of interrupted progress.

In Chapter 3, I inquire: Do changes in aggregate organized crime patterns before critical junctures in separatist movement development affect the movement’s success? I compare Serbian and Georgian organized crime patterns from 1989–2012, as reflected in data on three domains: the drug trade, human smuggling, and the illegal arms trade. I examine whether critical moments of separatist success for the two movements – the 1999 Serbia-Kosovo war, which gave Kosovo de facto sovereignty under NATO occupation, and the 2008 Georgia-South Ossetia war, which gave South Ossetia de facto sovereignty under Russian occupation – coincide with significant shifts in aggregate organized crime levels. Developing a model of criminal “filtering,” I argue that organized criminal preparedness to react to aggregate criminal patterns and
predisposition to aid separatism determine whether criminal flows aid the separatist movement at the critical juncture.

Finally, I ask in Chapter 4: Under what conditions does nefarious organized crime harm the separatist movement? Here I examine two nefarious organized criminal episodes in depth: organ smuggling in Kosovo and nuclear trafficking in South Ossetia. Both of these nefarious episodes undermined separatist movement success, but I argue that nefarious crime harmed South Ossetia’s separatists more than Kosovo’s because organized criminal capacity was greater in Kosovo, containing the harm from exposure. I argue that the differences in organized criminal capacity are relevant in three dimensions: (1) criminal infrastructure, as reflected in control of borders and sites; (2) criminal autonomy, as reflected in the ability to leverage separatist ideology and to instrumentalize separatist movement institutions; and (3) criminal community, as reflected in levels of discipline, fear and clan-based solidarity.

Serbia-Kosovo and Georgia-South Ossetia: An Overview

In Chapter 1, I justify the selection and pairing of Serbia-Kosovo and Georgia-South Ossetia and note limitations of the comparison. Below, I give a preliminary overview of the two cases for the reader’s general orientation. Census data, migration figures and population proportions should be approached with caution (see Methodological Appendix), particularly because sizable numbers of Albanians simultaneously “reside” both in Albania and Kosovo, just as many Ossetians “reside” both in North and South Ossetia.7

Serbia is a Balkan country of some seven million, predominantly Orthodox Christian Serbs (82%), with minority Catholic (6%), Muslim (3%), and Protestant (1%) populations. Ethnic minorities include Hungarians (4%), Bosnian Muslims/Bosniaks (2%), and Roma (1%).

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7 Facts from World Bank and CIA Factbook, unless otherwise noted.

Post-Cold War Serbian history can roughly be divided into two periods, during and after the reign of Slobodan Milošević (1989-2003) that led to four wars, deep economic crisis, prolonged authoritarian rule and international isolation. In October 2000, a democratic uprising named the Bulldozer Revolution ended the regime, ushering in a reformist, pro-Western government led by Zoran Djindjić (2000-3). After his assasination, more conservative and mixed democratic coalitions ruled under two main figures, Vojislav Koštunica (2004-8) and Boris Tadić (2004-12). Economically, the Milošević period was one of steep economic decline followed up gradual recovery in the democratic period. Serbia and Kosovo suffered jointly under UN-imposed sanctions from 1992-5. The GDP of the then-Yugoslavia (including Kosovo and Montenegro) declined by over 80% in the 1990s. After the 1999 Kosovo war, Serbia’s GDP climbed from $6.5 billion in 2000 to $49 billion in 2008; between 2008-12, it oscillated between $39 and $50 billion.

Serb-Albanian animosities grew as the Milošević regime reduced Kosovo’s autonomy status, as the separatist parliament declared independence from Serbia, and as Albanian strikes in the province led to state repression. With the formation of the Kosovo Liberation Army (KLA), violent escalations from 1996-9 culminated in a full-scale 78-day war to drive Serbian forces out
of Kosovo. A UN- and NATO-backed administration of the province eventually led to Kosovo’s declaration of independence in 2008, after which an EU-backed administration assumed control of the province.

Kosovo, covering roughly 10,000 square km, borders host state Serbia to the north, patron state Albania to the southwest, as well as Macedonia and Montenegro (both of which have Albanian minorities). Its territory was constituted as the Autonomous Oblast of Kosovo and Metohija in communist Yugoslavia. A 1981 census registered 1.2 million Albanians in Kosovo, which accounted for 7.7% of the Yugoslav population and 11% of the 10.1 million people who were to remain in the Serb-dominated Yugoslavia (Serbia, Montenegro and Kosovo). Kosovo’s ethnic composition in 2008 was estimated to be 92% Albanian and 8% Serbian, Bosnian, Gorani, Roma, Turk and Ashkali combined. In neighboring Albania, another 2-3 million Albanians reside. The porous Kosovo-Albanian border saw massive migrations and population transfers throughout the 1990s and 2000s, ranging to as high as 800,000 in a matter of weeks in 1999.

Kosovo’s territory is largely mountainous, more than half of it at 1,000 meters above sea level; Prokletije in the west and Sharr on the South are the major mountainous areas. Though the province is rich in metal and mineral resources (lignite, lead, zinc, nickel, chrome, magnesium), very few factories were functional for any prolonged period of time. Outdated technology and equipment, combined with unreliable electrical supply, further maintain Kosovo’s overwhelming reliance on international aid. With less than a quarter of the land being arable, subsistence agriculture remains dominant. Between 1999 and 2012, the median age ranged from 27 to 33 and the unemployment rate ranged from 34% to 82%. A 2006 estimate put 45% of the population below the poverty line.
Georgia, a country in the Caucasus of some five million, is predominantly Orthodox Christian (84%), with a sizable Muslim minority (10%) and a small Catholic minority (<1%). The 70% of ethnic Georgians speak the southern Caucasian language of Kartvelian; minorities include Russians (9%), Armenians (7%), and Azeris (7%). Two separatist ethnic groups – 150,000 Ossetians and 100,000 Abkhazians – have posed major challenges to host state consolidation. The Abkhazians are concentrated in the northwest, speak a Caucasian language distinct from Georgian, and include a sizable Muslim population. The Ossetians, concentrated in north-central Georgia, harbor nationalist views identifying themselves as Alanian and historically tied to Alans in Russia, as well as to Russians themselves. Ossetians speak an Iranian-based language and, though formally Orthodox Christian like Georgians, predominantly practice animism and paganism. A small minority of North Ossetians are Sunni Muslim.

Post-Cold War Georgian history can be divided into three periods. In the immediate aftermath of secession from the USSR, the short-lived regime of Zviad Gamsakhurdia (1991-2) was a prelude to more than three years of civil war in Georgia, characterized by coups, widespread civil unrest, collapse of centralized government and loss of control over separatist territories. The second phase begins when Eduard Shevardnadze (1995-2003) consolidated the Georgian state, ended near-anarchy and instituted an authoritarian but stable regime. In November 2003, a popular uprising dubbed the Rose Revolution ushered in the final period under Mikheil Saakashvili (2003-12), a pro-Western and reformist leader who modernized the state apparatus but provoked another war with South Ossetia. Economically, the deep crisis of the 1990s was followed by a period of growth and recovery. Though it did not have formal UN-imposed sanctions, Georgia’s civil war inflicted de facto sanctions from Russia, a key trading
partner. The Georgian economy plummeted in 1994, when GDP was $2.5 billion. It steadily rose to $12.8 billion in 2008, dropped to $10.8 billion in 2009, and then grew to $15.9 billion in 2012.

Following Georgia’s secession from the USSR in the late 1980s (which included a brutal crackdown on an anti-Soviet demonstration on April 9th, 1989), the Russian-leaning Ossetians and Abkhazians disavowed any control from Tbilisi. In December 1990, South Ossetia’s National Guard was created and the province elected a Supreme Soviet council, prompting an abolition of autonomy and sanctions from Tbilisi. Sporadic violence culminated in the First South Ossetia War of 1991-2. The conflict ended with the imposition of a joint peacekeeping force of Georgians, Russians and Ossetians. After a period of peace during which Georgia maintained control over parts of South Ossetian territory, a more deadly but briefer war erupted again in 2008, pitting Georgia against the Russian Federation. South Ossetia (along with Abkhazia, which had not fought another war) re-declared their independence under Russian tutelage, and Georgia lost all effective sovereignty over the territory.

South Ossetia, covering roughly 4,000 square km, borders host state Georgia to the south and patron state Russia to the north. The territory constituted the South Ossetian Autonomous Oblast within the Georgian Soviet Socialist Republic of the Soviet Union (1921-1991). In 1989, 3% of the 5.4 million population of Georgia were Ossetians (164,055). In South Ossetia itself, 66% of the province was registered in the 1989 census as Ossetian, 29% as Georgian, 2% Russian, 1% Armenian and 0.4% Jewish. Dramatic demographic oscillations occurred in the coming decades (the population of the province dropping to as low as 70,000 in 2007 from nearly 200,000 in the early 2000s). By 2012, South Ossetia’s ethnic composition was estimated to be 89% Ossetian, 9% Georgian and 1% Russian. Across the Russian border, an additional 335,000 Ossetians live in neighboring North Ossetia (Jones 2013, p.42–4; p.336). The porous
border between the two Ossetias has seen hundreds of thousands of Ossetians moving in both

South Ossetia is mostly mountainous, with over two-thirds of its territory at more than 1000 meters above sea level. The Caucasus Mountains separate North (Russia) from South Ossetia (Georgia). Much of the South Ossetian economy is accounted for by agricultural activity, with only 10% of the territory estimated to be arable land. Flour/wheat, fruit and vines are the major produce; secondarily, forestry and livestock. Electrical shortages were chronic throughout the 1990s and 2000s. Industry is concentrated around the capital Tskhinvali; of some twenty-two factories, however, only seven reportedly remained functional after the 2008 war. The province is overwhelmingly dependent on Russian economic aid. Between 2004 and 2012, the media age ranged from 32 to 65 and the unemployment rate ranged from 24% to as high as 89%. 2005-6 estimates put over half the population below the poverty line.

It is widely acknowledged that Kosovo’s is a more successful separatist movement than South Ossetia’s – in terms of extractive capacity, police and military autonomy, territorial and border control, institutional independence from patron states, and levels of international integration and recognition (Fabri 2012; Kolsto 2006; Suni and Cheterian 2012). Importantly, they are both highly successful separatist movements compared to their regional peers; compared to each other in isolation, however, Kosovo’s capacity for independent statehood is decidedly greater. The subsequent chapters will explore the reasons for this difference. As will become apparent, organized crime is an indispensable factor in any serious attempt to understand the divergence. We begin in Chapter 1 with a regional overview and justification of the comparative pairing of these cases.
Map 1. Serbia and Kosovo

Source: UN Cartographic Section
Map 2. Georgia and South Ossetia

Source: UN Cartographic Section
CHAPTER 1. REGIONAL CONTEXTS, NEGATIVE CASES AND THE CENTRALITY OF ORGANIZED CRIME

In this chapter, I address the question: what are the regional indicators of a link between organized crime and separatist outcomes in the ex-Yugoslav and ex-Soviet region? I argue (a) that organized crime vis-à-vis separatism is a worthwhile connection to explore; and (b) that Serbia and Georgia are excellent cases to compare in doing so. I exploit three advantages from the fact that the Serbia-Georgia comparison is cross-regional. First, I note cross-regional similarities to exclude certain regional and geopolitical effects as major explanatory factors, as they are shared by (nearly) all cases. Second, I identify geopolitical dependence, organized crime and state strategy/ethnic structure as major explanatory factors in separatist success. Third, I specify two negative cases – Chechnya as a moderately successful but highly criminalized case and Transnistria as a highly successful but noncriminalized case – to isolate organized criminal variation and relative representation in host state/separatist territory as crucial. Finally, I further justify the Kosovo-South Ossetia pairing as the most similar cases with additional resemblances.

Regional Contexts Suggest Three General Explanatory Factors

The selection of Serbia and Georgia as case studies is a uniquely valuable opportunity because of their particularities within their respective regions, which enable a set of conditions to be “controlled for,” albeit imperfectly.8 A preliminary survey of the variety of regional separatist movements and their outcomes indicates three major factors differentiating the more successful separatisms from the less successful ones: (1) geopolitical dependence and interdependence, (2)

8 Following Goodwin’s (2001) approach to comparing revolutionary movements within regions (p.78-81), I identify crucial similarities among cases within each region that act as virtual “controls” for a variety of processes that may differentiate separatist movement successes. Since cases in an area share these similarities but have significant differences in the successfulness of separatist movements, these characteristics cannot in themselves help us account for the differences.
the role of organized crime and (3) state structure. Table 3 gives an overview of cases in the two regions.

**Regional Similarities as “Controls”**

Following Goodwin’s comparison of revolutions (2001), I note cross-regional resemblances that allow certain regional and geopolitical effects to be in effect “controlled” for. Significant similarities between the ex-Yugoslav and ex-Soviet areas in the post-Cold War period include:

- The new states that emerged (at least purportedly) aspire to parliamentary democratic institutions and market economies. Though authoritarian regimes and “backlashes” seem to come in waves at different times in different cases, the general shifts between more democratic and more autocratic governments have been shown to come cyclically throughout the regions (Hale 2005). There is no significant variation in formal institutional regimes that would readily explain separatisms away.

- All of them underwent periods of recovery from state socialism that entailed GDP decline, followed by a period of GDP growth. Even the specific year of this transition happened at roughly the same time: all cases’ transition years (at which decline turned into growth) range between 1993 and 1997, with the sole exception of the Ukraine (in 2000). The periods of growth continued for most cases until the 2008 economic crisis. The regional convergence is all the more remarkable because international sanctions in the former Yugoslavia were unparalleled in the Caucasus.
Western-leaning and pro-Eastern-leaning voters. In Serbia and Georgia, the international community’s split is epitomized by differences between the US and Russia; secondarily, between the EU and CIS.

- Large ethnic or national diasporas exist in neighboring countries, mostly scattered directly along borders disputed by separatist movements. It is these diasporas that encourage nationalists to characterize the boundaries in both areas as “artificial.”

- Massive migration waves from both regions to the developing world have characterized the 1980s and particularly the 1990s. Furthermore, emigration outpaced immigration in a majority of years for all countries – and this applies to the regions holistically:

<table>
<thead>
<tr>
<th>Period</th>
<th>Emigration from Eastern Europe and Eurasia to Developed West</th>
<th>Immigration to Eastern Europe and Eurasia from Developed West</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980-1984</td>
<td>1,167,000</td>
<td>511,000</td>
</tr>
<tr>
<td>1985-1989</td>
<td>2,708,000</td>
<td>746,000</td>
</tr>
<tr>
<td>1990-1994</td>
<td>6,074,000</td>
<td>1,811,000</td>
</tr>
<tr>
<td>1995-1998</td>
<td>3,255,000</td>
<td>1,442,000</td>
</tr>
</tbody>
</table>


**Note:** Reproduced in Table 8.1 in King (2010, p.160).

Thus it cannot be objected that migration patterns are peculiarities of cases with separatist success.

- The successor states are so-called developing or “transition” societies only moderately integrated into global financial institutions. Like the others, Serbia and Georgia have been classified throughout the period as “emerging or developing economies” on annual IMF World Economic Outlook reports. Put differently, the distribution of “semi-periphery”
and “periphery” countries is not conspicuously related to variations in separatist success. These regions as wholes are simply far from the “core” of a capitalist world system.

- Poor or repressive treatment of minority groups – ethnic, religious, cultural, etc. – is prevalent. Since most cases are themselves products of successful separatist movements, and since “successful separatist movements typically construct ‘conditional democracies,’ that derogate the citizenship of resident minorities” (Spencer 1998, p.62), it is unsurprising that countries in these regions have mostly confrontational relations to various minorities. In particular, neither Serbia nor Georgia can boast of a record of respect towards their minority constituencies in the past two decades.

- The young nation-states were preceded by long-term imperial rule and (at best) short-lived experiences of autonomy. Whether under Austro-Hungary, the Ottoman Empire, the Russian Empire or the USSR, these bureaucracies worked within an imperial framework for the bulk of their history.

To be sure, the regions’ cases are diverse, inspiring debates about the varieties of post-communism and post-postcommunism, as well as skepticism about the coherence of “Eastern Europe” and “Eurasia” as regions (for a review, see King 2010, p.79-102). Nevertheless, the listed resemblances are sufficiently similar to suggest: (1) the successfulness of the separatist movements across the regions cannot readily be explained away by these (largely macro-level) factors, inviting analyses of more micro-level dynamics at the country level; (2) the ex-Yugoslav and ex-Soviet cases have remarkably similar regional contexts, providing an opportunity for cross-regional comparison; and, most importantly for our purposes, (3) whatever factors have influenced the difference between Kosovar and South Ossetian separatist success, it is at least safe to treat these regional ones as if they were controlled for.
Geopolitical Dependence and Interdependence

Perhaps the most interesting difference between the ex-Yugoslav and ex-Soviet areas is the latter’s dependence on a single, unrivaled regional power. Russia’s size, history and bordering position towards the ex-Soviet cases often makes its geopolitical leverage decisive for separatist outcomes. Though a regional power, its nuclear arsenal reaffirms its status as a global player that induces the US and Europe to assert their own influence on separatist conflicts in the region when possible. Its demographic dominance in the ex-Soviet space is extensive, given that some twenty-five million self-identifying Russians live in the ex-Soviet cases (i.e. outside Russia). In addition, a majority of Belarusians and a significant number of Ukrainians consider Russian a native language, the Russian Orthodox Church a religious authority, or Russian politics as more favorable than those of their host country. When added to peoples such as Armenians in Azerbaijan and elsewhere who, like Belarusians, nurture strong national allegiances to Russia, the total proportion of people in post-Soviet cases who express loyalty to the Russian state approaches a staggering one-third (Rubin & Snyder 1998, p.16).\(^\text{10}\)

Moldova is a dramatic example of the influence of this demographic factor, with 30% Russophones with strong ties to likeminded populations in neighboring Ukraine and Russia itself. This popular base led Moldova to have not one but two declarations of independence in 1991: one of Moldova from the USSR, and another of the pro-Russian Transnistria from Moldova. More than half of Transnistria’s population is of Ukrainian descent, but Ukraine is – because of its own bitter internal divisions – unable to consider any prospective merger of this small territory. Transnistria’s demand for outright independence thus relies most heavily on

\(^{10}\) Belarus has the strongest state-institutional ties to another state (Russia) – arguably, this institutional connection is the strongest of any of the selected cases with any other state. Belarus is, in other words, the closest thing among the cases to what was called a “client state” during the Cold War. It has no separatist movement.
Russia and Russian public opinion, and is opposed as such by the West. Furthermore, the territory’s population would overwhelmingly support a merger of not only its own territory, but of the pro-Russian eastern region of Ukraine, into Russia.

Ukraine’s politics are notoriously torn by geopolitical dilemmas – between NATO, the US and Europe on the one hand, and Russia on the other – though Ukraine is thought to enjoy more independence than its ex-Soviet colleagues (Hughes & Sasse 2002, p.233). Russia’s energy reserves (primarily oil and gas) make Ukraine’s economy heavily reliant (Russian investment in Ukraine accounted for 25% of its total foreign investments during this period). In a long-standing demographic division dating back to the Soviet period, Ukraine is roughly divided between a separatist pro-Russian block in its east and south, and a more pro-Western block in the west. Even its 1990 referendum on independence from the USSR produced a 50-50 split on the question among residents of Ukraine. In 1998, a ten year pact on strategic partnership with Russia was signed, signaling a victory for the separatist movement that has been at the center of internal political debate and popular mobilization for the entire decade of the agreement. Similar contentious agreements exist allowing stationing of Russian fleets in Crimea. Discussions of border changes have not reached formal channels by 2012, but predictions of a dual or even tripartite territorial division within Ukraine have long been anticipated should the country withdraw its commitment to the Commonwealth of Independent States or become a full NATO member. Other possibilities include federalization and a division into cantons or regions – options that surfaced during the explosive 2004 presidential runoffs. Following the Euromaidan movement of 2014, the country descended into full scale civil war between the separatist pro-Russian east and the pro-European west of the country.  

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11 This work is restricted to the 1989-2012 period, but we need only consider Ukraine’s ongoing civil war (as of April 2015) to appreciate the dire need for greater understanding of criminal militias, patronage networks,
If Ukraine is on the more “independent” side of the spectrum, Belarus is on the other extreme. In addition to near-total dependence on Russian imports, some 13.5% of the Belarus population identifies as Russian. Several million citizens of neighboring states – primarily Russia – identify as Belarus and favor close relations with the regional giant. The country has signed an agreement to form a state union with Russia in 1999 and has already given up small parts of its sovereignty through the formation of joint institutions. Long-time leader Lukashenko is a hardline supporter of closer ties to Russia. Formal unification of Belarus with Russia, though unlikely in the short-term future, is a viable possibility. Under these highly patronistic/clientistic conditions, it is unsurprising that no separatist movement has even surfaced among minorities in the country.

The Yugoslav republics, having all committed to EU integration (most of them to NATO integration as well) are Western-oriented in their dependence. Bosnia and Herzegovina is under international administration and Serbia has US/NATO troops in what it considers its southern territory. Both countries have had their separatist disputes resolved by Western militaries, and have little chance of regaining capacity to resolve such matters themselves. Slovenia and Croatia have enormous economic stakes in Western Europe. Macedonia has relied for years on the international community for help with the massive influx of Albanian migrants in the late 1990s, and the related separatist movement calling for a “Greater Albania.” Like the Russian irredentists, the pan-Albanian separatists have thrived on geopolitical dependence of the host state. The battle over recognition of independence for Montenegro, Kosovo and provinces of Bosnia and Herzegovina has led separatist movements to look to the West for diplomatic support smuggling routes and transnational state-mafia connections in deterring and/or promoting separatist mobilization. Consider the fact that Crimea was described as early as two decades ago as “Ukraine’s Sicily” because of the level of organized criminal leverage (Finckenauer and Schrock 2003, p.159); or that criminal militias and arms smuggling routes are concentrated precisely around Donbas and surrounding east Ukrainian areas. Ukraine’s geopolitical dependence is equally obvious.
through the UN, NATO and EU. The movements that have gained this support are decidedly more successful than the Serbian ones (in Bosnia and Montenegro) that have sought recognition from Russia and China instead.

Finally, in addition to dependence, the fate of separatist movements in both areas clearly hinges on the interdependence of the cases on each other. Within the ex-Soviet area, the impact of Russian intervention in Chechnya, and later in Georgia, seems to have shaped other separatists’ strategies. Moldova, Azerbaijan and Tajikistan all make reference to Georgia’s experience in dealing with their own secessionist pressures. Russian separatists in several cases make direct comparisons to the cause of Armenian separatists in Nagorno Karabakh. Similarly, Karakalpakian separatists mirrored every move of the two breakaway provinces of Georgia, including constitutional proclamations, symbolic flag-raising rituals for international observers, and military parades. Within the ex-Yugoslav space, every separatist claim in Bosnia and Herzegovina is paralleled by its opponent – the Serbian, Bosnian Muslim and Croatian claims matured together, as it were. Serbian claims to the eastern Bosnian province of “Republika Srpska” are phrased as demands analogous to Kosovar demands.

In sum, separatist relations to patron states, regional and international powers, and peer secessionist movements appear to be crucial. To be sure, Russia, the CIS and the Collective Security Treaty Organization (CSTO) are not generally analogous to the US, EU and NATO. Nevertheless, given Russia’s proximity to Eurasia and its regional power, and given US/NATO’s relative distance but global reach, their coercive means (economic, diplomatic, military) in subordinating countries in our two regions are remarkably similar, as realist international relations scholars emphasize (Mearsheimer 2001; Morgenthau 2014). Despite immense differences in their internal, domestic political and economic orders, the US and Russia exercise
remarkably similar foreign policies towards periphery and semi-periphery countries in the Caucasus and Balkans – driven in no small part by post-Cold War rivalry (Waltz 2000; Ambrosio 2001; Sakwa 2008).12

Organized Crime

An overlooked factor in the success of separatist movements – and the preoccupation of subsequent chapters – is organized crime. The criminal dynamics of post-socialist territories are unprecedented in scope: the “world has never seen a planetwide criminal consortium like the one that came into being with the end of the communist era” (Glenny 2008, p.xii). The criminal agents boast of highly disciplined, militia-type, armed hierarchies with decades of experience in offering protection/extortion, transportation, funding and deadly force.

Major mafias not only offer financial and logistic support to the host state and its separatist challenger, but often appear to be indistinguishable from government or movement representatives and institutions. Providing arms, services and financial support, organized crime has been associated with the Islamic Movement of Uzbekistan, separatist groups in Tajikistan, various official branches of Moldova, Russian separatists throughout the ex-Soviet space, the Kosovo Liberation Army (KLA), South Ossetian separatist administration, the Montenegrin government, as well as both Serbian and Georgian host states (Curtis 2002; Glenny 2008).

Organized crime, states and separatist movements, in other words, obviously swim in the same waters.

Given our definition in the Introduction, criminal actors with separatist causes are not to be confused with “ordinary” criminals. Naylor (2002) argues that the black market operations of

12 On the US’s and Russia’s identical foreign policy norms towards separatist movements – supporting them unlawfully when in their perceived interest, opposing them with indignant appeals to international law when against their perceived interest – see Mersheimer (2014).
guerrilla and terrorist groups are distinct both in their motives and their strategies. Insurgent
criminal profiteering in our cases is more akin to activities of the governments they oppose than
to activities of other criminal groups. They divert resources to a wide variety of goods and
services that are intentionally incompatible with those of the state (unlike other forms of
corruption that can or must coexist parasitically with governments). Insurgent guerrilla groups
such as the KLA and Ossetian militias, unlike “ordinary” criminals, seek illegal profit not simply
as its own end: they often create parallel economic channels from which the state and its
supporters are excluded (Levi 2003).

Interestingly, organized crime seems to be somewhat independent of state strength, but
rather well correlated with the cases hosting prominent separatist movements: Nagorno-
Karabakh, Abkhazia, Chechnya, Kosovo and South Ossetia. The intuitive inverse correlation
between weak states and high levels of organized crime is not, at first glance, a satisfactory
explanation of patterns of organized crime in either area. Montenegro is a relatively strong state
for its size and age but is – along with Kosovo – considered to be the most criminalized state in
Europe. It is the only ex-Yugoslav country with continuity of ruling clique from the communist
era onwards – a regime inspiring the term “mafia state,” but by no means a weak state (Naim
2012). Turkmenistan and Bosnia and Herzegovina, on the other hand, are good candidates for
weakest state of the set, but have no significant organized criminal presence.

Russia, for its part, is no longer a weak state by any measure, yet its mafia is widely
considered to be the largest in the world. It seems to have expanded in number and scope since
Russia gradually regained its stature in the 1990s – a large share of its activities becoming
international across ex-Soviet borders (Vaksberg 1991). Looking just at the most successful
separatist movements within the ex-Soviet cases, the role of the Russian mafia is conspicuous as
a provider of arms since the very origins of the movements (Jones & Moskoff 1991). Abkhazia, oddly enough, is also a site for Chechen mafia transports of heroin from Afghanistan – the profits of which presumably go towards anti-Russian activities in Chechnya. In the ex-Yugoslav cases, the most advanced organized crime networks are precisely in the poorest and most underdeveloped successor states: Serbia and Kosovo (Glenny 2008).

Perhaps organized crime gravitates not primarily towards weak states, but towards unregulated, tumultuous economies (Mishra 2008; Friman and Andreas 1999). “Post-communism” scholarship has produced extensive work on the “second economies” and “gray” zones that seemed innate to state socialism and have durable legacies. Thus it is no surprise that organized crime networks flourished after 1990 to fill the economic vacuums left behind by the collapse of Yugoslavia and the USSR. A study of the “de facto states” of Eurasia characterizes them as follows:

prey to organized crime, mired in economic misery, scoured by ethnic cleansing, and seared by recent memories of war, these hard-pressed territories have clung to their independence, ever fearful that the states from which they seceded will reabsorb them (Lynch 2004, p.vii).

Aside from an abnormally large “shadow economy” (Schneider and Enste 2013), state capacity in the cases is typically crippled in the areas of border control, law enforcement, tax collection and public safety. This allowed for widespread smuggling, violent extortion, racketeering, and seizure of property/territory at gunpoint, respectively. Whereas illegal trade and trafficking account for no more than 15-20 percent of global trade (Glenny 2008, p.xix), the cases hosting separatists routinely had more than half of their economies accounted for by trafficking in the 1990s and 2000s.

In sum, separatist movements’ fates are clearly somehow affected by the opportunities for mobilization and instrumentalization of organized crime. It appears reasonable to suppose that
the intersection of separatist movements, host states and organized crime can itself affect separatist success – though perhaps a “black box,” this intersection is glaring across the cases.

State Strategy and Ethnic Structure

Finally, explaining the success of separatist movements appears inseparable from consideration of state strategy and structure. These are related to ethnic heterogeneity indicators, but are far more relevant. The size of ethnic constituencies and their proportion to the total population may be relevant for explaining violence, but not separatist success. “Sovietologists” such as Philip Roeder emphasized the size of ethnic groups, while “transitologists” emphasized ethnic representation in government and the cultural distance between titular and nontitular nationalities as crucial factors in predicting conflict in the post-Soviet areas (Bunce 1995). Similarly, Yugoslavia’s civil war was bloodiest in Bosnia and Herzegovina, the argument goes, precisely because that was the most ethnically diverse republic; furthermore, Kosovo’s successful separatist cause is thought to have been more effective than its Christian and Slavic counterparts because Kosovars are more culturally “distant” from Serbia.

However, the host state’s role is not only mediating but defining ethnic relations (Brubaker 1996), and it is clear that ethnic proportionality alone cannot explain separatist success. Abkhazia – one of the more successful separatist movements among our cases – has a minority portion of Abkhaz nationals in the breakaway territory (less than 20% at certain times in the period – far less than Georgians, Mingrelians and others). Meanwhile, less successful separatists in Tajikistan and Uzbekistan have based their claims on groups with much higher proportions than Abkhazians in Georgia. In the Ukraine, the pro-Russian separatist movement has only been moderately successful even though the share of citizens identifying as “Russian”
ranges between one-fifth and one-fourth from census to census.\textsuperscript{13} Equally important, obviously, is how the ethnicity in question is \textit{institutionalized} by state structures.

Like any imperial collapse, Yugoslavia’s and the USSR’s left republics with a variety of institutional dilemmas. On the whole, an “observable trend” among the cases as they dealt with the many internal and external challenges was “to engage in ‘nationalizing’ projects which have as their goal the recasting of the newly independent state in the mould of the predominant ethnic group” (Hughes & Sasse 2002, p.220). The homogenizing policies that accompanied this trend not only left minority groups disenfranchised, but created institutions that were often hostile to neighboring patron states with which minorities identified. Serbia and Georgia (like Croatia and Russia against them, respectively), exercised “ethnic cleansing” not only militarily but politically. Exclusionary constitutional provisions and other hostile legislative acts were directed at separatist ethnic out-groups.

A clear pattern among the separatist movements (when compared to the cases lacking them) is that their host states have attempted to “nationalize” in such a manner, either through territorial centralization that revokes autonomy for some territory, or by stripping ethnic minorities of a hitherto-held status. In Yugoslavia, weak constitutional protections for Serbs in Croatia intensified the wars in Croatia and Bosnia; and the high level of autonomy provided to the province of Vojvodina may explain why this separatist movement has not been as aggressive or successful. In the ex-Soviet cases, a similar pattern was followed in Abkhazia and Nagorno-Karabakh. In the other republics, laws were passed relating to citizenship, language rights, residence and employment policies. In the republics with large Russian minorities, these were

\textsuperscript{13} This applied to the period under consideration, 1989-2012. By 2015, the separatist movement should certainly be classified as more successful. However, the share of “Russians” remains very low in census data. Like in other cases, subtle distinctions (between Russian-language speaking Ukrainians and self-identified “Russians”) are often ignored regarding Ukraine.
particularly offensive because the Russian and Slavic diasporas had had robust protection under Soviet institutions (Moldova was a champion in “anti-Russian” policies and, suitably, its Russian-based separatist movement in Transnistria has been the most successful). A problematic exception to this is Nagorno-Karabakh, which continued to have autonomous status without attempts on Azerbaijan’s part to revoke or alter it; nevertheless, the highly successful Armenian secessionists pushed for further independence and transfer of sovereignty to Armenia.

In addition, the state’s balance of power between parliament and presidency seems to be an important factor in host state attitudes towards separatist movements, and thus the latter’s success. Serbia’s prolonged authoritarian rule was unique among the ex-Yugoslav republics, which transitioned to open free elections and genuine multi-party systems years earlier. Accordingly, Serbia is the host to as many as three separatist movements, two of which are the most successful in the area (the Kosovars in particular were completely excluded from Presidential electoral processes, and chose to boycott parliamentary ones). Bosnia and Herzegovina – without a unified presidential power outside the regional level, and with a fragmented parliamentary system overseen by an international presence – also has three separatist movements. Slovenia, the state with the strongest and longest (since 1991) open parliamentary system, lacks separatists.

The connection between parliament-president relations and separatism is less straightforward in the ex-Soviet cases – not least because it is difficult to pair any two of the regimes as most similar (Hughes & Sasse 2002). With the exceptions of Moldova and the Ukraine, most cases have had regimes with disproportionate power concentrated in the presidency. They may be formally classified as parliamentary democracies but are closer to the authoritarian one-party regimes that preceded them during the Cold War. At one extreme is
Turkmenistan, whose president is leader-for-life with a strong personality cult propagated by state ideology. At another extreme is the Ukrainian state with its chronic instability caused by president-parliament rivalry. However, the extent of the presidency’s jurisdiction seems crucial both in cases like the Ukraine, where the parliament is tending towards separatism, and Georgia, where the presidency was the separatists’ main enemy in both Abkhazia and South Ossetia.

In sum, host state strategy towards the separatist movement and the ethnic minority it seeks to represent is clearly determining of movement success. State structure, particularly as reflected in the power balance between parliament and presidency, is clearly associated with separatist mobilization and demobilization.

**Estimating Separatist Movement Success and Organized Crime**

As noted in the Introduction, a limitation in the extant ethnic/national movement literature is the excessive attention paid to motivations of separatists on the one hand (e.g. whether they are driven primarily by ethnic or economic incentives), and on their tactics on the other (e.g. when and whether they deploy violence and how protracted it is). These concerns may neglect the *goals* of separatists, and the relative success of efforts to achieve them. Brubaker (1996) illustrates the value of treating ethnic sovereignty claims as a varying dimension: separatist movements appeal to national solidarity claims to fight for a range of levels of

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14 Ukraine is fascinating because a series of frequent and ad hoc elections over the past decade have failed to produce stable and efficient governments. A collapse of government occurred in 2008 after a battle between pro-Russian and pro-Western forces. In 2006, after years of ever-intensifying divisions between “the two Ukraines,” a series of steps were taken to reduce the authorities of the president (pro-Western) and increase those of the parliament and Prime Minister (pro-Russian). This feature of state structure was what blunted the victory of the anti-separatist “Orange Revolution” in 2007 when the pro-Western president was unable to appoint more than two ministers (while the separatist parliament appointed the rest), causing a crisis when he tried to schedule new elections. This appears to be a case where relative presidential weakness caused paralysis that presidents in Kyrgyzstan and Tajikistan would not have faced.
independence from the host state. For our purposes, three value-neutral levels of success may be defined:

- **Highly successful** separatist movements have secured territorial control through administrative institutions completely outside of the central government’s jurisdiction (though control of these institutions may be shared by international forces), have substantial international military support for their cause, and have *de facto* if not *de jure* independence for their ethnic constituency.

- **Moderately successful** separatists are successful insofar as they have formal control over an autonomous territory (province, republic, “oblast,” etc.) and *nonmilitary* international support for their cause. They do not, however, have complete control over the contested territory or a foreign power willing to intervene militarily on their behalf. Their autonomous institutions are at least partially under the host government’s administrative grasp.

- **Weakly successful** separatist movements are ones that mobilize substantial ethnic support for their cause and secure limited, symbolic legal protections for their constituencies or territory; but they lack financial, diplomatic or other nonmilitary support from abroad and have merely informal or restricted control of administrative institutions.

In addition, a rough dichotomy between cases with “major organized crime” and those without is useful for our purposes. I draw the distinction based on: (1) UNODC Transnational Organized Crime Threat Assessment reports (published 2006-2014, but they include data relating to earlier periods); (2) the Composite Organized Crime Index (COPI) developed by Buscaglia and Van Dijk (2003); and (3) European Institute for Crime Prevention and Control annual reports and National Criminal Justice Profiles for selected countries (2010-2013).

At this point, I should interject an issue that scholars routinely ignore. The Roma – a people whose language does not include “war” and “hatred” in its vocabulary – is arguably the most oppressed people in the Balkans and Caucasus. They are the largest landless minority in Europe, and the second largest in the entire world (after the Kurds, who boast of a violent separatist movement in three countries). The fact that the Roma are scattered across European and Eurasian countries in significant numbers but have no separatist movement anywhere is one of the great understudied puzzles of contemporary social science. In this thesis, I commit the nearly-universal sin of omitting this landless people from analysis, though they constitute sizable minorities in most of the countries. Roma separatism is not merely unsuccessful, but non-existent.
Table 3. Regional Separatist Movements Summary

<table>
<thead>
<tr>
<th>Separatist Movement</th>
<th>Host State</th>
<th>Weak Success</th>
<th>Moderate Success</th>
<th>High Success</th>
<th>Foreign Troops in Separatist Territory</th>
<th>War Over Separatist Territory since 1995</th>
<th>Potential to Merge with Foreign State*</th>
<th>Major Org. Crime Present</th>
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<td>Croatia</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>NONE</td>
<td>Slovenia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

Notes: Ex-Yugoslav area in gray.
* Merger with territorial contiguity with patron state, not merely formal merger without contiguity (as is discussed for Nagorno Karabakh vis-à-vis Armenia).

Considering merely the variables in Table 3, Kosovo and South Ossetia immediately stand out as most similar cases, both inter- and intra-regionally.\(^{16}\) They are the only ones to share foreign troops on their territory, an organized criminal presence, and irredentist potential to merge with neighboring states (namely, Albania and Russia). Only three other cases have fought wars with separatists since 1995 (Russia, Azerbaijan and Tajikistan), with mixed results in terms of separatist success. More generally, separatist success does not appear to be readily predictable

\(^{16}\) Further similarities urging the pairing are outlined below.
via levels of violence. In Chechnya and Gorno-Badakhshan, for instance, separatist violence has been considerable, though their level of independence is decidedly weaker than that of the far less violent Transnistria and the nonviolent Montenegro.

**Negative Cases**

I now consider negative cases in the regions, which – I contend – should lead us to emphasize two important dimensions: organized criminal *variation* (i.e. how static or evolving are organized criminal patterns) and *relative representation* (i.e. is organized crime represented most in host state territory, separatist territory, both or neither). These crucial dimensions inspire subsequent efforts at process-tracing organized criminal relations in Chapter 2 as well as the comparison of two specialized criminal branches in Chapter 4.

It is conspicuous that not a single weakly-successful separatist movement coincides with major organized crime. But several clear negative cases stand out if we conjecture that organized crime affects separatist success: some cases boast of *organized crime without high success* (Chechnya, hosted by Russia), while one has *high success without organized crime* (Transnistria, hosted by Moldova). Considering the two cases further reinforces the convenience of comparing Serbia/Kosovo and Georgia/South Ossetia.

**Table 4. Negative Cases and What They are Missing**

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Transnistria (Moldova)</td>
<td>YES</td>
<td>NO</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Chechnya (Russia)</td>
<td>NO</td>
<td>YES</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>Kosovo (Serbia)</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>South Ossetia (Georgia)</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
</tbody>
</table>
First, several moderately successful movements coincide with major organized crime. Chechnya is the most typical negative case in this regard: its criminal elements are notoriously strong, but its separatist movement has failed to achieve even the success of its smaller, poorer and much-younger counterparts. The size and scope of Chechen organized crime are far greater than all the other high-crime/moderate-success cases (Uyghur/Kyrgyzstan, Karakalpakian/Uzbekistan, Gorno-Badakhshan/Tajikistan, Albanian/Macedonia). Concurrently, levels of international support, diaspora involvement, armed struggle and other comparative advantages make Chechnya arguably the best-equipped of all the separatist cases for success (Schaefer 2010; Wood 2007). Regardless of these, it has failed to achieve it fully, making organized crime seem tangential.

The case is not, however, an ideal one. Considering the overall trajectory and timing of Chechen organized crime is revealing. On the whole, it has remained rather static in its (impressive) size and scope but never dominant within the separatist movement. Its overall hostility towards host state (Russian) organized crime was also consistent throughout the period. Even though the Chechen mafia is said to be the strongest in Moscow itself, this produced resentment and violent rivalry (Gentelev 2010). State-separatist dynamics, on the other hand, have varied considerably. The succession of separatist leadership from Dzokhar Dudayev to Aslon Mashkadow to Ramzan Kadirov accompanied evolving state-separatist relations and movement strategies and tactics, while the 1999 Russian invasion marked a key critical juncture for movement success. All the while, the Chechen mafia has largely maintained its strength, its lack of Russian allies, and its subservient position vis-à-vis the Chechen administration.

Far from fluctuating suddenly before the 1999 war (as the arms traffic in Kosovo and Ergneti Market in South Ossetia did before analogous wars), Chechen organized crime flows
were largely reactive to – not formative of – the outbreak of armed conflict. A detailed study of the rise of Chechen organized crime concludes that it was caused by Russian “perception of criminality and its attendant punishments [that] supported the rise of actual criminality” and the “Chechen resistance [that] eventually led to the mass criminalization of the entire ethnicity” (Ross 2011, p.v). In contrast, there are no notable instances of organized crime pro-actively steering the separatist movement, the host state, or the relation between the two. It is therefore difficult to ascertain the role of organized crime in determining separatist outcomes, positively or otherwise.

Second, the case of Transnistria serves as the sole negative case of highly successful separatism without organized crime. To be sure, Transnistria is by no means a hub of law and order. Intelligence reports, travel advisories, and especially journalists have characterized the province as highly criminalized. But evidence from UNODC Transnational Organized Crime reports and other reliable sources (see Appendix) suggest that Transnistria does not live up to its reputation. Considering the period as a whole, it has remained relatively noncriminalized by comparative standards among the cases. Its drug and human traffics are negligible, while its much-exaggerated arms traffic was found by an EU investigative delegation to have been nonexistent during the period. Other Western diplomats, despite Moldovan pro-Western leanings, repeatedly found accusations about widespread organized crime to be “likely exaggerated” (European Parliament 2002). The bulk of existent criminal activity primarily profits the Russian mafia, not separatist organizations. Unlike in cases like Kosovo and South

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17 For flavor, see citations in EU report on a delegation’s visit to Moldova (European Parliament 2002), the Journalistic Investigations Center’s report on Transnistria (Vdovii, Opris and Mogos 2014), or State Department Travel Warnings for Moldova.

18 See also Lobjakas (2005). The alleged arms traffic was, in fact, not a “traffic” at all, but local civic armament with leftover Soviet supplies – no widespread networks of sellers or middlemen were documented. Indeed, the only large-scale criminal enterprise in Transnistria itself that has been reliably verified is a nonviolent cigarette smuggling enterprise.
Ossetia, the Transnistrian separatist movement has not had a sustained relationship with organized criminal militias, smugglers or funders – let alone variation in that relationship.

More importantly, the crucial distinction between host state Moldovan organized crime levels and those in the separatist Transnistrian territory itself are often neglected. When the conflation is not made, evidence suggests that most organized criminal activity is in fact concentrated in Moldova itself, with limited “spillover” into the separatist region. There has been no recognizable effect of separatist organized crime on the host state. While Transnistria has been monitored by an EU Border Assistance Mission since 2005 with at least partial success, Moldovan drug, human and arms smuggling operations rank at the very top of cases across regions. The traffic of women, in particular, is unrivaled in Moldova – over 400,000 women were trafficked since 1991, a figure almost accounting for half of the combined output of the remaining host states (Skinner 2008, p.156). Transnistria’s separatist struggle, in sum, could not have been significantly hindered or promoted by organized crime because the host state largely monopolized major criminal activity.

These negative cases urge two important considerations about organized crime and, in turn, its effect on separatist outcomes: (1) whether organized crime patterns varies over the time period and whether this variation precipitates critical junctures of separatist success; and (2) whether organized crime is primarily represented in the host state or in the separatist territory, and how and whether the two cooperate. Chapters 1-3 address precisely these questions in comparing Serbia/Kosovo and Georgia/South Ossetia, where conditions were favorable for such an analysis.

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19 This neglect is aided by deliberate Russian propaganda and geopolitical considerations that seek to delegitimize the separatist movement with accusations of criminality.
Encouraging Signs of Generalizability among Moderate and High Success Cases

Before examining additional reasons that Serbia/Kosovo and Georgia/South Ossetia are the most closely-paired cases, I note that two variables of customary interest appear to vary equally across moderate and high success cases. They are, therefore, unlikely to explain movement success. This is encouraging for the generalizability of potential conclusions from this paired comparison. In other words, it is fortunately not the case that Kosovo and South Ossetia are unique among separatist success stories. Two factors that may be thought to contribute to separatist success – (1) ethnic/cultural heterogeneity, and (2) the “primordial” nature of the separatist conflict, including administrative histories of the disputed territory – vary considerably among comparably successful movements.

First, ethnic heterogeneity does not immediately appear as salient as many studies insist it is. Ranking the host states on Fearon’s (2003) 215-country scale of ethnic/cultural heterogeneity, the high success cases vary from 71st (Georgia) to 171st place (Serbia). The moderate success cases vary from 72nd (Macedonia) to 206th place (Uzbekistan). This variation is comparable to the entire set of host states as a whole, as well as to the subset of those entirely without separatist movements (they range from 99th to 198th place – Croatia and Turkmenistan, respectively) and the subset of those with weak movements (from 41st to 171st – Bosnia and Herzegovina and Serbia, respectively). Among all the host states, by far the most heterogeneous (30+ places away from the next closest) are: Bosnia and Herzegovina (41st) with two weakly successful separatist movements; and Kazakhstan (46th) with its weakly successful movement. Thus insofar as Kosovo’s and South Ossetia’s ethnic heterogeneity is similar/different,

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20 Higher rankings indicate higher heterogeneity – measured with indicators biased towards language variation at the expense of religion and genetic diversity.
comparing them will not prejudice the conclusions against the broader set of separatist movements.

Second, movement success can hardly be explained by reference to “ancient hatreds” and millennia-old hostilities between ethnic groups. Nor do historical precedents of administrative autonomy/self-rule correlate with success. Of six highly successful separatisms, three can claim ancient autonomy and contemporary administrative precedents. Nagorno-Karabakh had a self-rule model in the Artsakh province beginning in 180 B.C., which mostly overlaps with the borders defined in the Soviet period. The Nagorno-Karabakh Autonomous Oblast later became the Nagorno-Karabakh Autonomous Region with several abolitions and reforms of both from 1937 to the present. Abkhazia was established as a kingdom in the eighth century A.D., with repeated Soviet and Georgian changes in status in 1921, 1930 and 1992. Traces of Montenegro autonomy are almost a millennium old, with countless administrative changes over the centuries. Yet the remaining three highly successful separatist movements are dramatically younger. South Ossetia first emerged as an autonomous entity only after partition in 1922, never before separated from Alania (formerly North Ossetia) as a whole. Transnistria was never an autonomous territory before 1924. The autonomy of Kosovo only dates back to 1946’s Autonomous Province of Kosovo and Metohija, yet separatism is likewise successful in this territory.

The moderately successful movements are similarly divided (roughly four-three in favor of those without precedents). Strikingly, Chechen quasi-statehood dates back to the fifteenth century; it became an autonomous Soviet socialist republic in 1920 only to be abolished as such in 1936 and then reinstated in 1957. In Ukraine, Crimean Russians and eastern Russophones have many centuries of experience of autonomy and administrative self-rule. Yet these two
“primordial” struggles only achieved moderate success. In contrast, Gorno-Badakhshan was never an entity of any sort before 1895 and the Uyghur separatist movement never had any administrative precedent in Kirgizstan (in fact, it could not have even been possible before 19th century migrations that brought the ethnic group to the territory). In sum, there is great variety of legacies of administrative forms (federalist or otherwise) that governed the separatist territories – seemingly uncorrelated with separatist success levels (Hewitt and Cheetham 2000).

Serbia and Georgia: Further Logic behind the Pairing

The crucial difference between Serbia and Georgia – and the outcome of interest – is that Kosovo’s separatist movement is more successful than South Ossetia’s. Kosovo’s relative success compared to South Ossetia is widely recognized in a variety of comparisons of the two (Though both are “high success” cases among their regional peers, Kosovo is decidedly more successful. Not only is Kosovo more integrated in international organizations, recognized by far more nation-states, and able to exercise greater self-government through its provisional institutions (taxation, coercion, border-control), it has the capacity to exist as an independent political entity. In contrast, South Ossetia is highly isolated in the international community, is recognized by a handful of peripheral countries, has significantly weaker capacity and scope of extractive institutions, and is unable to pursue independence without merger with Russia/North Ossetia. Organized crime dynamics in the two cases, I will argue in Chapters 2-4, account for this disparity.

This variance aside, Serbia and Georgia represent the closest pairing of any two cases between or within their two regions. Below I highlight four areas of similarity.
Demographic Shifts, Ethnic Division, Cultural Nuance

Major demographic shifts have marked the growth of separatism in Kosovo and South Ossetia. The higher birth rate of Albanians resulted in a gradual decrease of Serbs in the traditionally-Serbian province of Kosovo, with Albanians becoming a clear majority by the second half of the twentieth century. Similar, albeit somewhat less drastic, demographic shifts occurred due to economic and political migration in South Ossetia. While the share of the Ossetian majority only fluctuated between 65% and 67% from 1959 to 2007, and the Georgian minority from 25% to 29% in the same period, the gross number of both populations steeply declined since the 1990s. The number of Ossetians fell by 28% and of Georgians by 39% between 1989 and 2007. Serbian and Georgian nationalists both cite “ethnic cleansing” as the crucial reason for the changing ethnic profile of the separatist provinces.

The relatively smaller population of South Ossetia compared to Kosovo is a limitation to the comparison. It should be noted, however, that successful comparisons with equal proportional differences have been made. Acemoglu and Robinson (2012) execute numerous comparisons of paired cases with precisely the same relative population differences. An independent 2008 report comparing population displacements in Kosovo and South Ossetia concludes that, despite differences in size, “[t]he extremely high level of displacement in South Ossetia [in 2008] makes it comparable to – and worse in relative terms than – the large-scale displacement in Kosovo in 1999” (Stepanova 2008, p.2). Just as Albanians from “Serbia proper” fled to Kosovo and Serbs from Kosovo fled to Serbia (in 1999, 2004, 2008), Ossetians from “Georgia proper” fled to South Ossetia and Georgians to “Georgia proper” in several waves of migration (1991, 1994, 2004).

21 Their much-cited comparison of Nogales, Sonora to Nogales, Arizona has a nearly identical difference in population size (by a factor of more than ten). Other noteworthy comparisons with vast differences in population are made of North to South Korea, Botswana to Zimbabwe, East to West Germany, and China to Japan.
Both separatist provinces enjoy territorial contiguity with an area of a neighboring state populated by the separatists’ ethnic group. Ethnic Ossetians are thus divided by the border between South Ossetia and the Russian Federation’s North Ossetian Republic. Kosovar Albanians are similarly divided by the border between Kosovo and Albania. Aside from barely perceptible dialectical niceties, Kosovo Albanians and Albanians speak the same language, as do Ossetians in Russia and Georgia. Furthermore, the differences between the languages of the host states (Serbian and Georgian) and those of the separatist minorities (Albanian and Ossetian) have served as occasions for conflict, despite the legacy of bilingualism that state socialism has left in both cases. A majority of South Ossetians can handle Ossetian, Russian and Georgian, preferring to avoid the last of these for political reasons. Analogously, a sizable part of Kosovo’s population (particularly generations that attended school under Communist Yugoslavia) can handle Serbo-Croatian as well as Albanian, though avoiding the former out of national pride. The presence of - and heavy reliance on – Russian troops in South Ossetia and NATO troops in Kosovo further promote the usage of Russian and English, respectively.

Legacies of State Socialism, Economic Decay and Domestic Unrest

Serbia and Georgia are both byproducts of the collapse of multinational state socialist countries that disintegrated almost simultaneously in the early 1990s: communist Yugoslavia and the Soviet Union. Both former states sought to preserve order among their multinational populations by suppressing nationalist discourse, providing considerable autonomy to ethnically-particular provinces, and by managing ethnic tensions with concessions on issues such as language rights. Both cases have strong tradition of political authoritarianism, from nearly half-a-
century of Titoist (Serbia) and Soviet (Georgia) rule, characterized by pervasive state intervention into economic matters.

In addition, both Kosovo and South Ossetia gradually intensified separatist demands throughout their communist periods, with similar trajectories of protests. Yugoslavia’s 1974 constitution gave provincial Kosovo institutions the prerogatives of other federal republics, beginning the gradual creation of parallel Kosovo institutions that were later to provoke a withdrawal of autonomy and counter-demands for independence. Ossetian was declared the official language of South Ossetia in 1989, prompting further calls for republican status within the USSR. In the following year, the first free elections in the province solidified South Ossetia’s allegiance to Moscow.

Both separatist movements came to the fore in 1989, aggravated by repressive moves from host states reacting to the dissolution of Yugoslavia and the Soviet Union. As the South Ossetian regional council began demanding the status of “autonomous republic” for the region (November) leading to clashes with Georgian forces, Kosovo Albanian miners engaged in an historic hunger strike (February) provoking a Serbian crackdown on the province and counter-mobilization in Serbia proper. In both cases, the host states moved to revoke the autonomy of the breakaway provinces. The Georgian Supreme Council proclaimed Georgian as the principal language in 1989, followed by a law banning regional political parties in the following year. In the same period, Serbia reverted Kosovo’s status to pre-1974 limits, returning control of the education system, language policy and the courts to Belgrade.

Strikingly, both host states reacted to newly-defined borders and rapidly transforming sovereignty (Georgia’s secession from the USSR and Serbia’s vastly-reduced capacity within the shrinking Yugoslavia) with moves to suppress separatist tendencies in the newly-solidified
borders. In 1990 – in the wake of losing Slovenia and Croatia – Serbia moved to dissolve the Kosovo assembly and congeal constitutional changes that revoked autonomy for Kosovo. In 1991, following secession from Russia, Georgia’s first president unilaterally abolished South Ossetia’s autonomy. In sum, both host states desperately sought to centralize power within their newly-defined borders in response to regional decentralization.

In the agonizing transition from state socialism to parliamentary democracy, both cases underwent decades of black market economics. While Georgia’s defective commodity distribution network allowed illegal trade to proliferate, Serbia’s was aggravated by a severe sanctions regime imposed on the former Yugoslavia (1992-5). The end-result in both societies was vast shortages of basic consumer goods, chronic unemployment and the rise of a ubiquitous black market. Between 1992 and 1995, it was estimated that 60-70% of the Georgian economy had become “black,” with the government collecting only ten percent of its taxes – one of the lowest in the former Soviet countries (Mishra 2008). In the same period, Serbia’s illegal economy ranged from 45-70%, as the country underwent the worst episode of hyperinflation in history (Sorensen 2006).

Finally, both host states – Serbia and Georgia – have rid themselves of authoritarian regimes through popular uprisings based on mass nonviolent protests challenging electoral fraud. Serbia’s Bulldozer Revolution (2000), which toppled Slobodan Milošević, and Georgia’s Rose Revolution (2003), which toppled Eduard Shevardnadze, have been the subject of widespread comparative analysis of similarities in origins, outcomes and the diffusion of revolutionary activism between the two societies (Beissinger et al. 2007).

Foreign Intervention, Separatist War and Loss of Sovereignty
While both began as “internal conflicts” between a host state and a section of its population, Serbia-Kosovo and Georgia-South Ossetia relations quickly became internationalized. Both separatist struggles included several episodes of minor/moderate-scale violence (1991-1992 in South Ossetia and 1996 in Kosovo) followed by large-scale violence and outright wars involving foreign troops (2008 in South Ossetia, with Russian intervention, and 1999 in Kosovo, with NATO intervention).\textsuperscript{22} As early as 1998, the Kosovo conflict became a standoff between Serbia and NATO/EU, just as the South Ossetia question became a conflict between Georgia and Russia. In this context, it is misleading to treat these two struggles as purely ethnic disputes (e.g. Armenia-Azerbaijan) because foreign diplomatic, financial and military aid was decisive in molding them. Foreign troops on the ground in Kosovo numbered as high as 50,000 from thirty-nine (mostly) NATO countries. In South Ossetia, Russian troops numbered 3,500, amounting to one soldier for every twenty-nine souls on the ground (Lavrov 2010). All Belgrade and Tbilisi administrations were unanimous in defining the provinces as “under occupation,” to be “liberated” under more fortuitous circumstances in the future.

Both cases have lost \textit{de facto} control of the territories under separatist disputes: Belgrade in 1999, after Serbian forces withdrew in the wake of NATO intervention, and Tbilisi in 2008, when Russian troops effectively ended Georgian state capacity in the province. Both host states continue to claim \textit{de jure} sovereignty over these territories and refuse to recognize the breakaway territories as separate political entities. Kosovo and South Ossetia declared independence in the same year, the latter largely as a response to the former. Both can thus be considered highly successful separatist movements, as they exercise territorial control through administrative institutions completely outside of the central government’s jurisdiction (though control of these

\textsuperscript{22} For a comparative classification of intensity of conflict (ranging from minor violence to war) in different periods in the two cases, see Baev (2007, p.26).
institutions is shared with foreign actors) and have international military support for their causes. Although Russia played the dominant role in Georgia as the US did in Serbia, EU countries were involved to a large extent in both. South Ossetia and Kosovo are therefore notably more successful than territorially proximate separatist movements, including Vojvodina (Serbia), Republika Srpska (Bosnia and Herzegovina), Karakalpakia (Uzbekistan), Gorno-Badakhshan (Tajikistan), and Nagorno Karabakhian (Azerbaijan).

A Note on Excluding Abkhazia but Including South Ossetia

Georgia’s second, larger and more successful separatist region is the self-proclaimed Republic of Abkhazia. Although analyzing South Ossetia and Abkhazia as a single case is an all too common practice, the two separatist trajectories have crucial differences. First, while South Ossetia is a relatively recent political and cultural entity (the South Ossetian Autonomous Region had been created in Georgia as late as 1922, separating it rather arbitrarily from North Ossetia), the Republic of Abkhazia boasts of centuries of independence (the Principality of Abkhazia began as early as the 16th Century).

Second, while South Ossetian rhetoric may be more anti-Georgian than that of its Abkhazian counterpart, South Ossetia is decidedly more integrated into Georgia. In this sense, Abkhazia is closer to Slovenia than to Kosovo in the context of the former Yugoslavia.

Third, while South Ossetians are quite close to Russians ethnically and religiously (Orthodox Christians), Abkhazians include Sunni Muslim communities as well as Christian ones.

Fourth, while Abkhazia has historically had a well-developed infrastructure and high economic potential (attracting considerable Russian capital, among others), South Ossetia has
historically been underdeveloped, with chronic underinvestment and limited self-sustainability – similar to the marginal status and neglect of Kosovo under the former Yugoslavia.

Finally, Abkhazia’s ethnic diversity is incomparable to South Ossetia’s. While Kosovo and South Ossetia share histories of two major ethnic groups fluctuating in relative size and vying for control, Abkhazia’s demographic variety is enormous, with no clear majority and at least four sizable minorities in any given period. Even before the 1993-1994 war with Georgia led to mass expulsions, Abkhazia’s Georgian population was never above 46%. The 2011 census reports 50.7% Abkhaz, 19.2% Georgian, 17.4% Armenian and 9.1% Russian – a dramatically more heterogeneous population than South Ossetia’s, whose 2011 estimates stand at 67.1% Ossetians, 25% Georgians and not a single other minority above 3%. Kosovo’s demographics are, furthermore, naturally more comparable to South Ossetia because both underwent dramatic shifts from one ethnic majority to another (Serbian to Albanian; Georgian to Ossetian).

Conclusions

In this chapter, I have argued that there are strong indicators of a link between organized crime and separatist outcomes in the two regions under consideration. Separatist movements in the ex-Yugoslav and ex-Soviet areas clearly co-exist with a variety of organized criminal networks, and both cross-regional and intra-regional comparisons of the movements recommend the conjecture that this co-existence is somehow causal. Accordingly, an in-depth comparison of two cases with divergent outcomes in movement success can shed light on the precise causal mechanisms involved. I have shown, furthermore, that Serbia and Georgia are the best paired, most similar cases for such a comparison of all the possible pairings between and within the two regions.
I first noted that numerous similarities across the two regions can be considered *de facto* controls, as nearly all cases share these features despite the variety of outcomes in movement success (and, indeed, despite the variety of having or missing separatist movements among cases). These shared regional and geopolitical factors include transitions to market economies/parliamentary democracies and democratic-autocratic cycles, steep economic declines followed by (largely simultaneous) periods of recovery from state socialism, divided pressures from the international community, sizable diasporas in neighboring states, massive net emigration waves, semi-periphery status in global financial institutions, poor or repressive internal minority policies, and shared legacies of imperial rule. These are unlikely, then, to be meaningful effects on separatist success patterns. Furthermore, they indicate that micro-level dynamics are worth exploring, and that cross-regional selection of cases for pairing is convenient.

I then identified geopolitical dependence, organized crime, and state strategy/ethnic structure as major explanatory factors in separatist success. Even a cursory look at the cases reveals that organized criminal activity is often a pillar of anti-government forces, separatist movements among them. Ranging from the “mafia state” of Montenegro to the irredentist criminals of Nagorno-Karabakh, the association of organized criminal and secessionist ethnic division is impossible to ignore. Militias such as those in Kosovo and South Ossetia engage not only in profit-seeking, but in mimicking the host state that they oppose: they provide goods and services (protection, notably) in ways that deliberately exclude some constituencies at the expense of others. Insofar as separatist movements and host states likewise discriminate, the elective affinity of both to mafias is understandable. Just as geopolitical dependence is an
obvious exogenous factor, we must add that organized crime is an equally indisputable endogenous factor explaining separatist success.

Subsequently, I specified Chechnya and Transnistria as two negative cases. Chechnya, hosted by Russia, is a moderately successful movement with considerable organized crime in its separatist territory. On the other hand, Transnistria, hosted by Moldova, is a highly successful movement without substantial organized crime in its separatist territory. When I compared these two negative cases with Kosovo and South Ossetia (summarized in Table 4), I concluded that organized criminal variation (i.e. whether organized crime patterns vary over the time period or not) and relative representation (i.e. whether organized crime is primarily represented in host state or separatist territory) are important variables to consider. The complexity of organized crime in these regards is crucial, and will form the basis for subsequent chapters. Chapter 3 will elaborate on the importance of criminal variation before and after critical junctures of separatist success. Chapter 4 will explore the difference between multi-ethnic organized crime that transcends host state-separatist divisions and ethnically-exclusionary organized crime which is restricted to either the host state or the separatist territory – and the profound difference in effects of the two.

Finally, I further expounded that Serbia-Kosovo and Georgia-South Ossetia are indeed most similar cases: demographically, culturally, and historically. In the closing section, I also justified the exclusion of Abkhazia as a case. Just as Montenegro, in addition to Kosovo, had a successful separatist movement within Serbia, Georgia likewise has two successful separatist movements. But Abkhazia is different from South Ossetia in four ways that make the former a poor choice for comparison: Abkhazia’s claims to independence are centuries-old, it is far less integrated into Georgia, its population is ethnically and religiously more distant, its economy and
infrastructure are more developed, and its ethnic diversity is considerably greater with sizable “third-party” ethnic communities. Therefore, despite limitations (including disparities in size), Kosovo and South Ossetia are unrivaled as appropriate cases for paired comparison.

This chapter has laid the groundwork for the subsequent three. We are now reasonably confident that organized crime is a worthwhile variable to consider as a determinant of movement success, that a comparative analysis of Serbia and Georgia in particular can be rewarding, and that organized criminal variation and representation in host state/separatist territory may be relevant. Chapter 2 will proceed to explore specific ways in which organized criminal relations developed in Serbia and Georgia. Somewhat counterintuitively, organized crime will be shown to have the potential to both support and hinder separatist movement success, depending on its exact role. We turn now to process-tracing of the two separatist movements, through which I conceptualize the variety of relational roles organized crime can play.
CHAPTER 2
DIVERGENT PROCESSES IN SERBIA AND GEORGIA:
SHIFTING ORGANIZED CRIMINAL RELATIONS WITH HOST STATE AND
SEPARATIST MOVEMENT

In Chapter 1, I indicated that organized crime may be an important explanatory factor in understanding separatist movement success, and that Serbia and Georgia are excellent paired cases for a comparative analysis of this factor. Furthermore, we saw that negative cases (Chechnya and Transnistria) suggest the need for a more micro-analytic focus on organized criminal complexity (namely, its variation and its relative representation). We now concentrate on our two paired cases for an in-depth analysis of the exact processes of evolving organized criminal relations during the period.

In this chapter, I address the question: how do changing relations of organized crime towards the host state and separatist movement affect separatist success? I process-trace host state, separatist movement and organized criminal relations in Serbia and Georgia, 1989-2012. Unlike the other regional separatist cases, these two underwent dramatic shifts in this triad. I argue that the role of organized crime evolved differently in the two cases, explaining different levels of success for the two separatist movements.

Namely, organized crime in Serbia evolved from the role of bystander, to *divisor et imperator* (“divider and ruler”), to *tertius gaudens* (“the third who rejoices”); in contrast, organized crime in Georgia evolved from the role of *tertius gaudens*, to non-partisan mediator, to bystander. These differing trajectories – process-traced through three phases – account for the greater success of Kosovo’s separatist movement than South Ossetia’s.

Taken as a whole, the trajectory of Kosovar separatism was one of continuous, uninterrupted progress; the trajectory of South Ossetian separatism was one of interrupted progress. The role of organized crime was central to this difference in the two trajectories:
whereas it hindered separatist success mid-trajectory in South Ossetia, it was consistently conducive to Kosovo’s success (see Table 5 for summary).

**Process Tracing and Causal Mechanisms**

Social mechanisms involve “general chains of causation that may recur in a class of roughly similar circumstances” (Hedström and Swedberg 1998, p.128). Process tracing in comparative historical sociology is aimed at the identification of such mechanisms, linking explanatory variables (such as organized crime) with outcome variables (such as the level of separatist success). By “analyzing a case into a sequence (or several concatenating sequences) of events and showing how those events are plausibly linked given the interests and situations faced by groups,” process tracing gives us some reason to believe that two sets of phenomena are indeed causally related (Goldstone 2003, p.47). It does not pretend to be definitive or to fully address the problem of spuriousness. Rather, linkages in a causal chain – especially ones that connect sets of phenomena previously thought to be independent of the causal variable – increase the confidence with which we can draw more macro-level causal inferences (Ibid, p.48-50).

Concretely, the association of organized crime with separatist movement success can be established by plausibly linking events that signal changes in levels of separatist movement success (a failed host state reintegration campaign, a creation of a separatist militia, a burst of economic autonomy for separatist leadership) with events that organized crime seems to have caused (a coup d’état against host state, a sudden massive arms flow into separatist territory, a creation of a black market). Insofar as the interests and situations faced by the separatist

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23 On process-tracing and causal mechanisms in comparative historical research, see Mahoney (2003, p.363-5). In the chapter conclusion, I elaborate on the importance of sequence in particular regarding the results of this analysis: though process-tracing need not necessarily uncover causal sequencing or temporal ordering as the most important aspects of the historical process under examination, my analysis does. For classic works involving sequence analyses, see Moore (1966), Abbott and DeViney (1992), and the literature cited in Mahoney (2003, p.146 n.10).
movement, the host state, and organized crime itself are interpreted reasonably enough to be plausible, the sequence of events may constitute a causal mechanism that sheds new light on the causes of separatist success and failure.

One important qualification is in order. Causal mechanisms need not be mere connectors between variables. “Mechanisms are a delimited class of events that alter relations among specified sets of elements in identical or closely similar ways over a variety of situations” (McAdam, Tarrow and Tilly 2001, p.24). For the purposes of this chapter, the “variables” that concerns us are not collective agents (like organized crime and the host state) but, rather, sets of relations (namely, triadic forms). Below, I outline four sets of relations between organized crime and the host state on the one hand, and organized crime and the separatist movement on the other. The relations of organized crime with the state and the separatist movement somehow affect, I hypothesize, the level of success of the separatist movement.24

Serbia and Georgia underwent different sequences of these relations – sharing two sets of organized crime relations and differing in another set – in different phase orderings. Such a relational approach reveals that the reason South Ossetian separatism has not been as successful as Kosovo separatism is that South Ossetia underwent a process of changing relations that was less favorable to success than the process of changing relations that Kosovo underwent (see Figure 1).

Before analyzing the causal mechanisms that made one process more favorable than the other, I define the relevant triadic forms and outline the two divergent processes below.

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24 As developed in Chapter 1, the success of the separatist movement is by definition a form of the state-separatist relation. This chapter will demonstrate how dependent this relation is on other parts of the state-movement-criminal triad.
Triadic Forms

Given the profoundly interactive nature of separatist movements and organized crime, reciprocal effects or what Simmel called “interaction” (Wechselwirkung) is an indispensable unit of analysis. As “forms of social interaction,” Simmel’s triadic forms are the most convenient tool for differentiating, ordering and explaining state-separatist-criminal triads. Indeed, Hedström and Swedberg cite Simmel’s use of tertius gaudens in their foundational book as a classic example of a social mechanism (Hedström and Swedberg 1998, p.5). This classic triadic form has primarily been used in network analyses (Burt 2009), though its original relational formulation requires neither the individual nor the collectivity to be the unit of analysis. Simmel’s examples range from impish bachelors vis-à-vis a troubled married couple to power-hungry kingdoms vis-à-vis Anglo-Saxon and Norman nations. Furthermore, such an example recognizes that great asymmetries in power need not determine outcomes if the relational configuration is favorable to weak parts of the tie. “The power the tertius must expend,” for example,

…in order to attain his advantageous position does not have to be great in comparison to the power of each of the two parties, since the quantity of his power is determined exclusively by the strength that each of them has relative to the other (Wolff 1950, p.157).

Just as small parliamentary parties, otherwise weak and insignificant, sometimes acquire nationally-decisive voting leverage when dominant, larger political parties collide, so too can organized crime acquire enormous power when host state and separatist movement collide. Finally, triadic relations draw our attention to counterintuitive causes of relational change that are not immediately visible when comparing different agents like states, movements and mafias

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25 For a general critique of the kind of pairing of causes and consequences that mechanisms assume, see Steinmetz (2005). This study’s comparative (two cases) and relational (state-separatist-criminal triads) dimensions alleviate many of these concerns.
in isolation. Relations of patronage between separatist movements and organized crime may but
*may not* overlap with relations of patronage between the host state and that organized crime.

Four kinds of roles in triadic forms will prove useful for our purposes:

- A *bystander* is part of the triad, but passively so – the advantages or
disadvantages he receives come about as decisions or permissions of the other two
in the process of instrumentalizing him, as when a driver is given a tip to catch up
with another far-away car, or when a human shield is injured by warring parties.

- A *mediator* assuages the factors that produce tension between the remaining two,
as when a child brings parents together. More specifically, a *non-partisan*
mediator “either produces concord of two colliding parties” before leaving the
triad entirely, or “functions as an arbiter who balances […] their contradictory
claims against one another and eliminates what is incompatible,” as when
mediators boost negotiations between labor and management.

- A *tertius gaudens* (the third who rejoices) benefits from disagreement between the
two, but does not cause it. His “advantage” either “result[s] from the fact that the
remaining two hold each other in check and he can make a gain that one of the
two would otherwise deny him,” as when a financial broker plays parties against
each; or “because action by one of the two parties brings [advantage] about for its
own purposes – the *tertius* does not need to take the initiative,” as when foreign
investments in a region increase as neighboring regions’ rioters disrupt each
others’ economies.

- A *divisor et imperator* (divider and ruler): pro-actively creates conflict between
the remaining two in order to secure a dominant position or other gains, as when
empires create borders to sever ethnic/religious unity of potentially rebellious populations (Wolff 1950, p.146-7; p.154-62; p.162-9).

Having described these roles, I define four roles of organized crime vis-à-vis the host state and the separatist movement as follows (all six features must be satisfied for each role):

**Figure 1: Triad of Host State, Separatist Movement and Organized Crime**

Organized crime as *Bystander* when:

A1 = Separatist movement relies on organized crime to build capacity, not to confront state.
A2 = Organized crime promotes separatism indirectly for its own ends, if possible.
B1 = Separatist movement fails to confront host state.
B2 = Host state fails to confront separatist movement.
C1 = Host state relies on organized crime for its own ends, not to confront separatists.
C2 = Organized crime does not confront host state.

Organized crime as *Non-Partisan Mediator* when:

A1 = Separatist movement relies on organized crime as much as the host state does.
A2 = Organized crime does not support separatist movement.
B1 = Separatist movement is disincetivized or disabled from confronting fight host state.
B2 = Host state is disincetivized or disabled from confronting separatist movement.
C1 = Host state relies on organized crime for its own ends.
C2 = Organized crime incorporates elements of host state for its own ends.

Organized crime as *divisor et imperator* when:

A1 = Separatist movement relies on organized crime for survival.
A2 = Organized crime co-opts separatist movement.
B1 = Separatist movement is incentivized and empowered to confront host state.
B2 = Host state confronts separatist movement.
C1 = Host state confronts organized crime.
C2 = Organized crime is incentivized and empowered to confront host state.

Organized crime as *tertius gaudens* when:

A1 = Separatist movement promotes organized crime indirectly, as unintended consequence of confronting the host state.
A2 = Organized crime promotes separatism for its own ends, exploiting its weakness/division.
B1 = Separatist movement confronts host state.
B2 = Host state confronts separatist movement.
C1 = Host state does not confront organized crime sufficiently, or not at all.
C2 = Organized crime confronts host state, exploiting its weakness/division.

Countless other configurations could exist, though almost none have been explored for the sequences that bring them about or for their consequences. Applying these definitions, the divergent processes by which organized crime changed roles in Serbia and Georgia can be summarized as follows:

**Figure 2. Serbian Phases**

Phase 1. Organized Crime as **Bystander**
Phase 2. Organized Crime as **divisor et imperator**
Phase 3. Organized Crime as **tertius gaudens**
| Table 5. Main Effects of Relations on Separatist Success in Serbia |
|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| **Relation** | **Effect on Separatist Success** | **Relation** | **Effect on Separatist Success** | **Relation** | **Effect on Separatist Success** |
| Regime-generated organized crime emerges. | + | Organized crime strives for autonomy from state; used against Kosovo. | + | Organized crime fails in coup d’état; limited state crackdown curbs it. | + |
| Kosovo parallel institutions born with marginal criminal elements. | + | Organized crime ascends to mainstream of separatist movement. | + | Organized crime develops “Mafia state.” | + |

**Note:**
- White = organized crime–host state relations (C1 + C2).
- Light gray = organized crime-separatist movement relations (A1 + A2).
- Dark gray = host state-separatist movement relations (B1 + B2).

**Figure 3. Georgian Phases**
Table 6. Main Effects of Relations on Separatist Success in Georgia

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<td>Organized crime wins civil war, pervades host state; limited state crackdown curbs it.</td>
<td>+</td>
<td>Organized crime partially outlives state crackdown.</td>
<td>-</td>
<td>Comprehensive crackdown on organized crime.</td>
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<td>South Ossetian organized crime born, acquires quasi-state.</td>
<td>+</td>
<td>South Ossetian organized crime flourishes.</td>
<td>-</td>
<td>Organized crime re-ethnicized; the factor curbing separatism is removed.</td>
<td>+</td>
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<tr>
<td>Failed reintegration mobilizes separatists.</td>
<td>+</td>
<td>Georgian co-optation fails, as does separatists’ strategy.</td>
<td>-</td>
<td>Assault on Ergneti revitalizes separatism, leads to war.</td>
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Note: White = organized crime–host state relations (C1 + C2). Light gray = organized crime-separatist movement relations (A1 + A2). Dark gray = host state-separatist movement relations (B1 + B2).

I argue that these changes are a critical reason for the higher success of Kosovo’s separatist movement compared to South Ossetia’s more limited success. Below I demonstrate that the movement between phases is propelled by reconfigurations of the triadic form of host state, separatist movement and organized crime. In each reconfiguration, organized crime is a decisive factor in at least affecting, if not defining, state-separatist relations. It was therefore instrumental in promoting and/or hindering the success of the separatist movement in this period according to its capacity and perceived interests.
The Three Phases in Serbia and Georgia

I divide the period into three phases for each case. They are not analogous or chronologically complementary across cases (e.g. Serbia’s Phase 1 is in some ways similar to Georgia’s Phase 3, in others completely different). Rather, the phases are separated by critical junctures that fundamentally transformed the role of organized crime in both the host state and the separatist movement.\(^{26}\) Furthermore, each new phase brought different organized crime effects on state-separatist relations. Though significant changes occur within each phase (and are noted), none are as drastic as the ones between phases.

Each phase is in turn examined in regards to three sets of relations: (1) the relation between the host state and organized crime; (2) the relation between separatists and organized crime; and (3) the relation between the host state and separatists. A variety of important dynamics emerges, revealing different causal mechanisms by which organized crime can affect the successful progress of separatist struggle.

The first critical juncture in Serbia is 1996, when Serbian organized crime begins to expand and deviate from regime control, when the organized criminal fringe of the separatist movement first appears; and when Serbia turns its attention and repression to the separatist province after seven years of ignoring it. The second critical juncture is 2000, when the Bulldozer Revolution unseats Milošević with the support of criminal militias; when organized criminal networks reach their zenith; and when Kosovo’s *de facto* independence begins to grow under international supervision.

\(^{26}\) On critical junctures, see Mahoney (2000, 2004), Mahoney, Kimball and Koivu (2009), and Capoccia, Giovanni and Kelemen (2007). I use the term in a weaker sense, avoiding most of the “baggage” of a broader path dependency approach. These junctures simply mark historical developments in the trajectories of Serbia and Georgia that have *considerably constrained most future possibilities* – there is a “no turning back” quality to them. They also signify severances in the causal chains within phases, which are simply easier to trace than causal chains between phases. I do not imply any more sophisticated causal structures such as feedback loops, self-reinforcing/reactive sequences or the like (Katznelson 2003, p.290-2). The period under examination is too short, and the changes in relational configuration are so sudden and drastic, that any stronger sense of critical juncture would be foolish.
The first critical juncture in Georgia is 1995, when the state is consolidated after organized crime emerges victorious in the civil war; when separatist organized crime begins to emerge; and when state-separatist relations begin their “frozen” status supported by criminal interests on both sides. The second critical juncture is 2004, when the Rose Revolution brought Saakashvili’s anti-crime government to power; when a crackdown on the Ergneti market disrupted multi-ethnic criminal cooperation; and when the host state broke the “frozen” status by provoking a war with separatists.

On the whole, Serbia’s trajectory allowed for consistent separatist success across all phases. Georgia’s trajectory, however, was of the “rise and fall” variety for the separatists: initial separatist movement success was strongly interrupted in the middle phase, followed by a resurgence in the final phase. 2012 ends the rules of both Tadić and Saakashvili. It signals the beginning of new phases in both Serbia-Kosovo and Georgia-South Ossetia negotiations beyond this study’s scope.


In Phase 1, Organized crime played the role of bystander. Milošević’s host state generated and instrumentalized organized crime under pressure of war and sanctions; though growing enormously, these criminal networks remained dependent and hardly deviated from regime control – both largely ignored separatists. In Kosovo, criminal networks formed more gradually on the basis of separatist “parallel institutions” developing independently of Belgrade; this criminal activity was passive towards Serbia. Serbia largely ignored separatists and displayed its impotence in stopping separatist institutional drift; peaceful and moderate separatist leadership began to lose popular support to criminal elements.
The overall effect on separatist success was positive. First, Serbia failed to confront separatists – indirectly encouraging their mobilization, contention and capacity building. This was in large part an outcome of Serbia’s own criminalization. Second, Kosovo strengthened its capacity, though failing to confront the state. It was largely left to its own devices. Third, a foundation was set for organized criminal co-optation of the separatist movement – organized criminals were largely free to expand and develop autonomously.

Milošević regime Generates Major Organized Criminal Networks

Organized crime in Serbia had not emerged before the early 1990s, when the violent unraveling of Tito’s Yugoslavia began. Despite limited liberalization policies, Yugoslavia remained a closed state socialist economy with one-party control over major markets. Border control was tight, trade relations and other international connections were limited and state-dictated, private entrepreneurship was miniscule, ownership of real estate was difficult if not impossible outside state guidance, and monetary flows were under police surveillance. Foreign trade was under the direct control of intelligence services, which were in turn run by a party clique.

The Yugoslav civil war erupted first in Slovenia (a ten-day-conflict in 1991), then in Croatia (1991-1995) and Bosnia-Herzegovina (1992-1995). In addition to defeat in each, Serbia was put under crippling UN sanctions in 1992, bringing the war-drained economy to ruin. Hyperinflation was rampant: in the peak month of January 1994, the inflation rate reached a staggering 313 million percent (Sorensen 2003, p.62). The Milošević regime thus endured off the gray economy and instituted vast smuggling operations. Mihajl Kertes, Milošević’s close associate, was appointed Customs Director to oversee illegal flows. Initially, the principal
smuggling operations were of oil, cigarettes and weapons; later, more profitably, of narcotics (see Chapter 3). Profits were spread across Russian, Chinese, Cypriot, Lebanese and Swiss accounts under names of Milošević’s family and associates. Precise estimates of regime plundering are imperfect, but they range in the hundreds of millions of dollars (Kaliterna 2005, p.32).

The benefit was twofold. First, the domestic population (including half-a-million refugees from war zones that flooded Serbia proper) was made dependent on the black market for survival and employment. Second, key political and quasi-military allies were rewarded and kept loyal. This period marked the beginning of a decades-long collaboration between State Security (Državna Bezbednost, or DB) and organized criminal enterprises (Anastasijevic 2010, p.154-8).

Within a few years, the Milošević regime spawned five major criminal groups, the Zemun Clan being the most influential. Its leading figure, Miroslav Ulemek, would become head of the most powerful quasi-state criminal network in Serbia’s postcommunist history. In 1991, Milošević formed the Special Operations Unit (Jedinica za Specijalne Operacije, JSO). It was created outside of formal legal procedure to be under his direct control. Within three months, they began a decade-long series of political assassinations by killing opposition figure and financier Branislav Matic. Other assassination schemes on Milošević’s behest included failed attempts at opposition leaders, state and police officials, journalists, and even former political allies of Milošević (notably, rival Ivan Stambolic). Its routine activity, however, remained drug-smuggling, car theft and war-profiteering (Novakovic 2013). The Zemun Clan would gradually merge with the JSO to become two wings (state-sanctioned and unofficial) of the same criminal enterprise.27

27 Ulemek’s Zemun Clan would later assassinate the first post-Milošević prime minister (see Phase 3 below).
Equally renowned among criminal partners was Zeljko Ražnatović, a notorious crime figure and later presidential candidate. Featured in Interpol’s most wanted lists throughout the 1970s and 1980s, he was on warrants for violent crimes in half-a-dozen European states. With regime nurturing, he would become Serbia’s richest man in the 1990s. His paramilitary Serbian Volunteer Guard was formed in 1990, consisting mostly of football hooligans under his care. The militia fought in Croatia and Bosnia-Herzegovina (later in Kosovo as well) in the regime’s effort to maintain plausible deniability in its war efforts. Even as they earned a worldwide reputation for brutality, war crimes and looting habits, Ražnatović was immunized by a parliamentary seat in 1992. He continued to be a major influence on politics and business until he was assassinated in 2000 in an unresolved incident (presumably an act of regime disciplining).

Reliance on organized crime gradually intensified, but for domestic purposes. With hundreds of violent foot-soldiers behind them, these figures became pillars of the regime through intimidation and beatings of opposition leaders. At major anti-regime demonstrations in Belgrade in March 1991 and several months in 1996-7, Zemun Clan members and Ražnatović loyalists were engaged as police provocateurs to create an alibi for state repression. They served not only as bodyguards for the two major parties of Milošević and his wife, but as employers, providers, caretakers and enforcers of street justice in every major neighborhood in the capital.

Ražnatović and other criminals were also integrated into Belgrade football associations as a side-effect of the regime’s effort to instrumentalize sports clubs for Serbia’s military efforts. Loyal convicts were appointed to head the militarized clubs themselves or, more importantly, the fan organizations to train hooligans for political purposes.28 Fans were indoctrinated with

28 For an overview of the role of football in Serbia’s nationalist wars, including the deliberate recruiting of violent criminals in particular, see Čolovic (2000). On contemporary legacy of sports club- and hooligan-related organized crime, including its instrumentalization by the Serbian government, see three-part series by B92’s “Insajder” investigative journalists, Nemoć Države, broadcast in November/December 2009.
nationalist fervor and recruited as regime voters, militia volunteers and local extortionists. Arms and drug deliveries often followed recruited hooligans to and from the various fronts.

Though publicly presented as national heroes defending Serbian rights, the criminal heads were recruited with little or no military experience, simply for their law-breaking credentials (Nielsen 2012). Most fought on battlefields in Croatia and Bosnia in paramilitary groups; after returning to Serbia, they were tasked by the security apparatus in assassinations, kidnappings, robberies, racketeering, money laundering and blackmail. Some six-hundred murders of state officials and mafia figures were executed in Serbia proper under Milošević. The state-wide murder rate increased by a factor of 2.5 from Milošević’s ascent to power in 1989 to 1997 (Kaliterna 2005, p.33). A sizable number of these – if not the majority – are believed to have been committed by the government through “thugs-for-hire.”

Both the host state and organized crime, therefore, were tied by profit, reputation and security to Serbia itself. Rising from petty convicts to state-backed national heroes, the new criminal class remained largely under regime control. It deviated from state policy only partially and rarely. For the most part, the regime oversaw them and – not infrequently – murdered them when they disobeyed. Criminal clients executed orders directly or indirectly sanctioned by Milošević. Since the regime itself was preoccupied elsewhere and isolated by sanctions, neither they nor their criminal instruments confronted Kosovo separatism.

Kosovo Separatists Develop Parallel Institutions

In July 1990, Kosovo’s parliament issued a (formally illegal) declaration of independence. A series of unilateral legislative acts transferred state-like capacities from Belgrade to Priština. In subsequent years, parliamentary, financial, educational and
surveillance/intelligence capacities were developed outside Yugoslavia’s state apparatus. Renaming itself a Republic, Kosovo created its own police and military organs, hospitals, chambers of commerce, educational boards and expanded municipalities. Not least of these was the organization of armed defense units throughout the province; these included defense committees, coordinated military staffs, armed units at every municipality, foreign instructors (primarily Albanian in this period), a surveillance/intelligence network of informants, and a police force. Though dormant in this phase, these formed the basis for future criminal hierarchies (Mijalkovski and Damjanov 2002, p.89).

Serbia’s treatment of the province unwittingly catalyzed the parallel institutions. Initially, Yugoslav aid to separatist institutions made them less reliant on organized crime. As Priština’s divergence began, Serbia’s investments in Kosovo continued to be disproportionately large compared to other regions (a legacy of Titoism). But they declined sharply in the first half of the 1990s. From 1990 to 1995 (at which time reliable data on Serbian aid to Kosovo disappears), the amount of aid was roughly halved. The bulk of it ended up in the hands of Kosovo separatists, who channeled them into the parallel institutions. Embezzlements of various sorts were developed until host state aid became negligible. One such scheme was defrauding the pension system through family ties and bribery. Fake pensioners would continue to withdraw host state funds for deceased friends and cousins (in one instance, a 112-year-old’s pension was discovered to have been withdrawn regularly every year by the deceased’s family, through an accomplice clerk)(Ljepojevic 2006, p.34-6). Similar networks began to extract resources out of the industries around Kosovo’s meager natural resources, particularly at the Trepca Mines.

Organized criminal profit began to compensate for the decline in host state aid. Neighboring Albania, itself criminalized beyond comparison in Europe, became a major source
of illicit funding for the newly-formed separatist government. Kosovo’s southward turn in the early 1990s was congealed by the Albanian government’s recognition of the Republic of Kosovo, its call for Kosovo Albanians to boycott Serbian elections, and its appeals to NATO and the UN to intervene on Kosovo’s behalf. Smuggling operations, partially state-sanctioned, sponsored the budding quasi-state structures. Most trafficked commodities were not illicit, though the arms and drug trades were substantial (see Chapter 3). The latter two were unusual because they concentrated on arming marginal separatist militants, not on profit-making itself (Mijalkovski and Damjanov 2002, p.90-1).

Though separatist institutions benefited from organized crime, it was not used against Serbia. Low-scale, somewhat disorganized violence in Kosovo did contribute to the gradual demographic shift in favor of the separatist community, but this long-term shift was primarily due to a discrepancy in natality rates. The rate of the shift increased in the early 1990s, when roughly 79,971 Serbs, Roma, Montenegrins and other non-Albanians disappeared between the 1991 census and 1995 estimates. This acceleration was in part due to the coercive practices of the new Albanian institutions. One such practice was the systematic, long-term diverting of funds from Tito-era World Bank development funds to purchases of Serbian property to be resold to Albanians (Trifković 1998, p.53). Real estate fortunes were made, creating a class of criminal entrepreneurs with nationalist credentials.

Nevertheless, organized crime associated with Kosovo’s parallel institutions was mostly nonviolent and aimed at capacity-building, not separatist confrontation. It paved the way for escalation by creating patronage networks, channels of distribution for goods, and money laundering sites. There were at least ten known clans (fīs), for which kinship loyalty was

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29 Between 1945 and 1998 (when full-scale conflict began), Serbs and other minorities were reduced from 60% to less than 15%. Simultaneously, the Albanian population grew from 40% to 85%.
exceptional (far stronger than ethnic loyalty), and which nurtured a tradition of blood feuds (Kaltcheva 2009; Djurić 1998). These networks began experimenting with illicit trading and coercion-backed brokering of criminal deals at the municipal level. The permeability of Albania’s border allowed for unprecedented movements of people in the early 1990s. A training period ensued as Kosovo residents easily connected to their militant co-ethnics in Albania, often traveling elsewhere with their help. Some 250,000 fighting-able Albanians scattered throughout Western Europe as political exiles. Thousands of them attained military experience fighting Serbs in Slovenian, Croatian and Bosnian military formations.

The seeds of the militarized struggle that was to follow were laid in 1990, when the first armed group designated by Belgrade as “terrorist” was discovered, though its size and strength was negligible. Between 1991 and 1997, 377 attacks were recorded. Mostly targeting Serbian policemen and state officials, the perpetrators were undertrained, moderately-armed bands without apparent coordination or hierarchy between them. Two armed formations existed in the early 1990s: the (poorly) Armed Forces of the Republic of Kosovo founded by exiled nationalist Buyara Bukosya, and the Kosovo Liberation Army (KLA), led by drug smugglers and arms traffickers. Both were minor in this period. Serbian military analysts conceded that Kosovo separatist violence in this phase “did not represent a serious danger to the security of vital interests of the [then] Yugoslavia” (Mijalkovski and Damjanov 2002, p.75-6; p.61). Most criminal activity was channeled primarily to criminal profit, secondarily to funding and developing Kosovo institutions – not armed struggle.

Notwithstanding the growth of separatist institutional capacity, serious confrontation with Serbia was impossible without international partners. Kosovo remained utterly isolated in international affairs, like Serbia as a whole. International support was not only nonexistent, but
the sanctions on Yugoslavia revealed “the West’s contradictory indifference towards ethnic Albanian Muslims in Kosovo – who […] suffered more under the same sanctions” (Brock 2005, p.273). This isolation would ultimately contribute (1) to the popular frustration that enabled organized crime to ascend to the separatist mainstream, and (2) to the reorientation of the separatist movement to internationalize the conflict, a task that the transnational criminal networks were best suited for.

Disregard of Separatists, Gradual Disillusionment with Nonviolence

Serbia showed unwillingness and inability to confront separatist drift in Kosovo. The regime’s only confrontation was largely symbolic and aimed at domestic constituencies in Serbia proper. The defining collective action of Milošević’s reign was June 28th, 1989. In front of a million Serbs, he delivered a speech in Kosovo to commemorate the 600th anniversary of a defeat by the Ottoman Empire. The event was saturated in nationalist mythology, and solidified Milošević’s image as savior of the Serbian nation in Kosovo.30 It came a month after the host state rescinded Kosovo’s autonomous status.

This act was to be the closest thing to a compromise the host state indulged in during this entire phase. More importantly, it was the closest thing to a confrontation that Serbia managed throughout the phase. As its aid to Kosovo waned, Serbia’s influence on the territory gradually dissipated; in addition, its disregard of the territory and signals of disinterest and impotence themselves encouraged separatist success. The more akin to a private criminal gang the host state became, the more the separatists were encouraged to drift away.

The separatists thus laid the foundations for de facto autonomy. Riding on a wave of mass popular unrest in October 1988 and a major miners’ strike in 1989, the movement went on

30 On centrality of this event in Serbia’s Kosovo policy, see Zirojevic (2000).
the offensive in the 1990s. It took what it could from Serbia – financially and bureaucratically – but rejected any obligations towards it. A majority explicitly embraced independence from Belgrade in a landslide referendum boycotted by Serbs. The “Pandora’s Box” of separatism having been opened in Slovenia, Croatia and Bosnia-Herzegovina, Albanians were logical candidates for a similar separation. Indeed, their cultural and ethnic distance from Serbs was greater than anything Croats or Bosnian Muslims could claim.

The separatist movement explicitly declined to use organized criminal resources to confront Serbia, however. The principal force behind the development of parallel institutions was the region’s first parliamentary party, Ibrahim Rugova’s Democratic Alliance of Kosovo. With 700,000 members, its leaders were mostly intellectuals. Rugova – a writer, former communist dissident and emulator of Vaclav Havel – emphasized nonviolent resistance against Serbia. The withdrawal of participation in Yugoslavia’s system and the self-organizing of quasi-state organs were followed by boycotts of elections (1990, 1992 and 1994) that had solidified Milošević’s rule. Rugova even declined explicit offers by Bosnian Muslim and Croatian separatists to open another anti-Serb front in Kosovo. The hope was to extract compromises by negotiation.

This confrontation strategy failed miserably. Entangled by three wars and sanctions, Milošević failed to even acknowledge Kosovo’s separatist leaders. Given the Albanian population’s size, their participation in elections may very well have unseated him – another reason to tolerate separatist divergence from Serbia’s political scene. So long as Serbia was preoccupied elsewhere (and the Milošević regime with its own perseverance through organized crime), Rugova’s leadership was ignored and left to its own devices. The host state would come to pay dearly for its failure to seize the opportunity of a negotiating partner.
The moderate separatist strategy began to wane after the 1995 Dayton Accords ending the Yugoslav wars. Milošević was suddenly praised as a “man of peace” by the very Western countries that bombed him into submission. Kosovo was excluded from the agenda at Dayton. Kosovo Albanian representatives were conspicuously absent from any international negotiations, while their separatist peers in Croatia and Bosnia-Herzegovina were seemingly rewarded for their militancy. The US, EU and NATO instantly recognized and intervened militarily on behalf of the breakaway Yugoslav republics, but their support for Kosovo was restricted to occasional lukewarm pronouncements of support. Even when Rugova’s delegations were invited to Yugoslav war-related talks, they were typically relegated to observers with no interests of their own. The separatist movement’s failure to confront the state was now recognizable to all.

The region’s population grew impatient with the nonviolent approach, and thus receptive to the claim of militant criminal fringes: that only war would deliver sovereignty. Milošević’s conduct in the Yugoslav wars – including his reliance on criminal militias for ethnic cleansing – seemed to prove “that pacifism led nowhere,” that Rugova “was meek and deferential,” and that the host state’s attention can only be attracted through armed struggle. By the beginning of 1996, a majority of Kosovo Albanians was no longer supportive of the Democratic Alliance of Kosovo (Rogel 2004, p.77; Simic 2000, p.53-81).


In Phase 2, organized crime played the role of *divisor et imperator*. The Bulldozer Revolution is critically assisted by Milošević’s criminal apparatus; organized crime is more autonomous of state than ever. In Kosovo, organized crime ascends to mainstream of separatist movement when KLA eliminates rivals, solidifies its leadership by force and confronts host state
violently. When Serbian repression mobilizes Albanians around KLA, NATO is provoked into war on behalf of Kosovo separatists.

The overall effect of organized crime’s role was again positive on separatist success – even more so than in Phase 1. First, the Serbian use of criminal militias against separatists worsened the backlash against repression. Serbian organized crime was no longer merely ignoring Kosovo, it was proactively molesting it. Second, the Kosovo separatist movement gained unprecedented credibility and capacity through criminal empowerment – this eventually secured NATO support, an accomplishment that had eluded noncriminal separatists. Third, the KLA co-opted the separatist movement and triumphed over the host state.

Organized Crime Spreads Its Wings vis-à-vis the State

What Milošević had created during the Yugoslav wars was “effectively the largest criminal organization in the Balkans” (Anastasijevic 2010, p.154). The chain of command was: Milošević to Chief of Security Command (Jovica Stanisic before 1998, Rade Markovic after), via a mediator from the JSO (Franko Simatovic) to its head, Ulemek. Thus the Zemun Clan/JSO – with monopoly positions on virtually all profitable smuggling markets – was between Serbia’s first- and second-in-command. The “tribute income from cross-border trade stayed within this command structure, under the control of the president, without ever being recorded or transferred to the Federal Government” (Sorensen 2006, p.328). It is thus more appropriate to speak of private ownership of an entire import/export economy than of a trading nation-state.

It was only a matter of time before organized crime began to significantly deviate from regime control. By 1996, the Zemun Clan and JSO effectively served as loyal private armies.
protecting vast criminal enterprises. Several important developments contributed to their increased autonomy and – ultimately – to their survival after the Milošević regime.

First, the lifting of international sanctions following the Dayton Accords in 1995 suddenly opened one of the most isolated countries in the world to international markets. The peace period (1995-9) provided the opportunity to refocus on profitable crime within Serbia proper and Kosovo. Appetites grew. The criminal class was far wealthier than before the wars. Even low-level militia fighters became enriched as so-called “weekend volunteers,” who briefly traveled to battle fronts to pillage before immediately returning to a patriotic hero’s welcome. Their war profits were readily transferred into business ventures in Belgrade. They could even finance activities without state support (Grubac 2009, p.703). High-level crime figures like Ražnatović strengthened their private criminal firms, including his football club. No longer serving as a para-military training ground, it became a center for money-laundering, racketeering and sports fraud (including embezzlement through trading of players and personal threats of beatings by Ražnatović to anyone who scores against his team). Ražnatović also seems to have mobilized great numbers of hooligans to selectively produce disruption on demand from various clients – essentially selling riots (Stewart 2008; Novakovic 2013).

Second, there were schisms within organized criminal circles in 1996 and 1997. Disputes between Milošević supporters, “possibly on the division of the assets from areas in Croatia and Bosnia,” solidified into factions in Belgrade as well as Montenegro, Yugoslavia’s only access to sea smuggling routes (Sorensen 2006, p.328). The Montenegrin regime, in particular, had been instrumental in cigarette and oil smuggling with several kinship connections to the major Belgrade clans. These newly-emerging rifts disrupted the hierarchy leading up to Milošević. A maneuvering space opened for alternative political alliances, greater deviation from the state
center, and increased competition. Rouge elements of the Milošević apparatus were killed in the
dozens in unresolved Belgrade murders – including Police Chiefs, Ministers and military
officers. Ražnatović’s unresolved assassination in 2000 removed a major criminal figure from the
scene. The Zemun Clan killed at least three rival narco-traffickers in 1999.

Third, organized criminal tasks were redirected from the Yugoslav wars to regulating
“internal enemies” of the regime. Under fire from a united opposition, Milošević ordered
kidnappings, assassinations and intimidations by the Zemun Clan and the DB. Journalists
(including Slavko Curuvija, murdered by DB during the Kosovo conflict), political opponents
and businessmen funding democratic reformists were intimidated, threatened and attacked.
Opposition leader Zoran Djindjic was forced to flee the country from the regime’s death warrant.
The DB apparently even issued orders to Ulemek as head of the JSO to assassinate those who
ordered Ražnatović’s murder. The transition from killing enemies of the Serbian people far away
to killing co-nationals and associates “at home” reconfigured criminal hierarchies.

After the Kosovo war, Milošević’s continuing rule was put into question. He, along with
prominent underworld figures (including Ražnatović), were under indictment at the International
War Crimes Tribunal at the Hague. Recovering from devastating NATO airstrikes, the
opposition was also regaining strength in late 1999. They secured the support of several high-
profile military and political defectors from the regime, and were confident of their electoral
victory in 2000. Organized crime was faced with the prospects of loyalty to a sinking ship, which
could legalize their livelihoods and dismantle their state cover.

After eleven years of authoritarian rule, Milošević was to be replaced with pro-Western
reformists. The Zemun Clan could not risk their hostility. As the October 5th, 2000 Bulldozer
Revolution brought the opposition into the streets, demonstrators paralyzed Belgrade and
besieging the parliament. The JSO sought out negotiations with Djindjic and other soon-to-be statesmen. They promised their loyalty to the new authorities and a commitment to maintaining law and order. Though anticorruption and organized crime were by no means in the fore of the opposition’s platform, smaller criminal clans also preemptively agreed to lend their support to the protest.

Organized crime was thus directly indispensable to Milošević’s removal. Had the JSO obeyed regime orders (as when Milošević turned tanks on Belgrade protestors in 1991), it is questionable whether the Bulldozer Revolution would have succeeded – at the very least, it could not have been bloodless. Organized crime had declared its independence from a bygone regime with minimal concessions to the new authorities. The Zemun Clan would continue to thrive until a panicked coup attempt backfired three years later.

**Triumph of the KLA over Separatist Rivals**

As in the host state, organized crime in the separatist region attained a dominant position. In February 1996, a then-obscure militant wing of the separatist movement – the Kosovo Liberation Army (KLA) issued a widely-ignored statement to the press. Their message claimed responsibility for the massacre of refugees from Croatia’s Krajina region, who had fled to Kosovo. This marginal group, consisting of mercenaries, convicted exiles, sex entrepreneurs and admirers of Enver Hoxha (Albania’s late Stalinist ruler) would quickly lead the separatist struggle to record victories. From the militant fringe of the movement, it became its most successful mainstream representative with vast international support. This was achieved through criminal armament and drug funding (see Chapter 3) and coercive elimination of rivals (see Chapter 4).
With a leadership staffed by some of Europe’s most wanted fugitives, The KLA was by far the most criminalized sector of the then-diverse separatist movement (Public Safety Bureau 1999, 25-27). It was also the most militant. It not only boycotted the 1998 elections that brought Rugova to power; it condemned him to death for negotiating with the host state, compelling him to flee the region repeatedly. Their disagreement with him was not only tactical – he explicitly condemned their criminality and took steps to curb their influence. KLA leader Hashim Thaqi (nicknamed “The Snake” in the cocaine and heroin traffic) perceived Rugova as a personal threat more than as a traitor.

The key breakthrough in criminal co-optation of the separatist movement was 1997’s anarchic breakdown of the Republic of Albania. More than 750,000 weapons were stolen and taken to Kosovo, most of them ended up in KLA hands within weeks through Thaqi coordination. Dozens of Albanian criminal figures in exile returned to fight as well as to expand their criminal enterprise. Prominently, Ramush Haradinaj (who fled in 1990 to avoid conviction) returned to Kosovo to assume a leading role in the KLA; he “was particularly active in cigarette and oil smuggling, as well as extortion rackets” (Pean 2013, p.194).

Practically overnight, the KLA was able to become a fully-fledged fighting force without an international patron (as Russia was for South Ossetia). At its first public appearance in November 1997 near the village of Srbica, they demonstratively paraded armed and in uniform, fully equipped as no Albanian unit had ever been. They initiated attacks on postmen, policemen, government officials and civilians, eliciting a brutal crackdown by Serbian forces.

In October 1997, 12,000 Albanians attended a funeral of a KLA fighter killed by Serbian forces; another 20,000 attended a subsequent funeral in November. The recruitment rate skyrocketed. There were 20,000 armed members of the KLA stationed in training camps in
Albania in 1998-1999. In northern Albania, there were nine known camps (Bayram Curi, Tropol, Krum, Kuks, Peshokopey, Elbsasan, Diat, Durs and Labino) where roughly 4,000 Albanians from Kosovo were trained and equipped. In the leading camp, Bayram Curi, former Yugoslav officers of Albanian nationality were trainers; many had fought in wars in Croatia, Slovenia and Bosnia, smuggling weapons from those sites as well. In Kosovo itself, forced mobilization campaigns ensued in 1998. Young men were coerced to learn to use weapons and dig trenches. Personal documents – health insurance cards, identification cards, driver’s licenses – were confiscated from people to pressure them to take up arms. In half-a-dozen villages in Kosovo, citizens returned weapons forcibly given to them by KLA recruits, begging the host state for protection.

Violent crime soon overtook all political developments in Kosovo, seizing attention and credibility from Kosovo’s parallel institutions. Immediately after the arms flow from Albania, the first gruesome acts followed. In Klecka, rapes and mutilations were documented at a crematorium also used as an internment camp (Public Safety Bureau 1999, p.26; p.4). The objective was not merely ethnic polarization, but to establish a militant profile in clear contrast to Rugova’s pacifism.

Indeed, ethnic violence was – contrary to both Serbian and Albanian narratives – not an apparent primary motivation in pre-NATO fighting. The KLA concentrated on its Albanian rivals and on establishing a reputation of fear to enforce obedience within the ethnic community. A detailed Council of Europe investigation found that “the KLA fought just as hard, and devoted arguably more of its resources and political capital, to maintain its advantage over its ethnic Albanian rival factions as it did to carry out co-ordinated military actions against the Serbs” (Marty 2010, p.13). One estimate found that between 1996-8, more than half of KLA victims
were ethnic Albanians accused of “collaboration” (Chossudovsky 1999). Precise data confirmed
that in peak-violence year 1998, 45% of civilians killed by the KLA (77 out of 173) were ethnic
Albanians opposed to violent tactics or KLA leadership. In addition, 72 Albanians were beaten
or otherwise severely injured for standing in the way of KLA dominance. These included at least
three prominent “demonstration cases,” when weak targets were made examples of: a woman
and her twelve-year-old daughter were murdered and placed on the side of a busy road for
publicly condemning KLA tactics; a man was assaulted and his wife raped in front of him
because his father allegedly voted for Milošević; a household accused of harboring Serb-loyalists
was besieged overnight, injuring two pregnant women (Public Safety Bureau 1999, p.8).

There was even partial rivalry within KLA ranks. By May 2000, as many as 23
commanders of the narco-militia were killed by colleagues at the presumed order of Thaqi. 87
Albanians were kidnapped, including dozens given ultimatums about opposing factions before
being released (Ibid, p.19). 31 Ali Uka, a journalist generally supportive of the KLA, was
murdered for expressing a mildly critical opinion. Akmet Krasniqui, the head of the rival Armed
Forced of Kosovo, was assassinated. By the end of 1997, the KLA was the undisputed political,
military and cultural center of the separatist movement. By mid-summer 1998, it controlled 40%
of Kosovo territory. Smuggling across the Albanian border was never done more openly than
between late 1997 and March 1999.

NATO-backed Triumph of the KLA over Host State

The guerrilla attacks and Serbian repression escalated until the conflict was
internationalized. UN resolution 1160, along with the US and other NATO countries, designated
the KLA a “terrorist organization.” Anxious State Department reports found KLA ties to heroin

smuggling and even Osama Bin Laden. The US representative in Priština publicly scolded the group for their violent tactics, which the “Serbs interpreted as a go-ahead to clamp down on ‘terrorists’ in ‘their’ province” (Rogel 2004, p.78). Learning from the separatists of Croatia and Bosnia, the KLA knew it could only secure a military intervention from the West if Serbia could be provoked into escalation.

The immediate trigger for NATO intervention came with the killing of KLA fighters in Račak, which publicized Serbian ethnic cleansing. Though the incident is disputed, it appears that bodies of armed KLA militants were presented as executed civilians to mobilize US intervention (Brock 2005, p.314; Rainio, Lalu and Penttila 2001). 32 The so-called “Račak Effect” brought decisive diplomatic support for the KLA and definitively marginalized Rugova’s option. More generally, Serbia’s vicious, indiscriminate response further encouraged military intervention:

The Serbian regime [could have] aimed its activities against the mafia-linked, foreign-supported assassins of Serbian police, civilians and state employees, including ethnic Albanian ones. Instead, Belgrade struck back not just at the criminal elements but at civilians as well. […] By allowing its paramilitaries to target Albanian civilians, the Serbian regime itself helped place the KLA on the map of “freedom fighters” (Udovicki 2000, p.331).

Soon enough, the US and other western powers recognized the KLA as an unavoidable partner. Continuing their anti-Milošević involvement from Bosnia and Croatia, the US began actively backing the separatists in early 1998, when the CIA trained and equipped KLA fighters. The State Department, France and others removed the KLA from their lists of terrorist organizations. OSCE monitors, journalists and government observers flooded the separatist territory. All sides

approached a failed negotiation at Rambouillet with utter cynicism. After Milošević’s refusal of a war-guaranteeing ultimatum, NATO air strikes began.

The bombing pulverized the host state, as well as its forces in Kosovo. 20,000 tons of bombs were dropped to aid separatists on the ground and thousands of Serbian soldiers and paramilitaries were killed. The war ended with victory for Kosovo separatism, conferring unprecedented autonomy from Belgrade to Kosovo. Serbia withdrew all its military and police forces, effectively giving up sovereignty to NATO-led international peacekeepers.

It is worth noting that the war disproportionately aided KLA leaders at the expense of the Albanian population as a whole. Before March 1999, the fighting took over 2,000 lives on both sides – roughly half were Albanian. During NATO air-strikes, entire villages were burned, over four thousand were killed (mostly civilian) on both sides, 850,000 had been driven across Kosovo borders and half-a-million were displaced within Kosovo itself. The majority of NATO-inflicted deaths were Albanian. Much of the province was simply burned down, bombed or rendered uninhabitable. The victorious separatist leadership, however, would go on to occupy every major position in an increasingly independent Kosovo and expand its criminal empire to a global level.

Hitherto, the fates of the separatist movement and organized crime became inseparable, and the *divisor et imperator* role of this phase ensured that the entire process was one of constant progress towards separatist success. As we will see, the process in Georgia differed because the separatist movement progress was significantly interrupted and hindered. In Kosovo, the process was such that progress was spectacularly advanced by organized criminal co-optation of the separatist.
Phase 3 in Serbia: Djindjic, His Successors and Kosovo Independence (2000-12)

In Phase 3, organized crime played the role of *tertius gaudens*. Organized crime stages a failed coup d’État and assassimates the Prime Minister, exploiting host state weakness and its confrontation with Kosovo. Serbia’s crackdown on organized crime is limited, anti-corruption reforms are retarded and later reversed. In Kosovo, organized crime acquires a “Mafia state,” diversifies, expands internationally and ethnically homogenizes Kosovo in the face of host state incapacity. Separatists acquire *de facto* independence, gain international recognition and disregard the host state; Serbia engages in symbolic, futile measures in confronting Kosovo. Organized crime on each side (non-overlapping) survives and thrives on Serbia-Kosovo disputes.

In sum, the final phase was likewise highly conducive to separatist movement success. First, Serbia’s confrontation with separatists is crippled by an organized criminal assault on the host state. Second, Kosovo’s organized crime expands and solidifies independence for the separatist movement. Third, Kosovo acquires sufficient capacity to simply disregard the host state and to pursue state-formation within the bounds of the international presence – its organized criminal base is entirely independent of organized crime in Serbia.

**Limited Crackdown after Failed Coup**

With the fall of Milošević, Serbian organized crime began to spread its wings. When the democratic opposition besieged the capital in September 2000, reformist leaders negotiated with criminal factions to ensure the regime’s downfall. The Zemun Clan and JSO, as well as other para-military cliques, were prepared to violently crush the uprising at the orders of the beleagued state security apparatus. Their leverage in the host state made them an unavoidable negotiating partner for the incoming pro-Western reformers. The compromise that was reached
ensured that the Buldozer Revolution was a bloodless one. But it also allowed criminalized elements of the former regime to emerge virtually unscathed (Sekelj 2001).

The new democratic government – Serbia’s first in over fifty years – faced the choice of gradual or radical transition: whether to reform the corrupt state security and political establishment incrementally by legal means, or by an aggressive lustration including ad hoc measures. President Vojislav Koštunica was a proponent of the former approach, opposing such actions as the extradition of Milošević to the Hague Tribunal to face war crimes charges (including Kosovo-related ones). Prime Minister Djindjić advocated the latter strategy, taking controversial steps to remove Milošević cadres. In 2002, the State Security agency was disbanded and replaced with a body (*Bezbedoosno Informativna Agencija*, or BIA) accountable exclusively to the government, not the Ministry of Internal Affairs that had hiterto controlled its death squads.

Though BIA’s central task was to curb organized crime, after initial enthusiasm, its results were modest. The pillars of the outgoing regime – including Zemun Clan representatives – merely switched positions from the previous institutional arrangement into a new one. When a campaign against organized crime was attempted, and especially when the extraditions of Serbian leaders to the Hague Tribunal began, it met fierce resistance. Key cabinet ministers under Djindjic unanimously deny that they even had any meaningful control over the unreformed, criminalized state security agencies. In late 2001, JSO blocked Belgrade’s main highway in fully-armed war gear and blackmailed Djindjic, demanding his resignation along with the Minister of Defense’s. Koštunica supported the act – an armed insurrection by the country’s most powerful criminal militia.
Among other points of contention, fears of persecution for Kosovo war crimes were at the center of JSO and others’ resistance to reform. Djindjic’s strategy against Kosovo’s independence combined sovereignty demands with promises that those who terrorized Albanian civilians will be brought to justice. This included international assurances of extradition in order to legitimize domestic court cases in the future, when Serbian judicial reform was to be completed. This maneuver was primarily aimed at Kosovo, not at organized crime itself: to remove post-war issues from Western courts thought to be partial to the separatists. Indirectly threatened, organized crime thus exploited this host state-separatist confrontation by severing it.

When Djindjic took further steps, including the passage of witness protection legislation, and the preparation of a special court targeting organized crime in particular, the JSO and Zemun Clan felt existentially threatened. With more than fifty assassinations, a dozen known kidnappings, and links to Colombian narco-cartels on their record, they felt confident enough to plan a coup d’état, leaving the more conservative Koštunica in power. Three separate assassination attempts were made on the Prime Minister, each revealing the state’s feeble response (Kaliterna 2005, p.37). On one occasion, the perpetrator of a failed highway assassination in full view of the Prime Minister’s state security was released the same afternoon by local police. Serbia’s credibility in its international campaign to slow Kosovo’s independence down was shattered.

In March 2003, the Zemun Clan succeeded in assassinating Djindjic, possibly with the complicity of Koštunica associates. The single greatest Serbian crackdown on organized crime ensued, never to be repeated or outdone. A months-long police action in a nation-wide state of emergency detained 12,000 people. Most of the Clan was arrested or killed. Sixteen hitherto-unresolved murders and eight kidnappings involving tens of millions of Euros were resolved;
200 cases of drug-smuggling and thousands of other crimes were uncovered. Traumatized by the seeming return to Milošević’s terror years symbolized by Djindjic’s death, 73% of the Serbian population supported the crackdown (Gordy 2004, p.10-7).

Arguably the most important result was the stigmatization of para-state militias as criminal. For a decade, criminal bosses were celebrities – mythical “Robin Hood” idols. The brutality of the Clan’s highest-ranking members was publicly revealed over the coming years for the first time. The Spanish police discovered a 2006 murder of one of their own members feared to want to testify. After torturing him, they minced his body through a meat grinder and ate him. Reports of audio-recorded jokes about the cannibalism were publicized, dispelling popular perceptions of the JSO as mere soldiers and national heroes. The idea of Kosovo’s independence gained popularity internationally and even domestically in Serbia proper, as those who fought separatism were exposed as gangsters.

Following the crackdown, however, the status quo was largely restored without the JSO. High-level political figures, policemen and BIA elements were involved in the Zemun Clan’s drug traffic and political assassinations. Some of them assumed key positions in the state apparatus under Koštunica (2004-2008). No thorough investigation of the coup attempt was undertaken under successor Boris Tadić (2008-2012). Though Tadić oversaw minor improvements in border-control and legislation allowing state seizure of organized criminal property in 2009, the unreformed security apparatus largely escaped unscathed. In particular, “the police remain[ed] largely unreformed, suffering from overcentralization and lack of external control,” as did BIA as a replica of DB (Anastasijevic 2010, p.155).

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Serbian capacity and credibility in dealing with the Kosovo dispute was thus chronically compromised. Although a single, all-powerful criminal clan was no longer functioning, remnants of the Zemun Clan and their competitors – numbering at least four, divided by major Belgrade neighborhoods – continued to maintain close ties to government. Major organized crime groups remained an integral part of Serbian politics, though less centralized and more differentiated.

Kosovo Becomes *de facto* State, Criminal Hub of Europe

After the formal disbanding of the KLA, its commanders used Kosovo government positions for narco-traffic expansion. Prime Ministers – Thaqi, Agim Cheku and Haradinaj – were Interpol-wanted criminals at the top of a world-class drug-smuggling hierarchy. With the resurgence of the “Balkan Route” (see Chapter 3), Italian, Chechen and Middle Eastern drug cartels found partners in the Kosovo authorities. Though Kosovo’s share in the arms trade waned, the drugs traffic skyrocketed. With revitalized ethnic ties to Albanians in Serbia and Macedonia, Kosovo Albanian drug smugglers came to account for 70% of total drug transport into Europe from the east. Major smuggling routes now utilized air transportation for the first time. Priština Airport became a hub of massive criminal transfers, the subject of seventeen UNMIK reports between 2004-7 (Ljepojevic 2006, p.98). At least one accomplice in traffic at the airport was killed. The use of air transport made illicit traffic more voluminous, while risk and cost decreased tremendously.

With the drug domain growing, other smuggling operations also expanded to include a wider range of commodities. One was an elaborate human organ-trafficking ring run by Thaqi’s

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34 All the UNMIK reports have become public and are available at Wikileaks.org under “UNMIK Reports into Corruption at Priština Airport.”
Drenica Group (Marty 2010), which we return to in Chapter 4. As unemployment ranged between 40-70%, hundreds of millions were embezzled from government funds or laundered through nepotistic privatization schemes. Ministers built extravagant villas with government funds in the midst of Kosovo’s sea of poverty. One Minister, Redzep Osmani, made 500,000 euros by swapping a ruined piece of real estate for underpriced state property. In a much-quoted report from the post-war period, a journalist observed the

…installation in Kosovo of a paramilitary regime with links to organized crime. Indeed, Kosovo may become the world's first Mafia state. […] Much of the KLA is criminalised, with war criminals, common murderers and drug traders forming an “interim administration” (Pilger 2000).

The NATO-led Peacekeeping Force (KFOR) and its European successor, the European Union External Action in Kosovo (EULEX), were unsuccessful in curbing the “Mafia state.” Some international officials were complicit in corruption (Ljepojevic 2006, p.95), but most were simply impotent compared to KLA factions. Indigenous law-enforcement institutions were either nonexistent or rudimentary in the 2000s. Consequently, the international administration largely avoided anti-crime tasks (especially before 2009). Chief Soren Jessen Peterson stated publicly that addressing corruption and organized crime is not part of the organization’s mandate (the UN would later accuse Peterson himself of corruption in 2006). Furthermore, the persisting clan structure of the organized criminal patronage networks dominated the territory. Police-work was crippled by a pervasive fear of retribution from KLA remnants above the law, with their former commanders in the highest offices still running clan branches (Marty 2010). Apparent instances
of drug and other crime-related murders to protect criminal secrecy numbered in the hundreds between 2004-2012.\(^{35}\)

Finally, the KLA’s postwar criminal activities expanded beyond the separatist region, before retracting in the late 2000s. Police reports from various countries suggest that Kosovo Albanian crime rings expanded their influence in Switzerland, Italy, the UK and Macedonia (Anastasijevic 2010, p.159). Furthermore, efforts were made to spread ethnic violence to neighboring states. KLA-marked uniforms began appearing through the Preševo, Bujanovac and Medvedje Liberation Army, referring to three southern Serbian towns with substantial Albanian populations (Simovic and Karanovic 2004). Albanians in Macedonia were also provided arms and funding during an insurgency in 2001. For many, the war was not over and the Albanian minorities in neighboring states were encouraged to follow Kosovo’s example.

**Serbian Sovereignty over Kosovo Withers Away**

Belgrade-Priština relations remained confrontational but frozen throughout this phase – in large part due to the non-overlapping criminalization of both sides. Occasional failed negotiations were mediated (and forced on both reluctant sides) by the EU. KLA remnants gradually ensured that the separatist territory was ethnically homogenized, making talks irrelevant. As Kosovo oriented itself to international integration as a *de facto* state, Serbia failed even to effectively sustain the miniscule Serbian minority, let alone to curb separatist progress.

Political settlements were sabotaged by organized crime on both ethnic sides. Despite promises of KLA disarmament after the war, key militia commanders and their subordinates continued to violently – if informally – rule Kosovo. The group’s leaders exercised lethal force

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\(^{35}\) On ICTY-related “cover-up” murders, see Trotter (2012). See also UNMIK Police Annual Reports from the 2000s. On popular support for the KLA leadership compared to support for Rugova and his LDK in the immediate postwar period, see Hudson (2003, p.136).
against minorities in a final backlash of ethnic cleansing. The first wave was within five months of peacekeepers entering Kosovo, when NATO reported 379 people killed, of which 135 were Serbs, 99 were other minorities, and 145 were ethnic Albanians targeted for collaboration with Serbs or insubordination to the KLA. In March 2004, a large-scale pogrom by 50,000 KLA-led rioters killed 19 civilians (11 of them Albanian), forced 4,000 Serbs out of their homes and burned 935 Serb-owned houses (Human Rights Watch 2004). Sporadic violent incidents occurred annually over the next eight years. In total, hundreds of Serbs and other non-Albanians were killed, and hundreds of thousands fled the region. Host state reactions were restricted to angry statements by Serbian elites (aimed at local audiences), and mass protests by the population (including the burning of a Belgrade Mosque and attacks on non-Albanian Muslims in 2004). Much of the violence was orchestrated by criminal gangs coordinated by disbanded KLA militia commanders.

In 2005, a UN-appointed Special Envoy was commissioned to outline a Kosovo agreement, resulting in the Ahtisaari Plan for a political settlement. After several failed diplomatic efforts, both Serbia and Kosovo rejected the Plan – the former undermining it at every opportunity. By 2007, the United States, Russia and the EU attempted negotiations in a different format, also unsuccessfully. In February 2008, Kosovo unilaterally declared itself independent with KFOR and western backing. Though a settlement had not been reached, the number of states recognizing Kosovo quickly grew from 53 in 2008, to 72 in 2010, to 96 in 2012. Without becoming a formally-recognized UN member-state, Kosovo integrated into international organizations as an independent entity wherever it could – including the World Bank, IMF and

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36 Contrary to popular misconceptions, including in President Obama’s 2014 speech explaining the differences between Kosovo and Crimea, there was never any referendum held in Kosovo.
pre-membership EU associations. Since the independence declaration, Kosovo’s policy towards Belgrade was one of disregard.

Serbia’s reaction reflected its powerlessness. Lacking any semblance of control over the territory, the host state engaged in repeated international failures. In the Ahtisaari Plan period, Serbia’s rejectionist position hurt its reputation and credibility with every major power occupying the province. In 2008, Belgrade expelled ambassadors from states that recognized Kosovo’s independence, only to accept their return months later. It brought a case to the International Court of Justice, asking for an advisory opinion on the legality of the independence declaration. Several prominent political careers – including that of Tadić’s Foreign Minister – were made on pandering to the Serbian electorate on the Kosovo issue at the ICJ. When the court issued an opinion (highly symbolic anyway) in favor of Kosovo, Serbia again expelled ambassadors who represented countries recognizing reality (Arp 2010).

The pinnacle of Serbia’s loss of credibility was catalyzed by organized crime. In 2008, a massive public rally was called – the largest since October 2000 – to protest Kosovo’s declaration. The Minister of Internal Affairs instrumentalized small bands of hooligans and criminals at the protest to engage in vandalism. They were permitted to besiege Belgrade buildings owned by foreign states that had recognized Kosovo, including burning down the entire American embassy with one casualty. More generally, the government would continue to employ criminal gangs to intimidate political opponents, including private businesses and NGOs (Correia 2010). Right-wing extremist groups that served as neighborhood branches of Serbian narco-traffickers were given new domestic legitimacy as defenders of the national cause of Kosovo.
The UN resolution that ended war in Kosovo included a clause allowing for 1,000 host state troops and military personnel to re-enter Kosovo at an unspecified time. As Kosovo institutions took on most attributes of sovereignty under international supervision, Serbian forces would never re-enter the separatist region again. After Djindjic, no Serbian official in the Koştunica/Tadić period claimed this right. Instead, the host state was preoccupied with symbolic gestures that mobilize anti-Albanian sentiment. A new constitution was enacted in 2006 in large measure to affirm – absurdly – that “Kosovo is an unalienable part of Serbia.” By 2012, Serbia’s own Prime Minister publicly recognized the farcical nature of the constitution, agreeing to exchange liaison officers with Kosovo for the first time. Predictably enough, criminal groups issued death threats to state officials for such actions, further encouraging Kosovo separatists to be as uncompromising as possible.

Finally, the host state’s sole remaining leverage was funding channeled into Serb-populated northern Kosovo (the Mitrovica, Zvecan and Lipljan municipalities) and Serb enclaves south of the Ibar river. Non-Albanians gradually fled, were sporadically terrorized, or became reliant on the Kosovo administration for aid, employment or protection. During this phase, Serbia channeled as much as 650,000 Euros daily to Serbian communities in Kosovo, though much of it was diverted to organized crime due to the total lack of oversight. While planned construction projects stagnated in Serbian enclaves, some 300 million Euros were embezzled.\(^{37}\) Serbia also did little to assist over 200,000 refugees from Kosovo. In sum, the host state’s credibility and practical influence over the separatist territory (with the partial exception of its north) was never lower – a development largely caused by organized crime in Serbia and exploited by organized crime in Kosovo.

\(^{37}\) B92’s investigative reports “Nemoc Drzave” and “Patriotska Pljacka,” 2010-4.
To reiterate the overall process, the relational roles of organized crime evolved from bystander to *divisor et imperator* to *tertius gaudens*. This trajectory was one of uninterrupted, constant separatist movement progress – with Phase 2 being the decisive and greatest acceleration of this progress. Organized criminal relations with the host state and the separatist movement were generally such that Serbia’s capacity to effectively repress separatism was curbed, while Kosovo’s capacity to challenge its opponent was dramatically enhanced.

We turn now to process tracing of Georgia in the same period, where the trajectory was one of *interrupted* progress towards separatist movement success.

**Phase 1 in Georgia: Gamsakhurdia and Civil War (1989-95)**

In Phase 1, organized crime played the role of *tertius gaudens*. Organized crime effectively wins the Georgian civil war at its zenith. Once consolidated, the host state is pervaded by criminal networks. Shevardnadze’s crackdown is limited, crippled by separatist pressures. South Ossetian organized crime is born as a reaction to the First South Ossetia War. Initially rudimentary, it arises as mimicry of the Tbilisi organized crime scene; Ossetian elites gradually monopolize smuggling, but not unruly militias. Georgia’s failed reintegration mobilizes separatists, provokes Russian support, and unites the Ossetian separatists. Organized crime is largely reactive and defensive, as is the South Ossetian separatist movement.

The overall effect on separatist success is positive. First, Georgia’s civil war and its aftermath make South Ossetian separatism feasible by provoking mobilization for war and discrediting the host state. Second, the separatist movement acquires Russian patronage and organized criminal capacity – the latter in large measure as a reaction to Georgia’s aggressive
criminal militias. Third, the South Ossetian population is united and mobilized behind the separatist leadership because the sheer criminal chaos of the host state leaves little alternative.

Organized Crime Wins Civil War

Dissident and writer Gamsakhurdia was Georgia’s first elected president. His brief, tumultuous rule (formally November 1990 to April 1991) was marked by civil war (1991-3) followed by a disorderly interval (1993-1995) before Shevardnadze consolidated his newly acquired position. The government’s capricious and aggressive attitude towards opponents quickly united civil society against it. The crucial element that ensured this opposition’s (costly) triumph was the involvement of organized criminal militias that nearly single-handedly unseated the unpopular president. The chaotic, lawless years following the civil war were entirely products of in-fighting among rival criminal gangs.

This zenith of Georgian organized crime centered on two groups: the Mkhedrioni and the National Guard, both of which would become integrated into the early Shevardnadze administration.

The Mkhedrioni were the only credible armed opposition. Created in 1989 by criminal kingpin Dzaba Ioseliani, the group gradually established regional racketeering and smuggling networks. His militia “relied entirely on illegal sources of income,” especially gasoline supplies (Collier et al. 2005, p.272). They violently overtook the “protection market” from the traditional thieves-in-law that had monopolized it in Soviet times, thereby Mkhedrioni “deputies took stakes

38 It may even be argued that Gamsakhurdia’s rise to power was aided by organized crime, not merely his fall from it. Dissident Merav Kostava co-founded with Gamsakhurdia the youth organization “Gorgasliani” and was jailed by the Soviets for it. The prominent Georgian independence activist and human rights agitator was killed in an automobile accident in 1989 – an incident concluding weeks of death threats and at least one failed KGB attempt at his life. His death is widely regarded as a Soviet murder by the Georgian population at large. Perhaps the most important outcome of the death was that Gamsakhurdia became “the only widely known person in public life credited with being a dissident” – a significant reason he ascended to power in Georgia. See Souleimanov (2013, p.91).
in many of the private businesses that got started in Georgia in 1993-4” (Slade 2013, p.126-7).

By 1995, Ioseliani himself was known to have committed at least thirty serious criminal offenses, including bank robbery and murder. His Soviet-era criminal legacy attracted a loyal following among convicts, drug abusers and the Russian underworld.

The National Guard was headed by Tengiz Kitovani. Supposedly a pillar of state integrity, its financing, arming and recruiting was entirely based on organized crime. As the Guard was staffed by volunteers with their own weapons, its finances could be sustained by trading in the abundance of illicit arms. Secondly, like the Mkhedrioni, it was sustained through “targeted taxation of various shadow businesses […] through a soft extortion racket” (Collier et al. 2005, p.271). The Guard’s rivalry with the Mkhedrioni was only partial because of the difference in illegal commodity interests (oil vs. arms), but soon disappeared when they united to protect both markets from legalization.

Having initially benefited from both militias, Gamsakhurdia sought to diffuse them at a time when the nonviolent opposition to his rule (ranging from liberals to communists) had unified (Souleimanov 2013, p.92). The gangs’ disarmament would have signaled their demise as profitable smugglers and racketeers. On the other hand, their firm control over large swaths of territory and their capacity to exert violence rivaled anything the state itself could boast of. Political and ideological camouflage served to conceal that their coup was of a “greed-driven nature,” “need[ed] to secure their monopoly on the extortion racket” (Collier et al. 2005, p.272).

Kitovani took matters into his own hands. Allied with Ioseliani, he ordered five hundred National Guardsmen into the streets of Tbilisi, occupying government buildings by force in a coup d’état. Thousands of Mkhedrioni effectively took control of much of the capital. In the coming years, they would combine street-fighting with theft, murder and racketeering aimed at
consolidating their criminal turf – all with suitable patriotic rhetoric. Publically they presented themselves as part of the democratic opposition through a coalition with Gamsakhurdia’s former Prime Minister, Tengiz Sigua. Like many intellectuals, journalists and Soviet-era dissidents, Sigua made an uneasy alliance with the militias in the absence of any alternative force for regime change. Internally to the militia hierarchies, however, criminal profiteering and territorial control were unambiguously the goals.

The criminals were also instrumental in securing foreign support to a degree that the civic, nonviolent opposition could not match. Towards the end of 1991 and beginning of 1992, Russia reinforced any gangsters it could to ensure Gamsakhurdia’s replacement with Shevardnadze. It provided military equipment (including tanks and heavy artillery) to Ioseliani and Kitovani (Souleimanov 2013, p.156). Russia even sent a modest number of soldiers to join opposition troops in street-fighting. Gamsakhurdia quickly fled the country, as it became apparent that he “could not fight for more than a week” (Collier et al. 2005, p.267).

As host state breakdown progressed, Ioseliani’s ties to regional mafias (including Soviet) proved firmer than any commitments to Georgia, let alone Russia. The host state collapsed, leaving the country in the hands of

...paramilitary clans-cum-mafias fighting for power, gun-toting brigands collecting their own ‘taxes’ on the roads, and merchants wishing only for more orderly and predictable racketeers (cf. George 2009, p.109).

Separatism in the Ossetian north was the least of Tbilisi’s worries, as the entire country was “divided into fiefdoms presided over by warlords and their private armies”; no-one, least of all the state, could control the “gangs and paramilitary thugs [who] roamed the streets and terrorised towns and villages” (Slade 2013, p127). The Mkhedrioni and National Guard set out, in effect, to
centralize and discipline the criminal branches. They thus acquired the closest approximation to a monopoly of violence in Georgia.

Indeed, the chronology of the civil war suggests that pillaging and banditry was the criminals’ only coherent strategy in the early years, with state-capture coming only as an afterthought (Baev 2003). The course of civil war soon relegated ethnic/nationalist issues to secondary ones. Widespread in-fighting between renegade, criminalized sectors of the state apparatus (the coercive ones, no less – military, police and National Guard) overtook the pro- and anti-Gamsakhurdia camps. Fierce battles were conducted over precious buildings, roads and bridges of strategic importance for smuggling routes, weapons depots, and disused factories.

The dysfunctional central state was compelled not only to suspend Georgian-Ossetian enmities, but Georgian-Russian ones as well. Perhaps the most telling indicator of the power and national neutrality of organized crime during the civil war was when, in 1993, the Tbilisi chief of police asked Russian troops to help curb crime in the streets. Much of that crime was an unintended consequence of Russian aid to criminal cliques that were well-organized for systematic racketeering, but less efficient at maintaining public order.

In part by murdering their chief criminal rivals, the thieves-in-law (Slade 2013, p.126-7), Mkhedrioni and National Guardsmen eventually fortified their positions. They created political parties, ran for office, and assumed government positions. Their commanders were encouraged by mainstream elements of the Georgian state to participate in the 1992 elections. As they served in Parliament for the next three years, “Kitovani and Ioseliani did not weaken their links with the criminal world, as was hoped” (Jones 2013, p.97; p.90). On the contrary, the Mkhedrioni expanded their campaign of extortion and terror throughout the country, particularly Tbilisi and its suburbs. While the quasi-state gangs even began to attract “violent young men of good Tbilisi
families” (Shelley, Scott and Latta 2007, p.53), most recruits continued to be veteran criminals driven by profit. Georgia’s dilapidated prison system replaced the education system as the genuine place for skills training, advancement and acquiring social honor.

Organized crime thus assumed a state mantle. By 1992, the Mkhedrioni and the now-overlapping National Guard “controlled the newly constituted Military Council, the black economy, and most of the regions” (Jones 2013, p.77). Their cigarette and arms smuggling operations were done with full cooperation from the Ministry of Internal Affairs, now absorbed into the militia hierarchy. The Georgian state apparatus was permeated by guerrilla partners at the highest levels. Mkhedrioni commander Temuri Khachishvili, “a twice convicted criminal,” was even Minister of Internal Affairs for a brief period (Ibid, p.83). Ioseliani quickly managed to eliminate rival militias and consolidate his criminal turf. Now with unrivaled control over Georgia, Ioseliani became instrumental in summoning presidential successor Shevardnadze from Russia.

Limited Ossetian Organized Crime is Born in Wake of War

Though large-scale organized crime was almost non-existent before the late 1990s (see Chapter 3), the foundations for later criminal networks were set in this phase – particularly locally-based militias with connections to Russian smuggling routes.

The province’s utter lack of resources in the 1990s was a mixed blessing. On the one hand, “South Ossetia was the first target of Gamsakhurdia’s program,” a major analysis concludes, “in part because it lacked resources” (George 2009, p.112). The region had boasted profitable mines for zinc and lead, factories for wood products, and beer/fruit juice plants. Modest to begin with, these quickly shut down in the civil war chaos anyway. Impoverished
South Ossetia was mistakenly considered an easy target. The Ossetian organized crime that emerged was indeed modest and dependent on Russian peacekeepers as senior partners. The need to make smuggling profitable followed the need for creating militias, and not vice versa.

On the other hand, Georgian organized crime was not as motivated to place the region under its control. For its part, Kitovani’s “National Guard had little interest in protracted warfare in a province with no lootable resources” (Collier et al. 2005, p.268). Nilsson, in his analysis of Georgia’s conflicts, agrees: “key actors on the Georgian side simply lost interest in reasserting control over South Ossetia due to lack of lootable resources” (Nilsson 2014, p.107). In this sense, Russian-Ossetian smuggling ties were free to gradually develop without much interference or competition.

At the very earliest stage of separatist conflict, Boris Yeltsin and Gamsakhurdia signed the “Qaybegi Compromise,” which envisioned the disarmament of illegal groups in South Ossetia by a joint Russian-Georgian force (Jones 2013, p.64-5). As street-fighting and chaos crippled Tbilisi, this was never implemented. On the contrary, the civil war period instituted habits that plagued South Ossetia for two decades. Politicians, remnants of the Soviet apparatus, businessmen and wealthy private individuals all developed routines of hiring entire armed gangs for protection. Criminal rivalries became part of the political culture. Illicit profiteering by unaccountable armed bandits became inseparable from formal institutional exercises of bureaucratic coercion. Even Georgia’s forces in the First South Ossetian War (1991-1992) were largely uncoordinated bands - roughly six separate formations of 50 to 200 men each. At least one of them “was made up of common criminals” (International Crisis Group 2004, p.7), while all of them engaged in pillaging as much as fighting.
The birth of Ossetian organized crime followed as a reaction – and a mimicry. Unsettled by Gamsakhurdia’s anti-Ossetian gangs, a 2,500-strong National Guard was hastily formed within a year. In early 1990, they numbered only 300-400; within six months, 1,500 in addition to 3,500 volunteers. As in Georgia’s civil war, convicts and violent offenders were vastly overrepresented. They were of a far lesser caliber than Ioseliani and Kitovani. Volunteers included Ossetians from North Ossetia, as well as from Georgia proper to a lesser extent. Russian arms from garrisons in North Ossetia flowed to the fighters. Formally free, they were of course sold and resold by villagers and border officials.

Organized crime quickly exploited the market demand as well as the collective ethnic mood. Smuggling became a necessity because separatist sentiment skyrocketed in reaction to Georgia’s incursion:

...the idea of South Ossetia’s secession from Georgia prior to early 1991 [when war broke out], floated only by part of Georgia’s South Ossetian community, found support with the overwhelming majority of [the] Ossetian population. From this moment on, those South Ossetian politicians championing the conception for the “Ossetians’ organic bond” with Georgia came to lose support (Collier et al. 2005, p.271; cf. Souleimanov 2013, p.128).

With Georgia torn in its own civil war, with an economic blockade from Tbilisi, and with Russian troops entering the province as peacekeepers, South Ossetian leaders were left with no alternative to finance the newly-created militias. Lydudvig Chibirov, chairman of the separatist Parliament (1993-6) “maintained a good position to exploit illegal trade and smuggling” through family ties to the Tedeyev clan, “one of South Ossetia’s most powerful families” (Nilsson 2014, p.116). Chibirov’s son, furthermore, was deputy head of the republic’s KGB, making Russian collaboration easy to secure. The volume of illicit trade was so low that the Chibirovs and Tedeyevs monopolized it entirely for lack of any recognizable rivals.
Self-defense militias rose to the demand for protection of smugglers. With 80% unemployment, rampant poverty, and no “lootable resources” to speak of, the most desperate and violent inhabitants were the easiest to recruit. Furthermore, weaponry was readily available, Russian peacekeepers were willing collaborators (sometimes instigators) of unofficial cross-border trading, and – due to the war’s brevity – war making activities quickly became obsolete, freeing armed bands to work on the traffic.

Finally, smuggling routes were established as a byproduct of refugee flows northward. By March 1992, some 100,000 refugees had registered in North Ossetia’s capital Vladikavkaz – the true figure is surely greater (George 2009, p.111). Many had family in Russia, while those who did not established previously nonexistent ties. Russian producers and distributors of gas, oil and electricity – all of which were intermittently shut down to punish the separatist territory – met new business partners. Smuggling was most intense between the 1992 cease-fire and the 1994 creation of the Joint Control Commission (JCC, consisting of Russia, Georgia, and North and South Ossetia), which installed a trilateral Joint Peacekeeping Force (JPKF). The JPKF was less conducive to smuggling. Nevertheless, a harbinger of the all-important Ergneti Market was created.

Premature, Violent Reintegration of South Ossetia Fails

Gamsakhurdia adopted the most antagonizing attitude towards separatist minorities of any post-communist Georgian government. His public rhetoric was replete with Georgian exclusivity, relegating minorities to unindigenous visitors. One of his very first statements upon assuming office – later a major slogan of his rule – minced no words: “Georgia is for Georgians! Ossetians, get out of Georgia!” (Souleimanov 2013, p.125). Ossetians were singled out for the
strongest condemnation despite their miniscule numbers compared to minority Abkhazians. They were “regarded as a virtual ‘fifth column’ of the Kremlin [and] repeatedly threatened…with deportation” officially and publicly (Ibid, p.90). Even as Gamsakhurdia was openly negotiating autonomy principles with Abkhazia, no host state official signaled any compromise to the Ossetians.

In autumn of 1989, Gamsakhurdia led a “March on Tskhinvali” to promote unity and mobilize against Ossetian separation. As many as 30,000 (Collier et al 2005, p.268), but at least “10,000 Georgians, mostly pugnacious youths” were preempted from even reaching the capital due to South Ossetian militias and locally-organized civilian barricades (Souleimanov 2013, p.124). The resulting clashes marked the first violent episode of the separatist struggle, before Georgia’s own independence from the Soviet Union was even solidified. The deaths on both sides were the major impetus for the formation of local armed bands and village-based paramilitaries that would serve as bases for future escalations.

In September 1990, the South Ossetian government proclaimed itself a Republic and openly appealed to the USSR to annex it in an explicit rejection of all Georgian authority. The host state responded by repealing the province’s oblast status – the first abridgment of autonomy since 1922. Ossetians boycotted the election that brought Gamsakhurdia to power, the election of Georgia’s supreme council in 1990, as well as the 1991 referendum on independence from the Soviet Union. Tskhinvali even issued a 1989 declaration of support for Abkhazia’s separatist actions (see Diasamidze 2003).

Torez Kulumbegov, head of the South Ossetian Supreme Council, was imprisoned for treason. Though the repressive measure was only one of many Georgian attacks on critics, journalists and political opponents, Ossetians perceived it exclusively as a nationalist move.
Instead of negotiating with the receptive Kulumbegov (widely considered a missed opportunity; see George 2009, p.113), Gamsakhurdia demonstratively arrested him before turning to Ioseliani for help in crushing Ossetian separatism by force. South Ossetia, therefore, was assaulted by the host state’s most notorious criminal figure and his militia – an added incentive to form defensive paramilitaries by any means necessary.

Violence soon followed. With the beginning of 1991, roughly 3000 Georgian troops began clashing with Ossetian militias and armed villagers. On January 1st, Gamsakhurdia attempted another major rally in the Ossetian capital – this time relying on Mkhedrioni to organize the protestors through their paramilitary channels. In January 1992, South Ossetia held a (formally illegal) referendum revealing 92% support for joining Russia. Violent clashes sporadically continued until March 1992, with the highest intensity of fighting in the spring of 1991.

The First South Ossetia War claimed 600 casualties and 65,000 internally displaced persons (Jones 2013, p.84). Ossetians were expelled from near-border cities like Gori and Borjomi with at least tacit support from Tbilisi. The 1992 Kekhvi massacre (when Georgian militias killed 32 civilians on a bus) came to symbolize Georgian aggression. Russian troops – including tanks that easily blocked Georgian militias from approaching – were welcomed with relief and enthusiasm. They too participated in ethnic cleansing of Georgians from southern villages in the province. Russia also had economic leverage, imposing a blockade on Georgia in 1992. Georgia’s dependence on Russian gas and raw materials caused the blockade to precipitate the host state’s rapid economic deterioration.  

39 Russian hypocrisy in regards to separatist causes was already as enormous as NATO’s in the former Yugoslavia. The luckless separatist effort of the prigorodny rayon in North Ossetia was crushed by Russia between 1992-8, not to mention nearby Chechnya.
Thus Georgian warfare, economic and regular, failed categorically. The host state’s assault was such a half-done venture that it is only called a “war” by courtesy. Total war deaths hardly exceeded one thousand, while conventional warfare by the host state through artillery, tanks and air forces was nonexistent. Kitovani’s National Guard and Ioseliani’s Mkhedrioni were preoccupied in the civil war and (the far more rewarding) war profiteering and pillaging in Abkhazia (1992-1993). Organized crime thus benefited from the confrontation more than either the state or the separatist movement.

Though Russian intervention was critical in defending Ossetia, it was by no means the instigator. “The proximate cause [of the first Georgian-Russian war] was of a specifically local nature,” determined by endogenous forces on South Ossetian territory (Souleimanov 2013, p.157).40 Ioseliani himself boasted that the first Ossetian war was caused by Georgian paramilitaries under his control mostly acting independently of Gamsakhurdia’s explicit orders, a conclusion shared by scholars. Though Russian parliamentarians and other officials routinely issued bombastic statements (including threats of bombing Georgia proper), their influence never extended beyond assistance to (North and South) Ossetian forces. Indeed, far from Russian troops and their satellites being maneuvered according to Moscow’s will, “it remains an open question as to what degree the actions of individual Russian army units were coordinated or directly controlled by the Kremlin” (George 2009, p.124).

South Ossetia was thus liberated from any realistic prospect of Tbilisi control. The war gave separatist elites a false sense of victory (they “defeated,” after all, a superior army with an improvised assortment of untrained volunteers), and ensured an entanglement of Russian and South Ossetian interests. Were it not for the outbreak of civil war in Georgia itself, it is questionable if the Russian-backed separatists would have been able to resist a concentrated

40 Emphasis in original.
attack by Georgian forces. Eventually, Georgia humiliatingly joined the Russian-dominated CIS and signed a Georgian-Russian Friendship Treaty in 1995, as soon as the host state was reunified.

Importantly, Ossetian militias were primarily defensive and reactive, remaining so after the first war. Indicatively, “there were no Ossetian incursions into other parts of Georgia for hostage taking or for expanding the territory” (George 2009, p.128). Furthermore, there was no recorded intra-Ossetian violence, perhaps a reflection of the rudimentary nature of organized crime in this phase. The groundwork was thus set for the gradual emergence of the Ergneti Market.


In Phase 2, organized crime played the role of *divisor et imperator*. In this unique Phase, conditions were unfavorable for separatist success. The host state crushed organized crime that threatened its stability, but maintained profitable patronage networks that enabled the Ergneti Market to develop. South Ossetian organized crime flourished through Ergneti, steadily alleviating ethnic tensions and pacifying separatism. Georgian co-optation attempts and separatist maximalist positions both fail because criminal interests on both sides of the border preferred the status quo.

The overall effect on the success of the separatist movement in this unique phase was *negative*. First, since Georgia’s organized crime survived the post-civil war crackdown, it became an accomplice in curbing separatism for its own criminal interests. Second, and most importantly, the Ergneti Market grows in this phase. It pacified separatism and fostered multi-ethnic cooperation through massive, routinized and systemic smuggling. Third, separatist elites
became unable to mobilize the Ossetian population, which increased their dependence on Russian support. Thus irredentism became the only feasible separatist demand, and weak at that.

Shevardnadze Curbs Organized Crime Partially, Co-opts the Rest

Shevardnadze’s administration took unprecedented steps against organized crime, but ambivalent ones. His primary goal was to consolidate power by reinstating law and order after a chaotic civil war. To that end, he “avoided overt confrontation […] when crime or corruption did not lead to instability” (George 2009, p.130). This practically meant that he exercised benign neglect over nonviolent corruption, but took significant steps in delegitimizing the criminal power centers around militias. The “unholy alliance of convenience” with “Ioseliani the ‘godfather’ who had sponsored Shevardnadze’s return to Tbilisi” was coming to an end (Slade 2013, p.213).

In 1995, Shevardnadze ordered the Mkhedrioni to be disarmed, blaming one of several failed assassination attempts on him in August of that year on Ioseliani. The militia leader apparently ordered renegade subordinates in the Security Service to help replace the president. Ioseliani was arrested and imprisoned, and the organization publicly stigmatized as criminal. Over 200 Mkhedrioni members were jailed (Jones 2013, p.104). Kitovani’s power was severed when he allegedly also plotted a separate coup against Shevardnadze. Having forced Kitovani’s resignation as Minister of Defense, Shevardnadze purged every national security-related position of Kitovani loyalists. The founder of the National Guard remained a low-level middle-man in Georgia’s “energy mafia,” relying on his ties to the Russian Minister of Defense (Trenin 1996). In 1996, Shevardnadze arrested Kitovani for organizing 700 lightly-armed men to protest
developments in Abkhazia; his eight-year prison sentence was later cut in half for medical reasons with a presidential pardon.

Anything reminiscent of the violent skirmishes, overt racketeering and public coercion of the civil war days was dealt with swiftly. Shevardnadze’s crackdown, through the new Minister for Internal Affairs (arguably the first noncriminal one in Georgia’s independence period – “effective, but excessively cruel”)(Tchantouridze 2013, p.685), Shota Kviraia, spawned infighting within the criminal clans. Several top Mkhedrioni leaders were murdered. A wave of arrests was even made within the Security Service and other violence-related sectors.

These anti-crime efforts are often neglected because Shevardnadze’s rule became synonymous with organized crime after the Rose Revolution, and because of the far more aggressive crime-fighting policies of his successor. Nevertheless, they marked the first successful shift in post-Soviet Georgia from violent, private gangs to state institutions with at least formal oversight. The transition from the once-prevalent violent racketeering and extortion to silent, “invisible” racketeering and extortion via political favoritism, is a significant one.

Simultaneously, however, Shevardnadze co-opted criminal networks to preserve his own power and strengthen state capacity. Chronic intra-state divisions enabled criminal networks to increase their influence. In the late 1990s and early 2000s, “Ministries of Internal Affairs, Security and Defense became competing fiefdoms” (Jones 2013, p.164). Their heads sought to instrumentalize street gangs, prisoners, etc. to strengthen their independence from the state. Though never reaching prior standards in this domain, these “fiefdoms” often forced concessions from the president and his inner circle.

Shevardnadze also pro-actively created corrupt networks in private enterprise as well as government bureaucracies. Over almost a decade, he surrounded himself with allies that drained
the economy through nepotism, kickbacks and plain theft. His inner circle and family extracted vast wealth from Georgia’s railroad, energy, aviation, telecommunication and banking sectors (Scott 2007, p.18-9). Ministers of Interior, Defense and Security all participated in smuggling operations in contested territories under Shevardnadze, who was often compelled to ensure their loyalty by “allowing state or public theft.” Internal conduct by ministry officials was beyond external control. Most income sources were unregulated by legislation or presidential decree, ensuring that “[t]hey cooperated with their Russian counterparts and criminal networks to control drug flows and trafficking across Georgia’s borders” (Jones 2013, p.165; p.197). Finally, Georgia became a money-laundering destination for entrepreneurs benefiting from the collapse of the USSR, from every corner of it. A single bank from the Shevardnadze era was found to have laundered $1 billion for transnational organized crime.

Ironically, Georgian reintegration into the world was another Shevardnadze policy that contributed to the Rose Revolution and thus his resignation. Having consolidated the Georgian state to resemble a single, recognizable government entity, Shevardnadze opened the society to Western INGOs and markets. Georgia became the greatest per capita US aid recipient of all the ex-Soviet territories. Except for the brief Gamsakhurdia period, every post-Soviet Georgian elite would remain dependent on Western aid. It began membership with the IMF, the World Bank, the OSCE and the Partnership for Peace as soon as its recovery from civil war allowed. Shevardnadze pledged to bring Georgia into NATO, which the US was highly receptive to as the furthest reach of eastward NATO expansion. These integrative processes brought new obligations and expectations by foreign evaluators. Georgian organized crime was now a matter under international scrutiny. Local civil society monitoring organizations gradually sprouted
with Western aid, insisting on transparency and accountability. Some 4,000 NGOs were
registered during this phase.

By the time of the Rose Revolution in November 2003, international and local campaigns
to expose the level of corruption brought public pressure to a boiling point. Though the
immediate occasion for the popular uprising was electoral fraud (as it was with Serbia’s
Bulldozer Revolution), the single most conspicuous demand of the movement was an end to
organized crime. Analysts have named it “Georgia’s anti-corruption revolution” (Shelley 2007,
p.5). After twenty days of protest, Georgians replaced the longest-standing regime in post-Soviet
national history. Saakashvili, promising fierce, systemic reform came to power peacefully with
no known negotiations with criminal power centers.

Smuggling Becomes Multi-Ethnic Pillar of Separatist Economy and Politics

From June 1992 until the outbreak of the Second South Ossetia War in 2008, a mixed
contingent of peacekeepers remained deployed in the province. Though Russian-dominated, it
was at least formally committed to the pretense of multilateralism and impartiality. This allowed
South Ossetian smuggling to develop somewhat independently of Russian mafia operations. It
was not until 1995, after peacekeeping reconfigurations, that Russian criminal interests were
solidified in the region. By 2000, they became an essential element in sustaining separatist
leaders and their economy. Before then, South Ossetia was forced to sustain itself through an
informal economy that made separatist progress impossible.

The Ergneti Market was born in 1996, and would last until 2004 (see Chapter 3, and
below). The lack of oversight by Georgia after the first war thus boosted South Ossetia’s
economic capability, albeit illegal and ethnically inclusive. The duty-free northern border
quickly spawned massive smuggling of food and foodstuffs, oil, cigarettes, alcohol, stolen cars and (to a lesser extent) drugs and weapons. Georgian investment in South Ossetia was practically non-existent in the 1990s, including to Georgian villages. A Russian pipeline through North Ossetia (intended to bypass Chechnya) and the construction of the corollary Dzuarikau–Tskhinvali pipeline fastened South Ossetians to North Ossetians.

The naissance of this illegal economy in turn restricted separatist politics. Whereas statements of support for independence through dialogue with Georgia could be heard in the 1990s, the growing dependence on smuggling to and from Russia left only irredentist separatism as a viable demand by the early 2000s. Not a single Ossetian leader would ever again recommend negotiation with Georgia. This rejectionist position was buffered by the fact that illicit economic transactions between South Ossetia and Russia vastly exceeded formal and informal transactions with Georgia. By 2000, the region’s “ability to overcome trade blockades with smuggling and contraband traffic” created a network of entrepreneurs with a vested interest in the lack of a settlement: the “frozen conflict” status quo, with its disputed borders and jurisdictional confusion, became the core of organized criminal profit. Separatist leaders were well aware of the fact that their survival depended on Ergneti.

Thus “South Ossetia’s zero-sum independence position emerged” (George 2009, p.134), but was hardly sincere. The separatist movement could not but foster the multi-ethnic basis of Ergneti, which necessitated good relations with Russia (i.e. an irredentist stance) and Georgia (i.e. informal partnership through smuggling). Despite separatist rhetoric, the President of South Ossetia even publically supported Shevardnadze’s bid for the Georgian presidency in early 2000, a reflection of the true state of the separatist movement: utterly demobilized. The South Ossetian
population as a whole was simply not inclined to jeopardize Ergneti and thus their livelihoods for separatist escalation – not at 70% unemployment among the youth.

Russian peacekeepers, Ossetian separatists and Georgian officials alike inadvertently perpetuated Ergneti through official agreements. Georgia signed a formal agreement in 1995 (the Russian-Georgian Agreement on the Stationing of Military Bases) consenting to Russian military installations on its territory. Ossetian leaders essentially leased their land through a 49-year defense agreement with Russia. Georgia joined the CIS and even supported Russian intervention in Chechnya, further emboldening South Ossetia’s own collaboration with Russian peacekeepers. Though numerous contracts called for demilitarization, rebuilding of infrastructure, employment and the return of refugees, none of these were achieved. Ethnic relations were hostile, but at least frozen.

Organized criminal activity, on the other hand, took on a multiethnic, nonviolent character and achieved many of these broken promises. Both ethnic communities “voted with their feet” on a daily basis by doing business through Ergneti. Georgian car thieves initiated cooperation in stolen vehicle traffic through South Ossetia. Even when dangerous commodities such as drugs and weapons were involved, ethnic collaboration among Russian peacekeepers, Georgian policemen and South Ossetian politicians characterized the period. Shevardnadze’s own nephew was in charge of petroleum smuggling through South Ossetia on the host state side of the border (Nilsson 2014, p.111). Later (in the early 2000s), a deputy governor of a Georgian region – along with three members of the national parliament – controlled these flows on the Georgian end. Former separatist leader Chibirov’s son controlled the traffic on the Ossetian end. Violence never exceeded exceptional, minor scuffles – all over criminal turf or profit, none ethnically-charged. In 1999, the quadrilateral JCC concluded in a report that the "crimes and
incidents taking place [in South Ossetia] did not have an ethnic character” (International Crisis Group 2004, p.10; p.23). They single out drug-dealing and car theft as the major forms of smuggling. Ergneti was by far the most prolific employer of all parties to the conflict.

The multi-ethnic atmosphere spread throughout the region by the turn of the decade, sometimes leading separatist authorities to forcefully remind their own constituency of the anti-Georgian cause. For instance, while Georgian aid to South Ossetia was nonexistent in the 1990s, in the 2000s it began but was largely restricted to Georgian villages in the province. More than any partiality on the smugglers’ part, this measure made the criminal networks operating in South Ossetia less ethnically neutral in public perception. It forced Ossetian villages to rely on organized crime while their Georgian neighbors had an alternative lifeline, however miniscule. South Ossetian police, in turn, demonstratively arrested several individuals for accepting Georgian aid (George 2009, p.179-80). Separatist authorities routinely misrepresented Ergneti transactions as Georgian conspiracies or downplayed their multi-ethnic character. Similar acts of desperation failed to stop the daily mingling of the growing open-air market, which grew from hundreds of daily attendees in 1997 to thousands in 2003.

Ergneti also catalyzed unprecedented immigration and emigration. The separatist region is populated overwhelmingly by Russian passport holders. Indeed, not only have the majority of Ossetians in South Ossetia acquired Russian citizenship between the two wars, but the number of dual citizens (Georgian and Russian) is thought to be half the number of Russian-only citizenship holders who alternate between North and South Ossetia. A 2002 Russian citizenship law ensured that practically every family in South Ossetia had at least one Russian passport. Accordingly, “every South Ossetian family depends on Russian pensions, Russian aid,

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41 Personal interview with Marina Lyudvigovna Chibirova, South Ossetian Minister of Education, conducted by author in Tskhinvali, March 2014.
remittances, or smuggling” (Jones 2013, p.258). The last two of these made the Ergneti Market flexible and inclusive. Ethnic Georgians also had indirect access to Russian goods and business contacts.

Finally, Ergneti hampered separatist progress for the simple reason that armed force was diverted to profitable, nationally-neutral ventures. The militias that sprang up to resist Georgian ones reapplied their skills to market demands. Fully one-fifth of the population of Georgia and South Ossetia fled the country between 1991 and 2003 – over a million (mostly) educated, skilled and urban people. They left behind those without the connections and resources to travel, deepening poverty and hence reliance on black markets. Many emigrants paid extravagant figures to illegal travel liaisons, giving birth to trafficking cartels and revitalizing out-of-work militias as providers of secure transit. Since a sizable proportion went to Russia, South Ossetia’s militias found their place as bodyguards, travel agents, customs liaisons, escorts and private security advisors. Between 1999 and 2002, they also assisted movement from the nearby Pankisi Gorge bordering Chechnya, “a haven for Chechen rebels and transnational criminal networks” (Nilsson 2014, p.108). This is, however, a rare and marginal example of Ossetian criminals acting against Russian interests. The bulk of criminal activity was ethnically impartial.

Host State and Separatist Leadership Fail to Confront Each Other

Despite unprecedented and aggressive attempts by both sides, the host state and separatist movement elites failed to confront each other, thus perpetuating disputed borders that neither was satisfied with. Host state co-optation attempts had no precedent to rely on. Throughout the Soviet period, South Ossetia was characterized by a lack of client-patron relations with power centers in Moscow and Tbilisi. Unlike in Soviet separatist regions like Chechnya or in Georgia
itself, “patronage structures […] were nonexistent” in South Ossetia (George 2009, p.19). This compelled successive Georgian elites to improvise, as they could not rely on preexisting interactions. Gamsakhurdia’s anti-Ossetian chauvinism further tainted any subsequent Georgian leader in co-optation attempts. 

Like Kosovo, South Ossetia was unique among separatist minorities in having an inferior administrative status compared to its peers within the host state. South Ossetia even had its modest oblast (“region” or “district”) status revoked, while Ajaria and Abkhazia enjoyed the status of autonomous republics. Georgia’s new 1995 constitution was meant to remove civil war excuses about Georgia’s inability to reintegrate separatist provinces. However, it conspicuously neglected South Ossetia at the expense of the other two regions, making any co-optation offers laughable.

Unlike his predecessor, Shevardnadze enjoyed excellent relations with the Ossetian leadership in the 1990s, boasting to an analyst that he could have reintegrated South Ossetia “any time he wanted” (George 2009, p.2). South Ossetian president Chibirov also demonstrated greater receptiveness to dialogue and settlement by political means. Though the Ossetian leadership refused to retract its demand for the restoration of oblast status, they tempered their maximalist demands. In 1996, a South Ossetian parliamentary declaration stated that the province would remain in Georgia, leaving its sovereignty undisturbed, if autonomy was formally reinstated.

But Shevardnadze, now unhindered by civil war, rejected even this demand. In part due to the perception that autonomy was a remnant of Soviet imperialism designed to marginalize Georgia, and in part due to overconfidence of the host state political leadership (George 2009,

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42 She further concludes that “[r]egions with the protection of wealth or patronage could engage in ‘safe’ separatism, whereas those without clientelist linkages or wealth could not” (p.28).
p.127), this Ossetian settlement offer was squandered and never made again. Above all was the concern that Shevardnadze’s criminal inner circle would stand to lose enormous amounts if a political settlement were reached with proper customs controls.

Ossetian leaders felt the same way. Chibirov’s son Alexei, as deputy head of the KGB for the region, maintained his families’ wealth and power by smuggling across disputed borders. Chibirov’s rule was buttressed by the Tedeyev clan, which also gained from the lack of political settlement. Towards the end of this phase, South Ossetia’s official GDP was a ludicrous $15 million, collected mainly through Russian border customs. 90% of this did not go to the regional budget, but to direct income for South Ossetian government employees. “Illicit trade [thus] became a factor ‘freezing’ the conflict” as well as negotiations (Nilsson 2014, p.117-9). Borders were profitable so long as they were disputed.

Since both separatist escalation and host state reintegration would have been catastrophic for the criminal economy, both were doomed to failure. By 2001, Georgia paid dearly for missing the opportunity to negotiate. A change in Ossetian leadership removed any cooperative separatist elements. Eduard Kokoity, a Russian-born Ossetian with greater ties to Russia than to South Ossetia, was elected president. His victory was enabled by the same Tedeyev clan that brought Chibirov to power; the family financed most of Kokoity’s campaign. He filled Ossetian institutions with Russian-born cadres (sometimes even non-Ossetians), and reinstituted a maximalist separatist position. South Ossetia was now unwilling to remain in Georgia under any circumstances, calling only on integration with North Ossetia and Russia. In 2003, Kokoity even turned against his Tedeyev funders, removing several of them from their positions. But popular mobilization for the maximalist demands was rendered impossible by Ergneti, discrediting the separatist movement as a whole.
The Georgian position also became more entrenched in the early 2000s. Shevardnadze was encouraged, if not pressured, to apply military solutions to South Ossetia by an American Al Qaeda concern in Chechnya. In 2002, with post-9/11 anxiety, the US not only gave Russia permission to crush Chechen separatism, but trained and armed four Georgian brigades in an 18-month program to curb terrorism in northeastern Georgia. The Chechen refugee camps in question touched directly on South Ossetian territory; movement of weapons and fighters was assumed to flow through the province, though evidence is scarce. Despite these and other pressures, Georgian-South Ossetian relations were entirely pacified, with both ceding sovereignty and autonomy to the organized criminal economy.

**Phase 3 in Georgia: Saakashvili, Second War and Stalemate (2003-12)**

In Phase 3, organized crime played the role of bystander. Georgia comprehensively cracks down on organized crime at all levels, rekindling separatist hostility and eliminating crime-driven ethnic reconciliation. The closing of the Ergneti Market eliminates the central force suppressing separatism, as the separatist elite exploits popular support for smuggling. Organized criminal unity is ethnically re-divided. Tensions over the closing of Ergneti quickly escalate into war, rekindling separatism further. Having been deprived of organized criminal partners confronting the host state for so long, South Ossetian separatism fails to confront Georgia single-handedly or sustain autonomy without Russian dominance.

After the retarding effects of the nearly decade-long Ergneti Market, the separatist movement was again in conditions favorable to success in the final phase. First, Georgia not only failed to confront the separatists but revitalized them by assaulting Ergneti and waging war. Second, South Ossetian separatists regained popular support from their (previously demobilized)
constituency, though they remained incapable of confronting the host state independently of Russia. Third, organized criminal activity ceased to promote reconciliation, returned to the status of mere instrument of the separatist movement.

Crackdown on Organized Crime

Appealing to popular resentment of organized crime, Saakashvili (2004-2012) implemented the most sustained and aggressive anti-corruption reforms in Georgian history. Indeed, they were “the first anti-corruption revolution in the Soviet Union” (Kukhianidze 2009, p.225). By strengthening border controls, removing power from regional politicians and non-institutional power centers, and firing corrupt policemen and other state officials, the new administration reformed Georgia proper. However, when he attempted to reintegrate Ossetians under the banner of curbing corruption, he destroyed the only remaining adhesive between the host state and the separatist territory. This culminated in war, which in turn worsened the organized criminal landscape in South Ossetia.

Saakashvili installed the first non-criminalized set of statesmen to the highest positions. These technocratic, pro-Western professionals purged the judiciary, the state financial apparatus, and – most importantly – the police force. Its most corrupt branch was, understandably, traffic police who were indispensable conduits for drug and arms trafficking in addition to petty bribery. Public sector reform targeted inefficient bureaucratic duplication, the lack of budgetary transparency, and suspicious personnel salaries (Machavariani 2007; World Bank 2012, p.91-9). Border patrols, human trafficking specialists, and organized crime investigators were trained and given fresh funding. Legislation allowing for confiscation of criminal property and easier arrests
increased incarceration rates. Hundreds of thousands of dollars were added to the central budget. Reported cases of bribery nationally were halved by 2008 (Kukhianidze 2009, p.227).

A turning point came in March 2006, when a violent riot broke out in Ortachala Prison no. 5 in the capital. Prisons were notorious breeding grounds for criminal recruits, as well as known coordination centers for influential thieves in law. A chronic difficulty in crime-prevention was that incarceration often did little to remove power from imprisoned criminal bosses. Making an example of them, Saakashvili ordered special units into the prison, tranquilizing the riot and killing seven inmates. After-the-fact analyses discovered that the threat of the riot spreading and culminating in yet another coup attempt were exaggerated. In fact, Saakashvili’s reforms had already incapacitated any such possibility – and the criminal class knew it (Slade 2014, p.90). Though unrelated directly to the Ergneti Market, this sent shivers down the spines of its principal beneficiaries.

These policies left behind mere “elite corruption,” all of it non-violent and far-reduced. The organized criminal connections that used to pervade the highest echelons of the executive branch shifted to the Georgian parliament (Shelley 2007, p.7-9).43 This meant that criminal clans could not bribe or coerce their way to a given outcome as easily because decision-making in the legislative branch was itself so divided and slow. Perhaps most importantly, the political culture had transformed profoundly. Non-transparent conduct was now stigmatized and under state-encouraged NGO scrutiny. It was this new set of norms that (tragically) provided useful ideological cover for attempting to confront separatism. The attempt not only failed, but was directly counterproductive from the host state’s perspective.

43 On “elite corruption” remaining, see Kukianidze (2009).
Closing of Ergneti Market Reignites Separatism

The Ergneti Market – in full bloom by 2004 – seemingly did the impossible. It reversed South Ossetia’s economic turn northward, which had begun with the 1990s economic blockade to punish the separatist parliament for its independence declarations. Having been turned exclusively to Russia, the separatists were gradually turned “back” to the Georgian economy. Ergneti brought Ossetian, Russian and Georgian criminal enterprises together in profit, including individuals who directly fought each other on the battlefield. Finally, it sustained an entire quasi-state apparatus on a territory devoid of revenues, international support and even enough people. In sum, a major study of separatism in Georgia concluded that “corrupt ties can mitigate ethnic violence,” while “anticorruption movements such as the Rose Revolution in Georgia destabilized, rather than stabilized, the country’s ethnic political situation” (George 2009, p.7; p.11).

This destabilization ultimately led to war because the organized criminal stakes had become too high. South Ossetian politicians and businessmen had no realistic prospects of industrializing their region or discovering resources in it. Their one and only advantage was their geographic position as a bridge to Vladikavkaz, the capital of North Ossetia. While the separatist government’s annual budget was a shy $1 million, an OSCE official estimated the value of smuggled goods across its northern border at $60-$70 million (Jones 2013, p.258). Since “South Ossetia did not receive sustained support from Russia” before 2000, smuggling was a necessity for the survival of the separatist cause for more than a decade (Casperson 2012, p.59). Russian goods and capital were reserved for a handful of South Ossetian Russophiles, including former KGB officers and ethnic Russians serving in low-level administrative positions. Even at the

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44 Personal interviews with veterans, conducted by author in Tskhinvali, March 2014.
height of pre-2008 Russian aid, smuggling accounted for more than half of the South Ossetian apparatus.

Thus, paradoxically, the separatist movement was compelled to fight over the closing of Ergneti, even though the organized criminal enterprise had greatly retarded their ability to mobilize separatist sentiment for years. They were simply too weak and unpopular to confront the state. Their only chance was to provoke Russian support. However, it would be misleading to treat South Ossetia as a mere instrument of Russian foreign policy. On the contrary, Russian customs officers and criminal distributors were integrated against Moscow’s will into a durable, multi-ethnic partnership with Georgian criminals and corrupt state officials. The Russian government was in favor of a political settlement (preferably merger), while Russia’s criminal circles colluded with South Ossetia’s to promote the status quo. Organized crime on all sides favored disputed borders to an international consensus on how to regulate them. “In South Ossetia,” King noted,

…the illegal trade benefits all sides. The South Ossetian government receives money from resale and haphazardly applied “transit taxes,” while Georgian authorities, especially the interior ministry, are able to take a cut by exacting fines from truck drivers on the outskirts of Tbilisi. The expansion of international humanitarian aid to the region has also provided another cover under which goods can be traded; organizations are set-up in Tbilisi to receive assistance destined for South Ossetia, and the goods are then sold in local markets. It is partly for these reasons Tskhinvali and Tbilisi have generally been so cordial [before 2008], notwithstanding the lack of a final settlement (King 2010, p.121; see also Jones 2013, p.258).

Indeed, given the level of Georgian and Russian cooperation with South Ossetian smugglers, the cordiality was due to “the lack of a final settlement,” not in spite of it.

When Ergneti was forcefully closed, the Russian government rejoiced. Formal Russian policy and its preferred separatist, Kokoity, were arguably the greatest victors of the clampdown.
The Kokoity regime in South Ossetia was extremely unpopular – a fact that Tbilisi misguidedly attempted to rely on. Its proposal to merge South Ossetia with its northern neighbor was a minority view among the South Ossetians prior to Georgia’s anti-corruption offensive. Informal South Ossetian estimates put Kokoity’s popularity at less than 20% while Georgian estimates put it at 2% before May 2004. Within two months of Tbilisi’s onslaught on Ergneti, his popularity soared to 96%. A previously reluctant population, 95% of South Ossetians now rejected Georgian sovereignty and a staggering 78% reported being prepared to “personally fight if need be” (International Crisis Group 2004, p.13). Russia freely provided low-level state employees to serve in the South Ossetian governing apparatus. After the 2008 war, they tripled South Ossetia’s budget within two years, relying on the people they have staffed. Roughly 3,000 regular troops remained in South Ossetia after the 2008 war, replacing a Georgian-Russian-Ossetian criminal network with a Russian-Ossetian one. Though kept alive, the separatist movement failed to confront the host state or even to achieve any increased autonomy.

Host State Polarizes Separatists, Failed Confrontation on Both Sides

Ironically, Saakashvili became the first Georgian president to offer autonomy for South Ossetia. But the receptive Chibirov was no longer there to accept it. His successor Kokoity returned the separatist government to its original uncompromising position. Saakashvili even sought to “groom” a separatist leader to his liking. Dmitri Sanakoev, South Ossetian Prime Minister under Chibirov, was supported in his anti-Kokoity stance and lured financially and diplomatically to establish a parallel South Ossetian government in the northern city of Kurta.

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But the host state soon turned to violent confrontation. Saakashvili’s forceful removal of Achara’s president and insistence on that province as a “test case for subsequent autonomy options for South Ossetia” left the separatist leadership disquieted (George 2009, p.174). A public relations campaign from Tbilisi demonized South Ossetia as a criminal entity and a mere law-enforcement problem, deliberately ignoring ethnic grievances. By December 2003, the host state’s Ministry of Interior conducted its first seizures of contraband goods. It began physically destroying major roads used for smuggling, affecting tens of thousands of livelihoods. By June 2004, Ergneti was largely shut down. The Ossetian leadership, now backed by overwhelming popular support, began resisting the crackdown and inviting Russian patronage.

The first major onset of Ossetian violence came after an effort to install customs booths in July 2004. This threatened not only (or even primarily) Ossetians and their Russian accomplices, but Georgian interior ministry officials who “profited from Ossetia’s ambiguous political status and porous borders” (George 2009, p.6). Even though 22 Georgian soldiers were killed confronting South Ossetian militias, Tbilisi retracted and quietly ignored the incident. Though the closing of Ergneti was trumpeted as yet another victory for the anti-corruption campaign, the host state’s primary objective of retaking South Ossetia by force had failed.

Temporarily retracting from the strategy, Saakashvili made a final attempt at co-optation. He proposed an autonomy model for the province in front of the UN General Assembly, and two additional modified proposals in January and October 2005. This was by-far the most generous offer Ossetians ever received from post-Soviet Tbilisi: an autonomous parliament, official language status and quotas for Ossetians in Georgia’s parliament that are disproportionately favorable to the minority. Backed by Russia, the Ossetian leadership dismissed these and other proposals from the EU.
While it is questionable whether these initiatives might have worked before 2004, they were doomed to failure after the hated abolition of Ergneti. Ethnic polarization rose to a ten-year high. Ossetians were not the only ones publicly complaining (including through paid advertisements in Georgian newspapers) about the assault on the market. One report conveyed a sense of Georgian betrayal and anger at the oblivion with which Tbilisi treated its co-nationals during the shutdown. Georgians around Tskhinvali were as harmed as the Ossetians, it was claimed (International Crisis Group 2004). The host state’s credibility and motivations were put into question, further ensuring failure in confronting separatists.

Realizing the damage done, the host state launched a farcical public relations campaign aimed at persuading Ossetians to reintegrate. Between 2004 and 2007, Georgia invested generously into Tbilisi-controlled areas of South Ossetia, advertised the benefits of Georgian statehood via concerts with German disco groups and similar stunts (Caspersen 2012, p.142). The inter-ethnic enmity swelled so much that the campaign only added to separatist resolve. Smugglers and their investors sent armed bands to revitalize crucial trafficking roads that had been destroyed. Occasional skirmishes and violent incidents began to increase, as dormant Ossetian militias reorganized and rearmed. Their defense of their illicit livelihoods was combined with anti-Georgian nationalism. Organized criminals that had collaborated with their Georgian counterparts for decades were now prepared to kill them.

By 2008, war finally erupted, provoking Russian involvement. It took 850 lives and 130,000 refugees and IDPs (Jones 2013, p.241). Unlike the first Ossetian war, this reprise included brutal ethnic-based violence and documented war crimes. The bulk of the casualties were Ossetian civilians killed by indiscriminate Georgian artillery attacks on Tskhinvali and its suburbs. Russian troops engaged in ethnic cleansing in Georgian villages, as did renegade
Ossetian militias (International Independent Fact-Finding Mission on the Conflict in Georgia 2009, p. 223-5). The fragile but effective ethnic cooperation that Ergneti fostered was radically reversed. The violence, in contrast to the first Ossetian war, was conspicuously not characterized by criminal opportunism, but by ethnic enmity. Both host state and separatist movement failed in the basic objectives of their confrontation.

Conclusions

In this chapter, we have seen that the trajectory of Kosovo’s separatist movement was one of continuous uninterrupted progress, while the trajectory of South Ossetia’s separatist movement was one of interrupted progress. The principal reason for this divergence was, I have argued, the different series of roles that organized crime has played in the two cases. Organized crime was central insofar as it retarded separatist success mid-trajectory in Georgia but was consistently promoting separatist success in Serbia.

The divergent processes reveal that organized crime can assume a variety of roles, supporting or impeding separatist success in underappreciated ways. To reiterate, the trajectory of Serbia/Kosovo has consisted of three phases that favored separatist success. Phase 2 in particular, when criminals acted as divisor et imperator, affirmed Kosovo’s separatist movement most. But the trajectory of Georgia/South Ossetia has had a Phase 2 – with organized crime as non-partisan mediator – that hindered separatist success. It is worth reflecting on effects of the middle phases in particular. Organized criminal influence set limits and even defined state-separatist relations through a variety of causal mechanisms. These causal chains included the following:


Table 7. Selected Effects of Phase 2

<table>
<thead>
<tr>
<th>Shared feature</th>
<th>Because Organized Crime was Non-Partisan Mediator:</th>
<th>Because Organized Crime was divisor et imperator:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Host state consolidated after war, chaos, economic disaster…</td>
<td>…becomes collaborator, partner in crime.</td>
<td>…is attacked, provoked into war.</td>
</tr>
<tr>
<td>Host state aid to separatist territory wanes…</td>
<td>…Ergneti emerges.</td>
<td>…’mafia state’ emerges.</td>
</tr>
<tr>
<td>Host state crackdown on organized crime…</td>
<td>…reignites separatism.</td>
<td>…is not attempted.</td>
</tr>
<tr>
<td>Gangsters with quasi-state credentials…</td>
<td>…become businessmen, entrepreneurs, institutional gatekeepers, unwitting agents of inter-ethnic cooperation.</td>
<td>…become nationalist heroes, freedom fighters, martyrs, statesmen.</td>
</tr>
<tr>
<td>Unruly militias with nothing to do…</td>
<td>…became bodyguards, travel agents, inter-ethnic cooperators.</td>
<td>…became tools of war profiteering.</td>
</tr>
<tr>
<td>Inter-ethnic relations in separatist community…</td>
<td>…improved.</td>
<td>…deteriorated.</td>
</tr>
<tr>
<td>Intra-ethnic relations in separatist community…</td>
<td>….undisturbed.</td>
<td>….disturbed.</td>
</tr>
<tr>
<td>Immunity for criminal kingpins…</td>
<td>…is ensured by widespread collaboration (everyone “in on it”).</td>
<td>…ensured by intimidation, terror, nationalist stigmatization (of “traitors”).</td>
</tr>
<tr>
<td>Host state leaders seeking to co-opt separatist leadership…</td>
<td>…are made unpopular, incredible.</td>
<td>…serve as excuse for gangsters to co-opt separatist movement.</td>
</tr>
<tr>
<td>Separatist movement leaders seeking to mobilize support…</td>
<td>….are made unpopular, incredible.</td>
<td>….are empowered through coercion.</td>
</tr>
<tr>
<td>Victims of criminal turf-wars…</td>
<td>…are few, and do not contribute to ethnic mobilization.</td>
<td>…are many, are justified as collateral damage of liberation struggle, and contribute to ethnic mobilization.</td>
</tr>
<tr>
<td>Eager patron state…</td>
<td>…is used as supplier of oil, cigarettes, everyday goods.</td>
<td>…is used as supplier of arms, intelligence contacts, militant training camps, anti-host state resources.</td>
</tr>
</tbody>
</table>

Thus we see that the intuition of Chapter 1 that a more micro-analytic focus on causal mechanisms may uncover counterintuitive or neglected factors has been vindicated. Namely, not
only does organized crime have the capacity to generate outcomes against both state and separatist movement tendencies, but it has the capacity to both hinder and advance separatist success. Similar if not identical features of the host states or separatist movements (left-hand column) can lead to diametrically opposite effects, depending on what role organized crime is playing at that moment in the process. These causal chains, furthermore, suggest that states, movements and mafias can be conceptualized as interactive, relational triads.

Process tracing has led us to the conclusion that sequences matter in processes of separatist movement development (Mahoney 2003 p.363-4; Rueschemeyer 2003, p.325). The temporal ordering of events related to state-separatist-criminal relations clearly influenced outcomes. Even in such a short historical period as the one under analysis, we have seen quite a variety of effects of organized criminal involvement. For instance, organized crime served as a central link in the causal chain from state disintegration to state consolidation through coup d’état (Phase 1 in Georgia); at another time, as a link in the opposite direction, from state consolidation to near-disintegration through coup d’état (Phase 3 in Serbia). Similar causal mechanisms – linking state repression against separatists, separatist instrumentalization of criminal resources, and criminal mediation and profiteering – have generated different effects depending on whether they operated before or after a war, a democratic transition, a massive ethnic mobilization, or a birth/disbanding of a criminal militia. As Pierson (2000) remarked in relation to sequence analysis, the issue is not just what, but when. The impact of organized crime, in other words, depends on whether its particular relational role is assumed before or after critical junctures.

Additionally, four less abstract conclusions are worth stressing. First, the customary emphasis on foreign military intervention as the necessary condition for separatist success begs
the crucial question of how such foreign support is secured. Organized crime has the potential to
“make or break” ethnic polarization, which in turn can secure foreign allies in war. Serbia’s
Phase 2 and Georgia’s Phases 1 and 3 demonstrate that organized crime may be a crucial element
in attracting or repelling an external army. One possibility is that mafia-militias get greater
international support than their non-criminalized separatist colleagues because they have greater
credibility and capacity to attract attention (as with the KLA before the Kosovo war). Another
possibility is that international partners with the potential to intervene are reluctant because their
own criminal networks are as invested as the host state is in maintaining an ambiguous status quo
with disputed borders (as with Ergneti before Saakashvili).

Second, organized crime must not be relegated to a side-effect or mere trigger of host
state action. Its capacity to challenge the host state head-on through coups determines the very
nature of the state or the pace and direction of its development. Mafias are just as relevant as
military juntas – when successful – in determining state capacity and policy. Whether the state
instrumentalizes the criminals (as with Serbia’s Phase 1) or the criminals instrumentalize the
state (as with Georgia’s Phase 1) is an all-important difference. The centrality of Georgian
organized crime in causing civil war and replacing one elite with another (in Phase 1) is arguably
a greater factor in South Ossetia’s separatist progress than anything the host state did to the
separatist movement directly. The Milošević-generated criminal class could not – and did not –
challenge the state in any systematic way in Serbia’s Phase 1, let alone attempt a coup of the sort
that unseated Gamsakhurdia. In Serbia’s Phase 3, when organized crime did partially
instrumentalize the state after killing Djindjic, Serbia-Kosovo relations were directly affected.

Third, the marginality or centrality of organized crime within a separatist movement may
determine state-separatist relations regardless of levels of violence. It is not simply the (intuitive)
case that criminalized separatists have more difficulty negotiating, affirming legitimacy and extracting compromises. If organized crime is central to the separatist movement, it may provoke – and defeat – host state repression which in turn solidifies criminal statehood. Serbia’s Phase 2 features the 1999 Kosovo war: it resulted from a host state crackdown on a highly-criminalized and violent movement. However, organized crime can be central to the separatist movement and be completely nonviolent (and, indeed, promoting ethnic reconciliation), yet still provoke host state repression that results in separatist success. The 2008 South Ossetia war (Phase 3) was a result of Georgia’s crackdown on the multiethnic, peace-preserving Ergneti Market. Indeed, these instances show that the level of violence is itself a by-product of the kind of organized crime (primarily drug- and arms-traffic based vs. marginally so).

Finally, host state success in curbing its own organized crime has direct effects on developments in the separatist movement – even when multi-ethnic organized crime is non-existent. Georgia’s zenith of organized crime (Phase 1) during the civil war was reflected in South Ossetia’s reactive mimicry of host state militias, a criminalized political culture, and an ethnic “cover” for illegal profiteering. Saakashvili’s contribution to reversing this trend (Phase 3) is clearly reflected in increased capacity to (at least attempt) reintegration. The transition from Milošević to the post-Bulldozer Revolution in Serbia (Phase 2 to 3) shows how fatal host state anti-crime failures can be on sovereignty over separatists. Georgia and Serbia effectively lost sovereignty over their separatist regions to the same extent (in 1991 and 1999, respectively), but the former’s capacity to regain it was incomparably greater because it decriminalized itself.

In sum, I have argued in this chapter that a critical reason for Kosovar separatism’s higher success compared to South Ossetian separatism’s is the difference in organized criminal relations to state and movement from 1989-2012. These relations evolved differently in Serbia
and Georgia, as the two processes were defined by different reconfigurations of state-movement-criminal triadic relations. We have seen that organized crime was a decisive endogenous factor in at least molding, if not defining, state-separatist relations. We have also seen that exogenous factors – notably international military support – are determinants of separatist success as well. In Chapter 3, I further explore the relation between endogenous organized crime and exogenous circumstances: local mafia support for separatist movements depends on criminal opportunities regionally and globally. We now turn to three such opportunities (drug, arms and human traffics) and explore how organized crime can act as “filter” to channel these resources into separatist success or lack thereof.
CHAPTER 3
AGGREGATE CRIME PATTERNS AND SEPARATIST CRITICAL JUNCTURES: ORGANIZED CRIMINAL PREPAREDNESS AND PREDISPOSITION TO AID SEPARATIST MOVEMENT

In Chapter 2, I argued that differing processes of evolving organized criminal relations to state and separatist movement in Serbia and Georgia account for the differing fates of separatists in these cases. We saw that organized crime has both the capacity to retard and to promote separatist success, and that states, separatist movements and organized criminal networks are best conceptualized as interactive, relational triads. The temporal ordering – or sequences – of these triadic relational configurations were crucial. The role of organized crime seemed to generate different effects depending on whether it was assumed before or after crucial exogenous shocks – foremost among them, wars. In Chapter 3, we turn to an analysis of whether and how organized crime channels regional criminal opportunities towards separatist success at two particular critical junctures. We thus shed further light on the exact conditions under which organized crime advances separatist success as opposed to hindering it.

In this chapter, I address the question: do changes in aggregate organized crime patterns before critical junctures in separatist movement development affect the movement’s success? I compare Serbian and Georgian organized crime patterns from 1989–2012, as reflected in data on (1) the drug trade, (2) human trafficking, and (3) arms smuggling in Serbia-Kosovo and Georgia-South Ossetia. I inquire to what extent the particular criminal branch was associated with separatist control/territory, and how its trajectory related to host state-separatist relations. I examine whether critical moments of separatist success for the two movements – the 1999 Serbia-Kosovo war, which gave Kosovo de facto sovereignty under NATO occupation, and the 2008 Georgia-South Ossetia war, which gave South Ossetia de facto sovereignty under Russian occupation – coincide with significant shifts in aggregate organized crime levels. I argue that
organized criminal *preparedness* to react to aggregate criminal patterns and *predisposition* to aid separatism determine whether criminal flows aid the separatist movement at the critical juncture.

**Organized Crime as Filter: Preparedness and Predisposition**

Needless to say, the division into three branches of organized crime is an idealization. Both Serbia and Georgia – and their separatist territories even more so – had muddled “war economies” throughout the period under scrutiny (Pugh, Cooper and Goodhand 2004). Drugs, guns and people were often trafficked by the same gangsters under similar circumstances in similar years. Nevertheless, disaggregating the three branches sheds light on the relation between regional/global trends in flows of these commodities and the domestic criminal reaction to those trends. This relation is largely mysterious.

Conveniently, there are documented differences in the shifts of drug, arms and human trafficking patterns around Serbia and Georgia at moments of interest. To be sure, organized crime domestically in the two cases often reacts to these shifts in ways that conflate drug runners with human traffickers with gun smugglers. But the divergence in criminal reactions to different conditions between the two cases sheds light on the mystery. *I argue that organized crime can be a decisive factor in determining separatist movement success at critical junctures by acting as “filter” through which aggregate criminal patterns are converted into benefits for separatist movements.*
By \textit{favorable conditions/opportunity}, I refer to the global or regional shift in aggregate drug, arms or human trafficking levels in the Balkans, the Caucasus and globally that make our two cases potential participants in a broader international chain of profitable organized crime. This potential advantage, by definition, is not caused by the countries themselves – it is determined by exogenous geopolitical developments such as the war in Afghanistan, the declaration of independence of Macedonia, and state breakdown in Albania. Such opportunity is a precondition for organized criminal filtering, though insufficient to itself cause separatist success.

By \textit{organized criminal “filter,”} I mean the reaction of the country’s organized crime to opportunity when it arises. This endogenous development is determined by two factors:

(1) The level of \textit{preparedness} of organized crime to capitalize on the opportunity. Preparedness is reflected in criminal capacity, the effectiveness of host state suppression of the

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{model.png}
\caption{Model of Organized Crime as Filter}
\end{figure}
traffic in question, the level of foreign military repression of this criminal branch, the length and scope of experience in that branch of crime, the record of adaptability of traffickers to market fluctuations, etc.

(2) The level of *predisposition* to aid the separatist movement in addition or in contrast to mere profit-seeking activity. Predisposition is reflected in the ethnic particularism or multi-ethnic character of the criminal branch associated with the traffic and the separatist share of organized crime vis-à-vis the host state.

By *effect on separatist success* – the outcome of interest – I mean the ultimate contributions to the success of the separatist movement (as defined in Chapter 1) attributable directly to organized criminal actions and resources.

Below I demonstrate that differing trajectories of organized criminal filtering account for different outcomes in criminal furthering of separatist success or the lack thereof. The basic findings are summarized in Table 8:

**Table 8. Aggregate Crime Patterns and Criminal Filtering**

<table>
<thead>
<tr>
<th></th>
<th>Drug Traffic</th>
<th>Human Traffic</th>
<th>Arms Traffic</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Kosovo</td>
<td>South Ossetia</td>
<td>Kosovo</td>
</tr>
<tr>
<td><strong>Favorable Criminal Flow Opportunity</strong></td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td><strong>Organized Criminal Preparedness</strong></td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td><strong>Organized Criminal Predisposition</strong></td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
</tbody>
</table>

**Note:** “Opportunity,” “preparedness,” “predisposition” and “effect” all at respective critical junctures: 1999 in Kosovo, 2008 in South Ossetia.
Drug Trade

With older roots and ethnic particularism, the Kosovo drug traffic is larger, more experienced at adapting to regional and global flow changes, and poorly regulated. The South Ossetian drug traffic is comparatively new, relatively static and inflexible to new commodities or fluctuating yearly volume, and has been repressed more successfully. Kosovo is a major center for drug trafficking, largely independent of Serbia, and separatist control over illegal narcotics is a central aspect of its trajectory; South Ossetia, in contrast, accounts for a marginal share of overall Georgian traffic, and the drug trade was not a primary branch of organized criminal control in the separatist region.

Therefore, although both organized criminal cases were predisposed to assist the separatists, movement success was advanced dramatically in Kosovo, negligibly in South Ossetia. Annual World Drug Reports (WDR) of the United Nations Office of Drugs and Crime (published 1997-present) demonstrate a clear asymmetry between drug trafficking trends in Serbia and Georgia. The asymmetry is reflected in the much greater scale of Serbian/Kosovo drug traffic volume compared to that of Georgia/South Ossetia. The divergence includes a greater adaptability and transformation of Serbian traffic, compared to the relative stability and consistency of Georgian traffic in the face of changing regional and global flows. Furthermore, Serbia and Kosovo drug traffickers are decidedly more dynamic, reactive to regional trends and capable of sudden adjustments to market opportunities. This is all the more striking because Georgian local drug demand is considerably greater than Serbia’s. Finally, the share of the drug trade in the separatist territory is far greater in Serbia, enabling separatist benefits that South Ossetia could not have had. Despite the predisposition of both organized criminal networks to
aid their respective separatist movements, only Kosovo’s drug traffickers were capable of doing so.

Significant Opportunities and Favorable Regional Trends

Adding to their geographic advantages, Serbia and Georgia both benefited from a favorable regional shift in drug traffic flow in the late 1990s. This rerouting – in the Balkans and Caucasus, respectively – enabled both separatist territories to assume a “bridge” role hitherto held by neighboring states, to diversify the range of drugs, and to assume a greater profit share in regional and global traffic.

Until the late 1990s, the two countries occupied a similar position in relation to regional and global trends: they were low-level transit sites, unworthy of mention by the UN as drug trafficking centers until the end of the decade. The 1997-8 World Drug Reports (WDR) found that both Serbia and Georgia were outside of major world routes. Though both had substantial traffic volumes by 1997-8, neither had the opportunity to compete with neighboring countries.

This soon changed. Serbia/Kosovo assumed their natural advantage as a “bridge” in the so-called Balkan Route: a major global drug path from Turkey, through the porous borders of various Balkan countries (Macedonia, Albania and Serbia/Kosovo) towards Western Europe. Due to Yugoslav-Albanian Cold War frictions, as well as communist Yugoslavia’s relatively rigid border control, the traffic through Serbia was existent but minor for a number of decades. In the 1990s, however, the UN notes for the first time that the Balkan Route developed “various offshoots as a result of the conflict in the former Yugoslavia” (United Nations Office on Drugs and Crime 1999). Serbia (by then a shrinking Yugoslavia) becomes the center of southeastern

46 Annual UNODC World Drug Reports citations are hitherto abbreviated in brackets as “WDR.” Sole page numbers refer to these, unless otherwise noted.
European narcotics smuggling, both by land and rail (WDR 1999, p.34). By 1997, more heroin was seized in Serbia/Kosovo (15.4 kg) than in all remaining Balkan countries combined. This was decidedly not a reflection of more efficient law enforcement, but of newly-favorable regional trends.

Similarly, by the late 1990s, the Georgia-Turkey route took the place of other passages from the east to Western Europe; corruption of border officials and government complicity were instrumental, having become institutionalized and entrenched when the host state consolidated after civil war (Glonti 2001, p.389). Even more fortuitously, an additional route that bypassed Turkey made Georgia an exactly analogous “bridge” to Serbia’s role in the Balkan Route. Instead of Afghan and Pakistani drugs flowing south of Georgia through Iran into Turkey and onwards, their route tilted to the north after the 2001 war in Afghanistan. The globally-significant route through Iran now aimed for the Black Sea to reach Southeast Europe, bypassing Turkey entirely to the north. This required transit through Azerbaijan, Armenia and/or Russia and Georgia. Georgian drug cartels squandered this opportunity as neighboring states seized it. But the shift in regional flow was unquestionably as favorable as the Balkan Route transition was to Serbia. In effect, it could have made Serbia and Georgia equally indispensable links in the same chain. The volume of drugs potentially flowing westward through both countries was now equal. Accounting for the “leakage effect” of long chains of transport, Georgia might even have expected greater volume than Serbia given its closer proximity to Afghanistan.

Indeed, domestic prevalence of narcotics use among the Serbian and Georgian population indicate another important advantage for the Georgian and South Ossetian drug trades. Both southeast European and Caucasus countries have opiate prevalence rates lower than the world average (WDR 2011, p.53). While Serbians have mid-range drug prevalence levels by the
standards of Balkan countries, Georgians are a notable drug-using population in their region. (1.2% of Georgians aged 15 and above engaged in drug abuse, but 0.3% of Serbians). Georgia is second only to Tajikistan in all of Central Asia and Transcaucasia, and is ahead of Kazakhstan (0.9%), Uzbekistan (0.7%), Kyrgyzstan (0.4%), Turkmenistan, Azerbaijan and Armenia (0.3% each) (WDR 2000). Several subsequent WDR reports found that Georgia continued to be second in all of Central Asia and Transcaucasia in prevalence of abuse among population (2002-3, 2005). In contrast, “although opiate abuse is a problem in Serbia & Montenegro […] and is higher than in several other European countries, there are no indications that opiate abuse is higher than in neighboring countries” (WDR 2004, p.420). In 2011, a standardized study of drug use prevalence among young people found that: among Serbian 16-year-olds, 0.8% had tried heroin, 0.9% had tried cocaine and 6.7% had tried cannabis; among Georgian 16-year-olds, 2% had tried heroin, 1.1% had tried cocaine and 16.9% had tried cannabis (WDR 2011).

Furthermore, data on injecting drug users registered as AIDS patients – an important indicator of drug prevalence – went through fluctuations for Serbia, but remained remarkably stable for Georgia from 1994-2003 (WDR 2005, p.151). Whereas Serbia was regionally unexceptional, Georgia was unique in its consistency of prevalence indicators among the Commonwealth of Independent States (CIS) countries. While the likes of Belarus and Kazakhstan had enormous fluctuations, drug use remained stable only in Georgia, Azerbaijan and Tajikistan among CIS members. These countries’ data on use are indicative of a greater opportunity than Serbia’s for criminal drug profits.

Nevertheless, the capacity of Georgian narco-enterpreneurs was inferior to their Serbian colleagues despite the far-greater demand for drugs in Georgia. Not only have Serbian and
Albanian traffickers demonstrated greater skill at seizing international opportunities, Georgian and Ossetian traffickers have even failed to take advantage of greater local demand.

**Overall Scope and Adaptability**

The divergence in preparedness is conspicuous in the modest drug volume going through Georgia and South Ossetia. The drug trade is both Serbia’s and Kosovo’s largest and most sustained organized criminal activity. One single separatist, Musa Rifatu (known as the “brains of the Kosovo connection”) was found to have single-handedly smuggled 465 kg of heroin between 1992 and 1995, worth 15 million Swiss francs (Public Safety Bureau 1999, p.23). The entire heroin seizure of Georgia/South Ossetia in this period is less than this single operation.

A 2010 estimate found that “the bulk” of 55-60 tons of heroin moving between Germany and the Netherlands yearly goes through Serbia, Bulgaria, Hungary and Austria. Conservatively assuming that only half of this total goes through Serbia, the amount is greater than the entire estimated heroin traffic through Georgia for an entire decade (1995-2005). By far the record year in heroin traffic for Georgia was 2009, when a liberal estimate was no more than 15-20 tons of heroin flowing into Eastern Europe through the Ukraine (WDR 2010, 2011). Most Georgian years recorded less than a third of this volume. Having emerged belatedly in the 1990s, the Georgian drug trade grew to a $1 billion-a-year market by 2002 (Curtis 2002).

The Georgian drug trade’s trademark commodity is opium (far right column in Table 9), a significant share of which flows through South Ossetian channels. In addition to a sizable domestic opium consumption market, Georgia is a major transit country among regional leaders for this increasingly unpopular drug. The Serbia/Kosovo drug traffic is almost entirely devoid of opium, registering zero or near-zero seized amounts of the commodity in the analyzed period,
but for one year. Yet, in the single exceptional year (2007) Serbia seized 57.391 kg of opium, which is a greater amount than all Georgian years. Indeed, even though this commodity is without precedent in the Serbia/Kosovo traffic and had no significant market in the country, this singular oddity-seizure is greater than the entire amount reported for Georgia throughout the 1990s.

**Table 9. Drug Seizures in Kilograms, Serbia (white) and Georgia (shaded), 1993-2012**

<table>
<thead>
<tr>
<th>Year</th>
<th>Cocaine</th>
<th>Cocaine</th>
<th>Heroin</th>
<th>Heroin</th>
<th>Cannabis</th>
<th>Cannabis</th>
<th>Ecstasy</th>
<th>Opium</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>0.2</td>
<td>n/a</td>
<td>159.8</td>
<td>0.2</td>
<td>177.7</td>
<td>n/a</td>
<td>0</td>
<td>n/a</td>
</tr>
<tr>
<td>1994</td>
<td>0.8</td>
<td>n/a</td>
<td>31.8</td>
<td>n/a</td>
<td>143.0</td>
<td>n/a</td>
<td>0</td>
<td>n/a</td>
</tr>
<tr>
<td>1995</td>
<td>0.2</td>
<td>n/a</td>
<td>30.3</td>
<td>n/a</td>
<td>67.1</td>
<td>n/a</td>
<td>0</td>
<td>n/a</td>
</tr>
<tr>
<td>1996</td>
<td>3.9</td>
<td>0</td>
<td>21.6</td>
<td>0.3</td>
<td>884.2</td>
<td>24.2</td>
<td>0</td>
<td>17.6</td>
</tr>
<tr>
<td>1997</td>
<td>4.9</td>
<td>0</td>
<td>35.6</td>
<td>0.5</td>
<td>1,594.0</td>
<td>n/a</td>
<td>0.1</td>
<td>10.3</td>
</tr>
<tr>
<td>1998</td>
<td>2.3</td>
<td>0</td>
<td>29.2</td>
<td>0.9</td>
<td>1,823.3</td>
<td>n/a</td>
<td>0.01</td>
<td>7.5</td>
</tr>
<tr>
<td>1999</td>
<td>n/a</td>
<td>0</td>
<td>n/a</td>
<td>2.3</td>
<td>n/a</td>
<td>31.9</td>
<td>n/a</td>
<td>14.7*</td>
</tr>
<tr>
<td>2000</td>
<td>2.4</td>
<td>0</td>
<td>57.2</td>
<td>3.9</td>
<td>780.9</td>
<td>n/a</td>
<td>0</td>
<td>33.5</td>
</tr>
<tr>
<td>2001</td>
<td>3.6</td>
<td>0</td>
<td>62.5</td>
<td>5.5</td>
<td>1,230.2</td>
<td>32.3</td>
<td>0.09</td>
<td>n/a</td>
</tr>
<tr>
<td>2002</td>
<td>1.9</td>
<td>n/a</td>
<td>43.5</td>
<td>n/a</td>
<td>1,729.5</td>
<td>n/a</td>
<td>0.08</td>
<td>n/a</td>
</tr>
<tr>
<td>2003</td>
<td>6.0</td>
<td>0</td>
<td>278.8</td>
<td>3.0</td>
<td>1,465.0</td>
<td>42.4</td>
<td>0.06</td>
<td>8.4</td>
</tr>
<tr>
<td>2004</td>
<td>15.5</td>
<td>0</td>
<td>474.4</td>
<td>0.8</td>
<td>4,111.0</td>
<td>34.1</td>
<td>9,260 u.</td>
<td>1.2</td>
</tr>
<tr>
<td>2005</td>
<td>5.3</td>
<td>n/a</td>
<td>359.6</td>
<td>n/a</td>
<td>1,509.5</td>
<td>n/a</td>
<td>7,839 u.</td>
<td>38.0</td>
</tr>
<tr>
<td>2006</td>
<td>12.9</td>
<td>0</td>
<td>696.6</td>
<td>8.6</td>
<td>1,817.3</td>
<td>25.6</td>
<td>19.0</td>
<td>0.2</td>
</tr>
<tr>
<td>2007</td>
<td>16.1</td>
<td>0.001</td>
<td>484.3</td>
<td>16.2</td>
<td>1,625.1</td>
<td>23.6</td>
<td>3.8</td>
<td>0.2</td>
</tr>
<tr>
<td>2008</td>
<td>15.1</td>
<td>0</td>
<td>207.6</td>
<td>12.1</td>
<td>1,477.8</td>
<td>28.3</td>
<td>0.2</td>
<td>0.1</td>
</tr>
<tr>
<td>2009</td>
<td>19.2</td>
<td>0.001</td>
<td>169.2</td>
<td>2.3</td>
<td>1,083.2</td>
<td>4.7</td>
<td>5.4</td>
<td>0.03</td>
</tr>
<tr>
<td>2010</td>
<td>7.6</td>
<td>0.01</td>
<td>242.8</td>
<td>1.1</td>
<td>1,352.8</td>
<td>33.3</td>
<td>23.5</td>
<td>0</td>
</tr>
<tr>
<td>2011</td>
<td>6.0</td>
<td>0</td>
<td>64.9</td>
<td>0.5</td>
<td>995.1</td>
<td>32.1</td>
<td>48.7</td>
<td>0.1</td>
</tr>
</tbody>
</table>

**Source:** World Drug Reports 1999-2012; Ministries of Interior Affairs of Republic of Serbia and Georgia.

* In addition, 83.5 kg of opium seed.

**Notes:** Serbia white, Georgia gray; “u.” indicates units of ecstasy pills when kg value is unavailable.

The adaptability of the Serbian drug trade becomes apparent: practically every few years, major variations in drug trends occur according to commodity type, scope and within-country route. The most notable adaptation was the appropriation of the traditional Balkan Route mentioned above: “in the early 1990s, prior to the disintegration of the former Yugoslavia, the West Balkan route accounted for 60% of all opiate seizures made along the European Balkan route” (WDR 2008, p.48). Despite this geographic advantage, Serbia’s participation in the route was marginal compared to neighbors, with only 8% of heroin and morphine seizures in 1996. A
decade later, when heroin first began flowing through Bulgaria and Macedonia, close to 60% of such seizures in the West Balkan route were made in Serbia alone (p.44). Serbia also adapted quickly to the regional expansion of a cocaine route in the late 1990s. By 2000, Yugoslav and Kosovo Albanian networks are singled out, as they “have started to expand their product range from heroin and hashish to include cocaine as well” (p.27). By 2004, the cocaine traffic was in “notable increase” (WDR 2004, p.107).

In another seemingly erratic development in 1999, Serbia suddenly became a leading regional destination country for ecstasy (WDR 2001). This was unique among neighboring countries. Within two years, it became a “country of origin” for ecstasy in the European market and ceased to be a major importer (WDR 2003, p.95). Serbia subsequently became a leading country of origin for amphetamines of all kinds from 2002-2004 (WDR 2006, p.134). In 2009, it was a bridge country for smuggling of “Captagon,” a short-lived but highly specialized synthetic stimulant from the Near and Middle East. Furthermore, there was a gradual shift towards Kosovo Albanian drug routes at the expense of Serbia proper. The 2004 report found:

In [the early 2000s] criminal groups of Albanian origins (based in Kosovo, FYR of Macedonia and Albania) have gained in importance and various other criminal groups from other Balkan countries increasingly participate in this business (p.49).

This development only escalated (see next section). Finally, the 2012 WDR reported that certain drug types suddenly plummeted while central nervous system depressants had gradually achieved a zenith by the end of the decade. In the mid-1990s, consumption of depressants ranged between 0-20 tons; by the late 2000s, the range was 60-80 tons. Serbia/Kosovo, once at the very bottom of the list for depressant drug smuggling, was now fourth in the entire world (behind Belgium, Uruguay and Portugal) in reported per capita consumption of illicit benzodiazepines (p.82).
Such fluctuations of existing drug type smuggling, and sudden replacements or introduction of new commodities, are conspicuously absent from the Georgian traffic. Georgia/South Ossetian narcotics smuggling and consumption are characterized by low adaptability to regional and global changes. Table 9 shows the absence of cocaine, even as two major “waves” provided opportunities for Georgian smugglers in the late 1990s and mid-2000s. Furthermore, the opium trade in Georgia is remarkably stable despite regional and global fluctuations in such flows. Finally, the somewhat specialized ecstasy traffic saw varying periods of hospitality in Serbia, but a consistent lack of opportunity in Georgia. In sum, the Serbia traffic is both larger in scope and more adaptable.

State Repression Indicators

Georgia’s comparatively superior law-enforcement is notable, and is probably one of the reasons for the discrepancy. In 1998, in one of many recorded instances, Georgia shut down a heroin lab, seizing 0.9 kg; Serbia had failed to seize a comparable site of production of any kind of narcotic until 2003 (amphetamine lab). The 2001 WDR found that Georgia was a leading country at the global level in curbing the cannabis industry: 31.9 kg were recorded, a remarkable 1% of total world seizures, by such a miniscule country.

But the principal differences between Serbia and Georgia are well-illustrated by a comparison of recorded cases of drug-related crime/possession and abuse (which increases with drug-use prevalence in the population) and cases of drug trafficking (which reflects the scale of drug traffic), in a representative two-year period:
<table>
<thead>
<tr>
<th></th>
<th>Serbia 2005</th>
<th>Serbia 2006</th>
<th>Georgia 2005</th>
<th>Georgia 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug-related crime/possession/abuse:</td>
<td>336</td>
<td>268</td>
<td>1,427</td>
<td>1,926</td>
</tr>
<tr>
<td>Drug-related trafficking counts:</td>
<td>4968</td>
<td>4839</td>
<td>94</td>
<td>61</td>
</tr>
</tbody>
</table>

Source: National Statistical Offices of Serbia and Georgia.

Note: This two-year period was the first occasion the UNODC World Drug Report (2008) compelled countries to standardize their indicators of drug-related crime. The 2008 war unfortunately made matched comparisons for future years difficult.

Several striking differences are apparent, and may characterize the entire period. First, Serbia’s trafficking-specific crime count is astronomical compared to Georgia’s (nearly 6,000%), despite the widespread recognition by the UNDP, OECD and Interpol that Georgia’s record of law-enforcement was superior throughout the 1990s and 2000s. This indicates the immensity of Serbian traffic. Second, despite its smaller population and territory – not to mention the lesser volume and variety of drugs available – Georgia records many more citizens caught abusing and possessing drugs recreationally without intention to sell. Drug use prevalence, in other words, is clearly higher among Georgians than among Serbs, implying that Georgia is more often a destination country and Serbia much more often a transit country, at least for certain drug types.

Third, Serbian law-enforcement and prosecution strategies put greater emphasis on curbing distribution than on curbing use, while Georgia appears to do the opposite. In 2011, 3,543 people were convicted of drug-related offences, with almost a third (1,523) for the consumption (not possession or distribution) of narcotics (Javakhishvili et al. 2012, p.15). In the same year, only 10% of Serbian drug-related offences related to consumption.

Criminal Dynamics in the Separatist Territories Themselves

When the time came – in 1999 for Kosovo and 2008 for South Ossetia – to divert drug trade benefits to the separatist cause, South Ossetian organized crime was nowhere near the level of preparedness of Kosovo organized crime. Five major reasons contributed.
First, Kosovo was not only prepared to seize the mid-1990s drug flow upsurge but preceded it with decades of experience in drug entrepreneurship. According to Interpol data, the Albanian secret service itself established a heroin smuggling base in Kosovo’s capital Priština as early as the 1950s to acquire a market share in Western European heroin distribution (Vickers 1998, p.225). The newly-founded Albanian network initially worked in zones left uncovered by the Italian mafia, gradually moving into a phase of cooperation and partnership. The two syndicates eventually turned to confrontation, and by 1997 the Kosovo Albanian mafia was estimated to control businesses worth three times more than the entire GDP of the Republic of Albania (Provvisionato and DiFrancesco 2000, p.96). In Georgia, in contrast, the drug trade was only born in the 1990s with little organizational precedent from corrupt remnants of the USSR or the Russian mafia, ever-present in South and North Ossetia. Furthermore, the Russian mafia itself was comparatively weaker in the region’s drug trade than the Albanian mafia was in Kosovo’s.

Second, unequal preparedness was also visible in the way Kosovo drug runners adapted to seasonal variation and unfavorable terrain, while their South Ossetian counterparts were paralyzed by them. Both separatist territories were highly mountainous, making nonconspicuous movement in most terrains treacherous. Thus the Kosovo heroin trade was “particularly evident in the summer season, when a large number of Turkish citizens who live and work in Western Europe travel through Serbia” (European Monitoring Centre for Drugs and Drug Addiction 2014). In the winters, nevertheless, drug smugglers continued to be active on major railways and roads, supplementing these with obscure routes through some the (near-sixty) mountain peaks 2,000 m. above sea level. Trafficking was oriented around the peaks of Tromedja (at the tripoint bordering Albania and Montenegro), Pogled (tripoint bordering Montenegro and Serbia), and
Sherupa (tripoint bordering Albania and Macedonia) precisely because the hostile terrain had proven challenging for law enforcement. Thus rough terrain was made the very reason these smuggling corridors were effective.

In contrast, Ossetian drug cartels never succeeded in overcoming cold temperatures and snow. Georgian transit sites were risky. South Ossetia’s mountainous terrain limited ordinary traffic even in warm weather. Heavy trucks or risky cargo on slippery winter roads were not supplemented or superseded by effective alternatives. Indeed, all smuggling between Russia and South Ossetia ceases in wintertime (Nevala and Aromaa 2003, p.93). Hundreds (perhaps thousands) of hiking guides – many of them veterans of the first Ossetian war – escort tourists on climbs as high as Mount Khalatsa (3,900 m. above sea level) and Mount Kazbek (5,047 m. above sea level). Though they readily report smuggling escapades along obscure paths (involving a range from heavy automobile parts and paintings to guns and human beings), they deny the existence of any successful drug routes through the Likhi Mountain range in the fifteen years preceding 2008. When one considers the extensive and long-standing traffic in stolen cars through South Ossetia, the inadaptability of the drug traffic becomes all the more striking.

Third, the share of the national drug trade in the separatist territory was indicative throughout the period. The Kosovo drug trade is incomparably greater, independent and adaptive compared to South Ossetia’s and – indeed – even compared to the entirety of Georgia itself, despite its size. While 1990s Georgian drug seizures near South Ossetia or involving Ossetians were negligible, Serbia seized 30 kg of heroin and 49 Kosovo Albanians in 1995, 21.6 kg of heroin and 71 Kosovo Albanians in 1996, 20.6 kg of heroin and 51 Kosovo Albanians in 1997,

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47 Macedonian police reports complain that Kosovo narco-smugglers deliberately abuse the fact that it is more expensive for Macedonia to oversee their mountainous border than it is for Kosovo to divert drug flows away from roads to the mountains.

and three major seizures with 16 kg of heroin and 3.8 kg of cocaine relating to Kosovo Albanians in 1998 (Public Safety Bureau 1999, p.24). The trend only escalated in the 2000s. Between 2007 and 2012, the number of major yearly Kosovo heroin seizures ranged from 41 to 77; the quantity ranged from 36 to 94 kg; and the number of people arrested for heroin trafficking ranged from 71 to 102. Each of these indicators is at least three orders of magnitude greater than in the entirety of Georgia in any period. In 2008 alone, 2.6 kg of cocaine and 42.1 kg of heroin were seized in Kosovo: in comparison, total Georgian seizures (including South Ossetian) were 0 kg of cocaine and 12.1 heroin in the same year.

At the height of the separatist critical juncture, in other words, South Ossetian organized crime did not have the capacity to assist the separatist cause even though it wanted to. The Serbian and Kosovo drug trades experienced a divergence that Georgia and South Ossetia never did. With the accession of Bulgaria and Romania to the EU Schengen zone, which has enabled the Bulgaria-Hungary-Romania route to replace the traditional Balkan route through Serbia, the Serbian drug trade declined. However, “the territory of Kosovo […] became increasingly used for the storage of large quantities of heroin that is to be smuggled to west European countries via Albania (Durres harbor), Montenegro and Bosnia and Herzegovina” (European Monitoring Centre for Drugs and Drug Addiction 2012, p.17). In effect, Kosovo was able to appropriate a share of the drug trade that Serbia had lost. There is no evidence for any such development for South Ossetia.

This discrepancy became especially evident in the 2000s, when the international military presence in Kosovo began collecting more systematic data than had been available in the 1990s under formal Serbian rule. While the Serbian drug trade is overwhelmingly concentrated and dependent on the Kosovo drug trade, there is no evidence that the Georgian drug trade is
meaningfully concentrated in South Ossetia. Profit from the drug trade, with the assistance of the Albanian diaspora, was a source of financing of Kosovo’s parallel institutions in the 1990s (Southeast European Legal Development Initiative 2002, p.13). Kosovar organized crime emerged primarily in the drug trade and continues (despite international military presence) to profit from drugs more than from any other enterprise. In the mid-1990s, “[n]umerous specialized foreign services against trafficking of narcotics, as well as Interpol, emphasize the connection of the Albanian narco-mafia to leaders of the so-called KLA, as well as to Thaqi, its leader” (Public Safety Bureau 1999, p.23). By the early 2000s, Kosovo Albanians took over a substantial part of the heroin wholesale market from Turkish and Kurdish groups (WDR 2004, p.71).

Fourth, Kosovo drug cartels developed a more ethnic- and kinship-based operation than their Ossetian counterparts. Initially, Serbian-Albanian cooperation was instrumental to the drug trade. The Belgrade-based Serbian Zemun Clan was largely financed by narcotrafficking; it smuggled hard drugs with the cooperation of the Albanian Šabani Clan until 2003, when Serbia cracked down on the former for assasinating the Prime Minister. Furthermore, the nationality of heroin traffickers arrested in Germany (2000-2008) showed that 3% were Albanians and 4% Serbs (p.58), an indication of relatively equal partnership. But in the postwar period, Serbian and Kosovo Albanian drug cartels ceased to cooperate, the latter becoming independent and even superseding Serbian drug traffic in scale. Albanian groups found new partners such as West African smugglers importing cocaine from the Netherlands to Northern Italy – an operation noted for its complete autonomy from Serbia (Kosovo Police Reports, 2000-6).
Kosovo Albanians – and secondarily Albanians from Albania – incontestably controlled the most profitable sector of the Serbian drug trade, and thus became independent of Serbian clans. An analysis of the European Monitoring Centre for Drugs and Drug Analysis (2013), relying on police data, identified four major areas for the Serbian drug trade: (1) the areas of Kosovo, (2) Bujanovac and Preševo, (3) Novi Pazar/Tutin, (4) and Rozaje in northern Montenegro. All but the last one are Albanian-dominated communities. The village of Veliki Trnovac, for instance, is technically in Serbia bordering Kosovo, but is in effect more integrated with Kosovo communities than with Serbian communities. A former Kosovo head of parliament had risen to political prominence through this village’s drug cartel (Ljepojevic 2006, p.98). In contrast, South Ossetian groups within Georgia are barely comparable to Armenian criminal enterprises in Javakhetia or Chechen armed gangs in the Pankisi Ravine region (Glonti 2005, p.73). Ossetian leadership (both in North and South Ossetia) have not been associated directly with the traffic (at best, indirectly through the Russian mafia as men with KGB backgrounds). In other words, whereas South Ossetian organized crime is one of many ethnically-sustained branches in Georgia, Kosovo Albanian organized crime is the sole, and strongest criminal enterprise based on an ethnic minority in Serbia.

<table>
<thead>
<tr>
<th>Year</th>
<th>Cocaine</th>
<th>Heroin</th>
<th>Cannabis</th>
<th>Ecstasy</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>1.7</td>
<td>14.6</td>
<td>66.6</td>
<td>n/a</td>
</tr>
<tr>
<td>2007</td>
<td>2.1</td>
<td>47.0</td>
<td>186.2</td>
<td>n/a</td>
</tr>
<tr>
<td>2008</td>
<td>2.0</td>
<td>44.6</td>
<td>107.4</td>
<td>0.04</td>
</tr>
<tr>
<td>2009</td>
<td>1.5</td>
<td>36.1</td>
<td>150.0</td>
<td>2.2</td>
</tr>
<tr>
<td>2010</td>
<td>0.5</td>
<td>55.1</td>
<td>199.3</td>
<td>0</td>
</tr>
<tr>
<td>2011</td>
<td>2.7</td>
<td>60.8</td>
<td>216.0</td>
<td>0</td>
</tr>
<tr>
<td>2012</td>
<td>7.4</td>
<td>94.2</td>
<td>419.2</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: Kosovo Police, 2012; European Monitoring Center for Drugs and Drug Addiction, Kosovo Country Profile.
The Kosovo drug trade is therefore not only more enormous but more kinship-based (Albanian) than South Ossetian drug trafficking, which is decidedly more inter-ethnic (Georgian and secondarily Ossetian). By 1998, the DEA ranked the Kosovo Albanian mafia as second only to Turkey in the heroin market share in all of Europe. As late as 2010, the Western European heroin market alone was equivalent to the combined GDP of Kosovo, Albania and Macedonia (WRR 2010, p.59). In 1998, Interpol data shows 143 Yugoslav citizens detained for drug smuggling – of those, 135 were Kosovo Albanians (Public Safety Bureau 1999, p.22).49 A sizable Albanian diaspora in Turkey, Germany, Austria and Switzerland has made the Kosovo heroin trade the strongest in Europe. According to Swiss police records, Albanians control 80% of the heroin trade in that country; the same amount is estimated for the entire Scandinavian market, with Italy, Germany, Austria, Hungary, the Czech Republic and Belgium owing 70% of their heroin market to Albanian networks (Sorensen 2006, p.336). In addition, Kosovo Albanian cannabis feeds 50% of Serbia’s and Montenegro’s demand (WDR 2006, p.165). The 2010 WDR noted that Kosovo Albanians made up the single largest group (32%) of all arrestees for heroin trafficking in Italy between 2000 and 2008. The next identified group was Turks followed by Italians, with Serbs in modest numbers (p.57).

In contrast, South Ossetian drug smuggling never fully acquired an ethnic Ossetian monopoly, nor any meaningful degree of independence from Georgia as a whole. Interestingly, it was Chechen (not Ossetian or Russian) guerrilla groups in the Pankisi Gorge region that lifted the Ossetian drug traffic in the early 2000s (Curtis 2002, p.3-7). After a violent competition between local drug lords and Chechen rebels led by Ruslan Gelayev, the latter seized control, partly with Gelayev’s personal contacts with Georgian authorities. In March 2002, an internal military analysis found that Georgian border officials and bureaucrats were the recipients of

49 In that single year, 224 kg of heroin, 9.1 kg of cocaine, 3.1 kg of hashish and 2 kg of marihuana were seized.
bribes from Chechen smugglers (Ibid, p.9). Under Chechen control, the Pankisi region became primarily a “repackaging center” for drugs from Afghanistan that were held in South Ossetia before moving on (Bureau for International Narcotics and Law Enforcement Affairs 2001). This form of narco-crime simply could not be part of an anti-Georgian strategy as it relied on “at least passive cooperation with Georgian authorities” (Berry et al. 2003, p.59). If anything, this hindered the separatist movement.

More broadly, Ossetian organized crime deviated enormously from ethnic particularism, even when Georgian partners failed to return the favor. In 2003, two leading drug smugglers on the Georgian side of the traffic – at the helm of a group of forty residing in the separatist territory under the patronage of Ossetian allies – were arrested for heroin possession. The move threatened to disrupt the very pillar of the drug traffic, given how modest it was. Criminal collaborators quickly blocked major roads demanding their leaders’ release, with credible threats to “stir up the situation in the conflict zone.” When dealing with insubordinate customers at Ergneti, these drug smugglers “would shoot at or seize the truck or even kill the owner and then blame everything on the Ossetians” (Kukhianidze et al. 2007, p.81-2). Their Ossetian partners (notably the drug lord Alan Dzigoev, who popularized methadone in Georgia) nevertheless remained faithful to those Georgian criminal circles.

Finally, while South Ossetia’s drug trade was notable, it was simply less massive and its lifespan was short-lived. In a study of the narcotics trade across Central Asia, it was concluded that for a short period “that criminal enterprise has become, together with Russian support, a major factor sustaining the separatist republic [of South Ossetia]” (Cornell 2006, p.50). By April 2002, the drug trade had peaked at a $1 billion – miniscule compared to Kosovo’s. From 1999-2002, the Pankisi Gorge bordering Russia served as the primary focal point. In 2002, the state
regained control over the Gorge, effectively disabling separatist narco-profits. The process was enabled by American training of anti-terrorism officials (Cohen 2002). The US’s concern was Al Qaeda and Islamic terrorism. From the beginning, therefore, Ossetian traffickers were limited and marginal compared to Kosovo’s, and – crucially – were only one pillar of separatist strength, the other being the Russian military presence. Note that Kosovo’s drug trade successfully sustained the KLA’s separatist struggle *preceding* foreign military assistance. In contrast, the South Ossetian separatist struggle only managed to become reliant on criminal funds (only parts of which were drug-related) *after* Russian military occupation.

In an overview of organized crime in Georgia, including its separatist territories, by the Tbilisi-based Terrorism, Transnational Crime and Corruption Center (TraCCC), South Ossetia’s profile is defined by three branches: drugs, smuggling of non-lethal goods from Russia, and kidnappings of Georgians. The drug trade is minor compared to the pervasive smuggling of ordinary commodities from Russian black markets. The stolen car market, for instance, is so much more elaborate in South Ossetia than the entire drug trade that “drug dealers […] either sell the drugs or trade them for stolen cars from Georgia,” apparently with equal ease if not preference for the latter opportunity (Glonti 2005, p.73). Finally, marihuana and hashish are produced locally, heroin and opium are the only transit-intended types of narcotics.

The drug trade is further confirmed to be relatively minor compared to other branches of organized crime in an analysis from 2004: when 800 people were detained and 20 arrested as members of illegal armed groups, only 10 kg of drugs were confiscated compared to 70 firearms, 55,000 cartridges, and $140,000 worth of other contraband goods (Kukhianidze et al. 2004, p.12).
Positive Effects on Kosovo Separatism, Negligible on Ossetian

In Serbia, the major episode of violent separatist escalation occurred in 1998, culminating in a war concluded by the arrival of NATO troops. In Georgia, two major episodes of escalation are notable, with a period of stability and multi-ethnic cooperation between them. The first was the 1991-2 Georgia-South Ossetia armed conflict, when Russia entered South Ossetia; the second was in 2008, a repeat of the first episode that was triggered by Georgia’s attempt to curb the Ergneti market (see Chapter 2, and below). We may consider the Kosovo war in 1999 and the Second South Ossetia War in 2008 as critical junctures in the development of the drug trades in the two cases. Whereas massive drug trade went on for years before the Kosovo war and only escalated thereafter, massive drug trafficking was a consequence of the South Ossetia war – it escalated to notable proportions only after 2008.

Prior to the 1999 war, Kosovo’s separatist fringe monopolized the drug trade and used it to finance its activities. Half of the KLA’s finances came from the drug trade. The scale of drug traffic became apparent to European law-enforcement in 1998, as the prelude to the war was underway. In June 1998, 60 Kosovo Albanians were captured by Spanish police for drug trafficking; in August, Austrian police seized three trucks with two tons of marihuana from Kosovo worth 80 million shillings; in July, Greek police seized 1,276 kg and another 720.4 kg of hashish in two trucks from Albania that had originated in Kosovo; in the same month, Macedonian customs seized 72.3 kg of heroin from an Albanian truck; in July, Czech police arrested three Kosovo Albanians with 30 kg of heroin (Public Safety Bureau 1999, p.23). The bulk of the profit was found to have gone to violent guerrilla operations against Serbian forces in Kosovo (though Serbian authorities seem to have exaggerated it compared to the arms trade, explored below) (Ibid, p.20-5).
In the post-1999 war period, when Kosovo separatism achieved de facto sovereignty under international military supervision, the drug trade (contrary to expectations) increased enormously. After the 1999 war, the scale of the drug traffic more than doubled: it swelled to 120% of pre-war levels, with an average monthly transit of 4.5-5 tons. The international presence decidedly failed to curb the drug trade. As late as 2006, there were 60,000 unresolved cases of drug trafficking (Human Rights Watch 2006, p.396). “Since 2003/2004, the traditional Balkan route from Turkey via […] Serbia & Montenegro has re-emerged and gained in importance, while trafficking via the more eastern Balkan route (Hungary) has lost in importance” (p.65). The so-called Italian route stretching from Kosovo, across Albania and the Adriatic sea directly to Italy, came to the fore after 1999. According to Italian peacekeepers serving in Kosovo, the cartel established close relations with the Italian mafia in the post-war period and established a daily average of 50 kilos of heroin to the Milan market (Jamieson 2001, p.382-3).

South Ossetia’s separatist escalation in 2008, on the other hand, had only a tangential relation to the drug trade. It was a response to Georgian attempts to crack down on the Ergneti market, a site of untaxed selling of a variety of goods (smuggled, but otherwise legal) on the Georgian-South Ossetian border. In the summer of 2004, having assumed that separatist regime leader Kokoity could be toppled if smuggling (the pillar of the separatist economy) were stopped, Georgian president Saakashvili launched an unprecedented attack on organized crime in the region. South Ossetia’s sole advantage was that other parts of Georgian territory were becoming unconducive to smuggling. In particular, the Pankisi Gorge in Georgia proper had “decreased in influence due to the introduction of a Train and Equip programme and anti-terrorist operations. It has become too risky for drug smugglers to use the Pankisi Gorge” (Nevala and Aromaa 2003, p.92). Georgian interior ministry troops were sent to South Ossetia to
establish checkpoints and seize smuggled goods. Violence erupted in the summer of 2004, when five South Ossetians were killed and Russia signaled its willingness to intervene in South Ossetia’s favor (International Crisis Group 2004, p.12).

The crackdown was successful in reducing organized criminal activity, but enormously counterproductive in hindering separatism. “The anti-drug campaign certainly did not eliminate the drug trade,” a major analysis noted, “but it made it manageable” (Kukhianidze 2009, p.229). It quickly became clear that the success of South Ossetian separatism was anything but reliant on such traffic. Kosto and Helge, in their study of de facto states in the South Caucasus, argue that pre-2004 economic cooperation between Georgian and Ossetian regimes hindered state-building processes in South Ossetia (Kolstø and Blakkisrud 2008). It was the “sudden close [of Ergneti that] resulted in the polarisation of the situation and in a ‘rally-round-the-flag’ effect in South Ossetia” (Francis 2011, p.286). Just as this Georgian repression resulted in separatist escalation – culminating in the 2008 war – it also had a substantial effect on curbing smuggling of all kinds, including narcotics:

While not ending smuggling from South Ossetia, this clearly increased the cost of smuggling and affected its systematic character, pushing it underground instead of fearlessly taking place in the open (Cornell 2006, p.63).

Sakashvili insisted in public rhetoric that Georgia will be free only when the Roki tunnel connecting South Ossetia to Russia is under host state control (Freese 2005, p.107). According to drug trafficking analyst Svante E. Cornell, this was due to the misperception that “smuggling kept the separatist government functioning” (Cornell 2006, p.62). In fact, the drug trade was a minor component of that smuggling. The 2008 war brought the province even greater de facto sovereignty; whereas Georgia lost control of roughly half of the Autonomous Province of South Ossetia in the 1990s, the 2008 war left it with none. In sum, the separatist success in 2008 was
done *despite* the relative curbing of organized crime (the drug trade included) in South Ossetia. Given the modest preparedness of the Ossetian drug traffickers, it is questionable whether they might have protected the separatist movement in any way.

**Human Trade**

Human trafficking in Kosovo and South Ossetia was destined to remain irrelevant to the success of the two separatist movements. Though both Serbia and Georgia are significant transit zones for human trafficking, there were no favorable regional or global changes in this criminal branch. Furthermore, the sole opportune regional shift for Kosovo was too early and short-lived, while South Ossetia’s geographic position excluded it entirely from a potential share in such traffic. The lack of these preconditions aside, the two cases indicate weak and inexperienced criminal networks in South Ossetia, but stronger ones in Kosovo that grew considerably after the 1999 critical juncture. Successful host state repression of the traffic by Georgia had a deterrence effect, while state complicity by Serbia further ensured separatist criminal preparedness.

Therefore, *although both organized criminal cases were predisposed – and Kosovo prepared – to assist the separatists, neither was able to do so.*

**Insignificant Opportunities, No Favorable Regional Trends**

Yearly data on human trafficking in both cases is available in annual Trafficking in Persons reports (TPR) issued by the US State Department. Some 175,000 people are trafficked yearly from Central and Eastern Europe, and a large proportion of the half-a-million women trafficked into Western Europe come from the Soviet Union countries (International Labor Organization 2002; cf. Boak and Boldosser 2003, p.11). Indeed, trafficking of women from the
The entirety of Asia pales in comparison with the scope of such activity in the former Yugoslav and former USSR territories. Serbia and Georgia are thus in the neighborhood of the world’s primary transit zones for human trafficking (Miramed Institute 1999). Nevertheless, there were no fortuitous shifts in regional or global routes that could have enabled local criminal instrumentalization for separatist purposes around critical junctures. Indeed, nothing analogous to the linear and constant flow of drugs westward across the Balkans and Caucasus existed in the period.

Without exogenous conditions to foster it, the traffic in these countries is primarily due to endogenous factors. It was dependent if not created by both countries’ high refugee and internally-displaced persons (IDPs) flows beginning in the 1990s. None of these were conducive to the critical moments of separatist success. Serbia had three major refugee and IDP flows – in 1992-93, in 1995 and in 1999 (and only during after the war, at that), ranging between 150-500 thousand people in several periods of a few months; Georgia, in 1992-93 and 2008 (again, only after the war), ranging between 50-350 thousand people in several periods of a few months. These brief interludes are followed by slowing and diminishing returns on attempting the risky enterprise of smuggling persons – not only did the warring parties congeal their borders after conflicts, but they made movement more difficult than in the pre-conflict period.

With negligible returnee rates, IDPs settle after each wave of violence: By the end of the period, Serbia had 227,585 IDPs, 57,706 refugees in the country, and 50,709 refugees who fled the country; Georgia had 282,130 IDPs, 681 refugees in the country, and 859 refugees abroad (United Nations High Commissioner for Refugees 2011, 2012). Though not exclusively, the human traffic has been centered on IDP-concentrated locations where economic and social desperation is highest and where traffickers can abuse ethnic allegiances to recruit victims.
Regional transit routes, however, are very limited. Unlike with drugs, which have a constant demand in neighboring states that tends to increase, most potential destination countries for trafficking victims from Serbia and Georgia do not prefer to accept people under any circumstances. Furthermore, the more they do accept, the fewer they tend to in the future (Tyldum and Brunovskis 2005).

Two additional factors prevented the human traffic in both countries from being of instrumental use for separatists: unfortunate timing and geography. The critical junctures of 1999 and 2008 were thus not preceded by human trafficking opportunities.

Bad Timing for Kosovo

Though Kosovo did have an advantageous regional shift in human trafficking, it happened too early and was short-lived. Almost a decade before the critical juncture of 1999, the fall of the Albanian Communist dictatorship made Kosovo Albanians key players in the Albanian economy as a whole. For the next few years, many purchased state enterprises for money-laundering purposes through diaspora connections, anticipating new market openings through Albania – this included quasi-legal emigration through Kosovo. It became easier to spread profits and forge victims’ documents across the separatist region without raising concerns. But the influx of people into Kosovo lasted only until Yugoslavia was put under international sanctions (1992), gradually decreasing its own aid to the province (see Chapter 2). By 1993, regional human trafficking routes sought to bypass Kosovo entirely; this included the Albanian mafia-run traffic, which preferred Macedonia’s Albanian connections to Kosovo’s when the former declared independence from Yugoslavia in 1993.
Regional traffic patterns would never again shift in Kosovo’s favor, including the period after the 1999 critical juncture. Of the estimated half-a-million women who are trafficked each year in the 2000s, 200,000 either move through or originate in the Balkans. In this respect, geography is on the side of organized crime in Serbia and Kosovo in the 21st century – just as it is for drug flows. However, it is the Albanian mafia that has been found to have the greatest share of this traffic (65%) centered in Albania itself instead of the internationally-supervised Kosovo (Boutin 2003). For instance, the bulk of human trafficking-related criminal activity in Italy, an important hub, returns to Albania, with a small portion being invested in Italian real estate; profits are then invested in Albania and Macedonia, but not in Kosovo (Sörensen 2006, p.336). Whereas for the drug traffic Kosovo was the primary beneficiary with Albania as a secondary hub, the opposite was the case for the human traffic.

Thus it was only after the 1999 critical juncture – when it was too late to meaningfully assist the victorious separatists – that Kosovo became a final destination in addition to a transit country for human trafficking. The international military presence proved to be an enabling factor, as night clubs and prostitution rings multiplied in the 2000s. Furthermore, the variety of countries from which the peacekeepers were brought opened informal channels throughout Europe and the US. By 2012, Kosovo was a major source and destination for the trafficking of women and children, noted in every yearly report. Most of it is aimed at sexual exploitation and involves Kosovo citizens. Children from Kosovo and neighboring countries are forced into begging, arranged marriages and compulsory labor. The minority of non-Kosovo victims are primarily young female prostitutes from Moldova, Albania, Poland and Serbia. But human trafficking independent of any segment of the international supervising force in Kosovo is highly risky and occasionally repressed severely. Thus, on the whole, this branch of criminal activity
was difficult if not impossible to divert to either funding or relevant labor for the separatist movement.

**Bad Geography for South Ossetia**

As with the drug trade, while Serbia’s separatist region is central, Georgia’s is apparently marginal in the human traffic. Although Georgia’s “inability to control borders and separatist regimes” is noted (2000), and South Ossetia is mentioned in passing as one of several trafficking sites (2005-8), not a single instance of major concentration of trafficking through or from South Ossetia is recorded in reports. In contrast, Kosovo is often found to be a center of human trafficking – large numbers of victims are reported each year by the international military presence. Whereas the network in Kosovo appears well-organized and experienced, merely lacking a fortuitous turn of events in the regional human traffic, Ossetian traffickers are relatively inexperienced and lack the kind of geographic advantage they enjoy for drug smuggling.

A crucial asset for the Georgian human traffic – a Turkish border – is simply lacked by South Ossetia. As a source country, Georgia is not oriented northward. After the earliest recorded case of human trafficking occurred in 1998 (when thirty young people, including 27 females, were trafficked from Georgia to Spain), Georgia thereafter became almost exclusively turned to the Turkish market. At Sarpi crossing, a single site at the Georgian-Turkish border, 800-1,000 people enter Turkey monthly; in the summer, the average increases to 1,100-1,200. Of these, 600-800 – most of them female adolescents – are estimated to return per month to renew their visas before quickly returning to Turkey. “Citizens of Georgia,” a major report on the subject noted, “can pay $20 at the border and pass into Turkey.” Furthermore, the fee for
procuring visas and other forged documents to Turkey is $451 – less than a third of the analogous costs to Western Europe or the US. As a transit country, persons are trafficked from Russia, Ukraine, Central Asia and the destination is primarily Western Europe. The number of such cases is estimated to be in the hundreds. One estimate found that “at least 500 Georgian women fall victim to trafficking every year,” most with a connection to Turkey. 75% of the 800-1,200 are local victims from Georgia proper (Mikadze 2004, p.2-4; p.11). An additional difficulty is that “the majority of Georgian trafficking victims enter Turkey legally; the crime occurs once they are on Turkish soil” (Corso 2006). There is no advantage, in other words, for localization of victims in South Ossetia and every advantage for doing so at the Turkish border.

**Traffickers in the Separatist Territories Themselves**

Regardless of the inopportune circumstances, human trafficking data shows preparedness and predisposition among Kosovo traffickers but only predisposition among their Ossetian counterparts. This difference was caused by effective regulation of human trafficking by Georgia.

1990s data is unfortunately scarce, but human trafficking in this period is known to have overlapped with criminal kidnapping patterns. In the 1990s Milošević period, over six hundred kidnapings occurred in Belgrade alone. Most of these resulted in ransom demands, while only a small number involved forced mobilizations in Serbia’s war fronts in Bosnia and Croatia (Centre for Humanitarian Law 2012). The precedents for human trafficking routes, and the inter-gang connections that enabled effective transport and coordinated coercion, were created in this period. Serbian government complicity, among other factors, encouraged the XXI century traffic to continue through Kosovo. In Georgia, from 1991 to 1995, more than four hundred Georgian
citizens and foreigners were kidnapped. But already in 1995, then-leader Shevardnadze suppressed gang-related activity, bringing about a ten-fold decrease in kidnappings between 1996-8. In 1998-99, they began to rise again, with thirty-two kidnappings of Georgians, “the majority of whom lived in areas of ethnic conflict: Abkhazia and South Ossetia” (Glonti 2001, p.386). Similarly, kidnappings of Serbs by Kosovo Albanians (1995-1999) were disproportionately large given the ethnic makeup of the separatist territory (Stijovic 2007). Thus predisposition to aid the separatist cause was noticeable very early on: the basis for the human traffic in both cases was conducive to separatist mobilization (decidedly not multi-ethnic, as with the drug traffic through Ergneti).

In the 2000s, Georgia is not notable as a destination country. Aside from “occasional reports of Russian and Ukrainian women being sent to the beach resorts” for prostitution (Bureau of Democracy, Human Rights and Labor 2004), the scope of the traffic aimed at Georgia as a final destination is limited and incomparable to Serbia’s condition. TPRs have declined to classify Georgia as a destination country for trafficking in humans; Serbia has been classified as such in every single report. Furthermore, Kosovo has become a destination country in its own right since 2008; none of Georgia’s separatist territories, least of all South Ossetia, have acquired such status.

The TPRs contextualizes crucial differences between the cases. First, Serbian victims have no country of destination that would earn the label of “primary” for a series of years. In some, persons were smuggled to Kosovo, Bosnia and Albania, while in others the traffic was directed at Turkey, Germany and the Netherlands. Georgian victims are trafficked primarily to Turkey (consistently the primary destination), only occasionally to Greece, Israel, the Middle East and Western Europe. Second, the variety of victim origins varies dramatically for Serbia,
only on sporadic years for Georgia. The Serbian traffic sometimes transported only Moldovans, Ukrainians and Russians disproportionately, but then relied on domestic Roma children in several non-consecutive years. The Georgian traffic predominantly involves domestic victims, as well as transportation from three countries that consistently supply victims from year to year throughout the period: Russia, Ukraine and Moldova. Third, there is a discrepancy in gender and exploitation types: whereas Serbian cases include a variety of promised work opportunities with a higher (though not nearly equal) number of male victims, the year-by-year Georgian trajectory is predictable in its focus on sexual exploitation/forced prostitution and the trafficking of women. Finally, volume differences are notable: Serbian trafficking dramatically peaks in 2009, decreasing only slightly but maintaining a high level; Georgian trafficking peaks in 2006, gradually and consistently declining to a record-low.

The trajectories in the 2000s are summarized in Table 11.

Table 11. Human Trafficking, 2005-12

<table>
<thead>
<tr>
<th>Human Trafficking in Serbia, 2005-2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered</td>
</tr>
<tr>
<td>2005: 53</td>
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<tr>
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<td>2005: 11</td>
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<tr>
<td>2007: 15</td>
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<td>2008: 39</td>
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<td>2009: 38</td>
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<tr>
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</tr>
<tr>
<td>2011: 40</td>
</tr>
<tr>
<td>2012: 29</td>
</tr>
<tr>
<td>Kosovo-Related</td>
</tr>
<tr>
<td>2005: 21</td>
</tr>
<tr>
<td>2006: 0</td>
</tr>
<tr>
<td>2007: 13</td>
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<td>2008: 5</td>
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<td>2009: 34</td>
</tr>
<tr>
<td>2010: 4</td>
</tr>
<tr>
<td>2011: 29</td>
</tr>
<tr>
<td>2012: 12</td>
</tr>
</tbody>
</table>

| Source: Bureau for Coordination of Protection of Human Trafficking Victims. |

<table>
<thead>
<tr>
<th>Georgia Human Trafficking, 2005-2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered</td>
</tr>
<tr>
<td>2005: 13</td>
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<tr>
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<td>2009: 3</td>
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<td>2010: 3</td>
</tr>
<tr>
<td>2011: 4</td>
</tr>
<tr>
<td>2012: 0</td>
</tr>
<tr>
<td>South Ossetia-Related</td>
</tr>
<tr>
<td>2005: 0</td>
</tr>
<tr>
<td>2006: 0</td>
</tr>
<tr>
<td>2007: 0</td>
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<tr>
<td>2008: 2</td>
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<tr>
<td>2009: 3</td>
</tr>
<tr>
<td>2010: 2</td>
</tr>
<tr>
<td>2011: 0</td>
</tr>
<tr>
<td>2012: 1</td>
</tr>
</tbody>
</table>

| Source: National Statistics Office of Georgia, Georgian Ministry of Internal Affairs, TRACCC Center. |

Separatist criminal preparedness and predisposition are immediately visible in Serbia, but not in Georgia. Kosovo human trafficking boasts a regional capacity based on Albanian emigree
communities throughout the region and Europe. South Ossetia’s limited reach is reducible to its Russian border and the contiguity of North and South Ossetia, with no other known emigree communities. One estimate found that by 2005-6, 32% of human trafficking originated from the Balkans, with a solid third of it going through Kosovo (excluding Serbia) (UNODC 2010, p.45).

South Ossetia, on the other hand, is not even among the most susceptible sites for trafficking within Georgia, let alone a major hub. Its traffickers had comparatively little experience. At the very origin of the traffic in the 1990s, the International Labor Organization found that criminals abducted young girls to sell them into prostitution in Turkey (International Labor Organization 2002, p.18). Between 1996 and 2000, 357 women and 71 men were trafficked from and through Georgia, according to the sole imperfect estimates of the Center for Protection of Foreign Citizens and Migrants. They add that “the actual number of victims is twice and maybe three times higher” (Mikadze 2004, p.4). In 2002, 127 trafficked individuals were identified among 577 irregular migrants (Ibid, p.7). An indicative study of 270 irregular migrants in Georgia in 2003 (the closest thing to a representative sample that has been interviewed) by the International Organization for Migration revealed that 33% were from Tbilisi, 28% from Shida Kartli/Mtskheta, and 24% from Kakheti (USAID Caucasus/Georgia 2003). Insofar as this resembles the background of trafficking victims at large in this period, South Ossetia appears to have been marginal.

By the 2000s, the unpreparedness of Ossetian traffickers became certain. Four high-migration (thus high-risk) areas were identified as vulnerable to the human trade in Georgia: Guria and Ajara at the Turkish border, Imerteti at the Russian border (Abkhazia), and Rustavi at the Azerbaijani border. South Ossetia was conspicuously excluded; indeed, a massive anti-

50 The author questions the validity of the distinction made here between voluntarily smuggled and trafficked persons.
human trafficking campaign aimed at education and prevention in 2009 consistently emphasized these four areas alone, acknowledging that South Ossetia was not a major concern in this regard. The lack of connection to the separatist territory in Georgia is especially remarkable given South Ossetia’s advantageous northern position for this traffic. The porous border between Russia and South Ossetia is a frequent point of entry and exit for traffickers into and out of Georgia. The analogous Kosovo-Albania border, on the other hand, is under UN and EU control – less porous and riskier. In the early 2000s, Georgia was ranked as the 3rd most corrupt country in the world, behind only Bangladesh and Nigeria. In this period, bribery was easiest precisely on the Russia-South Ossetia border because Russian guards are more likely to accept bribes and less likely to report illegal activity (Human Rights Information and Documentation Center 2004, p.36; cf.Mikadze 2004, p.16).

Furthermore, in February 2004 separatist president Kokoity proclaimed that 95 percent of South Ossetia’s population had adopted Russian citizenship. Thought surely an exaggeration, it is indicative of the ease with which tens of thousands of Ossetians could travel (German 2006). Even though North Ossetia is the most industrialized republic in the North Caucasus, the traffic has tended to flow into Georgia from Russia.

Finally, another indicator of unpreparedness is that South Ossetian criminal gangs that have engaged in kidnappings of Georgians (1995-2005) have not merged such activity with the much more profitable human traffic. This indicates the absence of a fully-functional criminal enterprise that would transport and exploit its victims over a longer period, assuming international risks. In contrast, Kosovo human trafficking eventually became highly organized and coordinated, including an organ trafficking ring in the early 2000s (Marty 2010) to which we return in Chapter 4. People were systematically kidnapped, transported and operated on for organ
harvesting. This involved not only criminal transporters prepared to sustain organs for transplants, but qualified doctors and accomplices with medical facilities (see Chapter 4). The sporadic kidnappings of Georgians in South Ossetia, by comparison, signal weak organization with no apparent accomplices in Russia or elsewhere (Glonti 2005, p.73).

**Serbian Complicity and Encouragement, Georgian Deterrence Effect**

Surely the most important reason Kosovo traffickers were significantly more empowered and inclined to engage in human trafficking than their Ossetian counterparts was host state effectiveness in curbing, publicizing and stigmatizing the activity. Though separatist territories were effectively outside the host states’ grasps, Georgia’s posture made the traffic far riskier. While Serbia was practically encouraging the traffic by its own complicity, Georgia not only escalated its crackdown but did so well before its 2008 critical juncture. Thus, even if regional trends had been opportune to Ossetian traffickers, they would hardly have been prepared.

While Serbia’s efforts have had sporadic and unsustained success, Georgian law-enforcement measures gradually produced substantial results after an initial period of state complicity. Aggregating trafficking data and state repression measures, the UNODC classifies nations according to their capacity and willingness to limit this criminal branch. While Georgia’s strategy was impressive enough to move it from 3rd and 2nd Tier categories of human trafficking to 1st in 2007 (a rare example among CIS countries), Serbia has never earned a classification higher than 2nd Tier, remaining a 3rd Tier country for more than half the years between 1990-2012. Serbia was a 3rd Tier twice as often as Georgia was. However, it should be noted that the Georgian NGO sector – which played an important role in publicizing the tabooed issue – expressed skepticism over whether such a ranking of Georgia was earned:
This success [moving from 2\textsuperscript{nd} to 3\textsuperscript{rd} Tier ranking] is less a consequence of significant changes in the Georgian legal system nor trafficking conditions in the country. Rather, external actors like the U.S. have an interest in making Georgia look good (Human Rights Information and Documentation Center 2004, p.35).

Georgia’s effectiveness compared to Serbia is nevertheless undeniable. Whereas Serbian law-enforcement consistently failed to raise its standards, Georgian anti-trafficking efforts moved from passivity and complicity to substantial results.

Initially, under Shevardnadze’s regime, the Georgian government’s involvement in human trafficking reached the very top: members of parliament, the State Chancellery and representatives of various ministries directly issued illegal documents to victims. On one occasion, trafficked persons were listed as part of an official state delegation on diplomatic business abroad. In 1995, the connections of Russian and Georgian organized crime were uncovered when a gang of members from different countries recruited girls from Russia, brought them to Georgia to acquire fake passports, and then moved them to Turkey and Greece. The perpetrators included “Georgian customs officers, security and law-enforcement officials” (Mikadze 2004, p.14-6). This continued as late as the first TPR, which found that “[g]overnment officials are suspected of involvement in the production of fraudulent travel documents and in complicity with travel agencies as fronts for trafficking” (2001). The exposure of such corruption elicited violent responses, but elevated the issue sufficiently to justify aggressive anti-trafficking actions by the state in the 2000s:

The FCRS Bureau for Combating Trafficking and Illegal Migration has gathered information at different times on the activity of high ranking officials engaged in trafficking and revealed the fact that trafficking and illegal migration in Georgia was protected by the mafia clan of numerous officials from high legislative and executive bodies (Human Rights Information and
Whistleblower Nugzar Sulashvili and his family received numerous threats from criminals for raising the issue, while his daughter had nearly been kidnapped as punishment. But unlike in Serbia, such a “mafia clan” at the top of governmental power did not survive long after the democratic transition.

Having come under heavy international pressure to address human trafficking in the early 2000s, Georgia aggressively improved its reputation in this regard. In 2003, it was singled out with Turkey, Kazakhstan and Uzbekistan as “the worst nations in the world in preventing [traffic-related] forced prostitution and slave labor” (Open Society Institute 2003). Five years later, it was praised as a leader in effective state strategy to curb the traffic. In 2006, Georgia passed a stringent and internationally-monitored anti-trafficking law, the results of which have been documented (Council of Europe 2012). The Georgian legislation made membership in criminal organizations a sufficient cause for persecution. This approach elicited international controversy but enabled the host state to target criminal leadership and entire hierarchies instead of low-level footsoldiers. Reports regularly praise Georgia’s cooperation with the NGO sector in dealing with smuggling in persons. Furthermore, state funding for human trafficking-specific operations was incomparably greater in Georgia than in Serbia. Whereas Georgia’s 2006 budget had no funds for anti-trafficking measures (Corso 2006), funding assistance for victims was as high as $312,000, excluding funds directed towards law enforcement and prevention (2010). Finally, Georgia sought to ensure that every single conviction for human trafficking resulted in prison sentences, the average of which was 21 years imprisonment.

Serbia’s trajectory was effectively the mirror-opposite. Although equally accosted by the international community for its complicity, Serbia consistently failed to meet “minimum
standards” for qualifying as having any meaningful efforts at curbing human trafficking. Its public reputation stagnated or declined throughout the reported period. Due to judicial ineptitude, confusing laws and low sentencing possibilities, most trafficking-related cases ended in acquittal for a number of years. State involvement in human trafficking was pervasive and constant: “off-duty police officers were caught providing security at venues where trafficking victims were located. Most of these individuals received only administrative sanctions” (2003); “traffickers are often tipped off [by police officials]” before raids (2005); “law enforcement returned a child victim to the family that originally trafficked her to a pedophile” (2006); a deputy public prosecutor was not only aware of trafficking, but himself “sexually exploited some of the victims” (2007); two police officers were “guilty of human trafficking” (2009); “the government did not prosecute trafficking-related complicity during the reporting period [and government] officials convicted in previous years received suspended sentences for trafficking-related complicity” (2010), etc. NGO activities were routinely suppressed, ignored and given responsibilities that the state itself is obliged to fulfill. Serbian funding for anti-trafficking operations was miniscule year-to-year, as were prevention and treatment measures. Whereas Serbia’s funding peak (2012) was $81,400 for anti-trafficking programs and victim assistance, Georgia’s yearly expenditures on the problem were worth hundreds of thousands of dollars.

No Effects on Separatist Success

Neither Kosovo nor South Ossetian separatist movements’ successes in 1999 and 2008 benefited from human trafficking. Timely opportunities for organized crime to instrumentalize the traffic were simply absent. Even the expansion of Kosovo’s human traffic after the critical
juncture cannot be understood as contributing to separatist success. The higher preparedness of organized crime to promote separatism in Serbia than in Georgia was ultimately irrelevant.

**Arms Trade**

In the case of Serbia/Kosovo, a sudden onslaught of illegal arms smuggling from Albania to the separatist region enabled the armed conflict of 1998-1999, ending in Kosovo’s major separatist success. In contrast, South Ossetia had an opportunity for illegal arms imports but lacked a need for them: Russia’s dominant role in sustaining the separatist region’s military capabilities made arms flows unnecessary. More importantly, though the Ergneti Market could have made the illicit weapons trade flourish, its multi-ethnic character thwarted any separatist ambitions. The 2008 Georgia-South Ossetia war was enabled by an attempt to quell the Ergneti market, of which arms smuggling was a minor part.

Therefore, *Kosovo’s organized crime was highly prepared and predisposed, producing a highly positive effect on separatist success; South Ossetia’s organized crime was prepared but not predisposed to support separatism, producing no effect on separatist success.*

**Significant Opportunities and Favorable Regional Trends**

Arms smuggling differs from both drug and human trafficking in being highly sporadic, responding to sudden demand increases (like violent conflicts), and in providing a somewhat non-perishable commodity (guns are rarely purchased but often sufficient for decades without replacement). Whereas drug traffickers count on a continuing market and renewed demand for an expendable good, arms smugglers tend to avoid peaceful areas (even militarized ones) until the
potential arises for regular use of their commodity. This qualification aside, it is undoubtedly true that both Kosovo and South Ossetia had substantial regional opportunities of shifting arms flows.

**Arms Goldmine for Kosovo**

The first instance of escalated separatist conflict in Serbia-Kosovo was in 1998, prior to which the arms traffic exploded due to a fortuitous occurrence in neighboring Albania. In 1997, a veritable state of anarchy resulted in Albania from the collapse of financial pyramid schemes that bankrupted thousands. In the ensuing chaos throughout the country, much of all government weapons of the Republic of Albania (between 40-60%) became immediately available on the black market. Military barracks and police stations were plundered throughout the country. The official estimate is that 650,000 weapons were stolen; a UN Mission Report noted the following arms and munition in the short period between January and March 1997:

- Guns, 38,000;
- AK-47 rifles, 226,000;
- Regular rifles (non-semiautomatic), 351,000;
- Machine guns, 25,000;
- Grenades, 2,450;
- Mortars, 770.

In August, Albania offered amnesty for citizens who return stolen weapons; only 10% of arms and 3% of munition were restored. The vast majority of the remaining loot went to Kosovo – effectively enough to supply a weapon to each member of Kosovo’s total adult population (Stijovic 2007, p.67-8).
The weapons goldmine from Albania directly helped elevate organized crime in Kosovo to unprecedented heights, and to co-optation of the separatist movement. It was after this that Albanian criminal enterprises acquired a monopoly on various criminal branches, including a 40% share of the heroin trade to Western Europe.\textsuperscript{51} A Swiss foundation was established (entitled “The Homeland Calls”), as well as a Tirana-based bank (“Dardalia Bank”), collecting funds from the Albanian diaspora. Donations ranged from 1,000 Deutsche Marks (DEM) to 1000 Swiss francs, or 3% of total income of some donors. In total, roughly a billion DEM were collected in the prewar period under the control of a Kosovo Albanian sympathizer living in Germany. Most of this profit was poured into equipping separatists: citing Austrian and Italian police reports, “[t]he bulk of the profit [of the KLA in 1998 and 1999] was used to purchase weapons in ‘black’ markets of Europe” (Public Safety Bureau 1999, p24).

The direction of the arms flow quickly became apparent. Serbian seizures of illegal arms crossing the Kosovo-Albania border confirmed that most of the stolen weapons ended in Kosovo.\textsuperscript{52} A proceeding at the ICTY at the Hague found that, on April 1998 a road was blocked in Kosovo to intercept 17 tractors full of weaponry and military communication equipment (Stijkovic 2007, p.66).

This culminated in the height of separatist violence in 1998. Although there had been sporadic violent attacks (many of them apparently disorganized vandalism), it was not until 1998 that the number of armed terrorist attacks by the KLA was fourteen times greater in that single year than in the entire preceding seven-year period, 1991-7 (Public Safety Bureau 1999, p.2). The sudden onslaught of armed smuggling, if not solely causing the confrontation, certainly

\textsuperscript{51} The criminal entrenchment became so large that the political turmoil that shook Macedonia in 2000 was a direct result of Albanian organized criminal interests being protected (Hislope 2003).

\textsuperscript{52} For complete list, see Ibid (p.24-5). Interesting seizures included not only conventional weapons, but arms banned under international law, massive amounts of emergency medical equipment, and a surgery set worth half-a-million DEM.
enabled it. By March of 1999, Serbian police and military repression elicited NATO intervention on behalf of separatist Kosovo, giving the province unprecedented autonomy from the host state.

Upon the entrance of peacekeepers, the scope of arms smuggling proved difficult to curb. A striking illustration of the scale of arms trafficking in Kosovo came from British journalists. In 2003 (four full years after the entrance of UNMIK and KFOR), a team of journalists demonstratively purchased 15 kg of Semtex explosives (enough, as they noted, to demolish downtown London) for 15,000 Euros from underground KLA networks. The acquisition was done simply, almost publicly, near British peacekeepers. When the story was published in the British press, the Albanian who had sold the explosives was murdered in Priština (Ljepojevic 2006, p.100).

Deep Roots of Serbia/Kosovo Arms Traffic

The Serbia/Kosovo arms traffic benefited from decades of militarization of Yugoslavia as a whole. Since Tito’s schism with Stalin in 1948, the Yugoslav military leadership had lived in fear of a Soviet invasion:

“All men were soldiers,” and they were expected to be able to stand up to any foreign invader. Weapons were manufactured in various places and distributed all over the country, where they were locally stored. When the wars began, reservists were easily transformed into regular troops. Weapons were smuggled to Western Europe to raise funds for the struggle (Siegel 2003, p.48).

In other words, a sizable portion of Yugoslav military arms and munition (the army was among the strongest in Europe at the time) became susceptible to looting by civilians and separatist militias alike. The wars in Bosnia and Croatia spawned an enormous demand for illicit arms among three ethnic groups. In 1992, the international community imposed comprehensive sanctions on Yugoslavia, prompting the Milošević regime to develop elaborate methods for
circumventing the economic blockade. In order to maintain power, the regime relied on organized criminal funds to finance the emaciated state apparatus that could not give pensions and salaries for citizens and soldiers at bare-existence levels, let alone keep up with munition demands of war in Slovenia, Bosnia and Croatia. A major component of this circumvention was the arming of criminal militias whose gun culture was tolerated and encouraged. Criminologist Radovanovic notes that

…the police have been largely responsible for the existence of organized crime in [Serbia] since 1992. State Security, to be precise. They invited prominent underworld bosses to be their associates in the battle for the Serbian national interests in Bosnia, Croatia, [etc.]. The secret police was through them involved in the plundering, war crimes and war profiteering. They enabled every prominent criminal to have a [Security Service] identity card (Berry 2003, p.86).

The resulting “overlap of the secret service, the underworld and the police” (Ibid) further congealed as one war followed another. State-sanctioned gang violence escalated in all major cities. Ordinary citizens sought to purchase weapons, the most lucrative contraband of the 1990s in Serbia proper.

Regionally, the Balkan arms trade that emerged as Yugoslavia collapsed primarily supplied the separatist republics against Serbia proper, though all were equally under the arms embargo. Saudi Arabia, for instance, violated the UN embargo by “smuggling $300 million worth of weapons to the Bosnian government over a three-year period” despite the presence of “UN peacekeeping troops on the ground in Bosnia” (Brock 2005, p.206).

Though Kosovo was not directly involved in these wars, the 1990s brought the arms trade to the southern province as well. Serbia catalyzed the traffic by adopting a posture of benign neglect if not outright nurturing towards illicit trading in Kosovo in general. Since “[c]riminal organizations provided all the necessary services,” Serbia itself offered “much more indulgence
than overtly admitted” in this situation of “mutual gain and convenience” (della Rocca 1999, p.64). Drained by efforts in three other breakaway territories of the former Yugoslavia, Serbia relied on organized crime to compensate for its failings towards the Albanian minority. As Serbian aspirations to enforce law in the territory lost legitimacy, armed criminal activity also attracted massive popular support as a rightful means of struggle against oppression (Mutschke 2000). Organized crime in Kosovo becomes “a basic pillar of the economy” (Barnett 2002). The arms traffic was a dormant side-effect (Khakee and Florquin 2003).

**Marginal Arms Trade, Prolonged Inter-ethnic Stability through Ergneti Market**

Though not as dramatic and sudden, South Ossetia likewise had a significant opportunity to introduce countless illicit weapons before the 2008 critical juncture (for review, see Darchiashvili 2003). After June 1992, all of the formal weapons supplies of South Ossetia were provided by its northern ally, Russia, whose troops guaranteed its heightened degree of autonomy from Georgia. This Russian arms supply was highly unregulated and overlapping with the illicit traffic, but made a large-scale flow of non-Russian arms largely unnecessary. Demand was largely met, until the crackdown on Ergneti revived it.

For more than a decade after the 1991-92 Georgia-South Ossetia war, there was sustained peace and calm on both sides. By the mid-1990s, the South Ossetian conflict zone had been thoroughly stabilized by peacekeepers, by forced separation of Ossetians from Georgians by checkpoints, and above all by Georgia’s preoccupation on other fronts. Between 1996-8, the checkpoints had been disbanded and a relatively free flow of Russian goods into Georgia had begun (Francis 2011, p.75; p.98). While it was impossible that customs fees be collected by Georgia for these *de facto* imports, the South Ossetians began collecting transit taxes on
everything coming through the Roki tunnel. Simultaneously, Georgia’s Moscow Agreement on a Ceasefire and Separation of Forces in 1994 prohibited the introduction and operation of heavy weapons in the zone of conflict. This Restricted Weapons Zone made the Russian military the sole supplier of arms and training to South Ossetian forces. More than 60% of the national budget of South Ossetia comes from Russian funding, and 100% of documented arms (Lemay-Herbert 2005). 53

This was the birth of the Ergneti market on the South Ossetia-Georgia border: an administrative area that spontaneously drew around 3,000 people daily to trade in a variety of goods – including arms, though not substantially. Technically illegal, this site became the leading center of Georgia’s grey economy, incorporating segments of local South Ossetian as well as Georgian authorities. Dire economic circumstances among host state and separatist communities alike made the vast opportunities for customs-free commodity trading irresistible. In addition, parts of Georgian leadership tolerated Ergneti because of their own complicity in smuggling rings; others remained passive because they saw the development as a welcome enhancement of the peace process. “Safeguarding Ergneti as a symbol of Georgian-Ossetian friendship, but also as a source of illegal income” became a “top priority” for local officials (Independent International Fact-Finding Mission on the Conflict in Georgia 2009, p.104). The arms trade was present but peripheral; no South Ossetian separatist causes in this period have been found to rely on weapons themselves or profit from the arms trade. While Abkhazia, Georgia’s second separatist region, receives mention as a hotbed of separatist organized crime (including trafficking aimed at arming anti-Georgian fighters), South Ossetia is conspicuously absent as a significant site (Kukhianidze 2007).

53 The International Crisis Group in Tblisi estimates the budget portion to be closer to 90%.
In 2004, however, the new presidency of Saakashvili (expanding on the view of his predecessor Shevardnadze) launched an assault on Ergneti as a symbol of South Ossetian corruption. The peace process was a farce, it was argued, as the status quo was nothing more than organized crime masquerading as inter-ethnic cooperation. Smuggling operations had become the central rationale for Georgia’s attack on its northern separatist region: a comprehensive plan for reintegration of South Ossetia ensued under the (seemingly sincere) belief that South Ossetians would widely welcome a Georgian crackdown on smuggling. Georgia now saw Ergneti as an unbearable burden. Enormous revenues were being lost due to the absence of any taxation. The state’s impotence in regulating Ergneti threatened markets in Georgia proper (including bread prices). The host state’s international image was seen as being threatened, especially given Russia’s satisfaction with South Ossetian transference of Russian goods.

Georgia thus “tried to drive a wedge between the separatist authorities and the local population of South Ossetia” (Independent International Fact-Finding Mission on the Conflict in Georgia 2009, p.13). An independent fact-finding mission report characterizes the emergence of Ergneti as a “confidence-building measure” and a veritable part of the “peace process.” Georgia was initially passive, and tacitly in agreement with this nonviolent stalemate, but soon began insisting it was unacceptable. The first objection (in 2002) was that Ergneti was a Russian front supplying weapons and funds to separatists on Georgian soil. The second, more sustained objection (after 2003) was that South Ossetia was a “criminal problem – a piece of land run by a criminal clan,” regardless of ethnic or separatist overtones (Ibid, p.92). The end-result was that Ergneti eventually became a self-inflicted problem. Many Ossetians who had no other means of income became dependent

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54 The scandal surrounding smuggling of highly-enriched uranium was a key component of this campaign. See Chapter 4.
on the smuggling operation for their livelihood. When the
Georgians eventually closed down Ergneti market in June 2004
this was not perceived by the Ossetian leadership as either a police
or an anti-smuggling operation, nor was it widely welcomed by the
Ossetian population, as the new Georgian leadership might have
expected. Instead, it was perceived as yet another unfriendly act by
a belligerent Georgian Government harming the South Ossetian
people (Ibid, p.104).

Georgia in effect legitimized an anti-separatist crackdown as an anti-smuggling measure. The
very first instance of separatist culmination came as a reaction to the host state’s anti-smuggling
campaign in 2004. South Ossetians, by then collectively reliant on Ergneti for their livelihoods,
perceived the campaign as an attack on their ethnic community. The “backfire” effect of
Georgia’s anti-crime campaign in South Ossetia have been the subject of a leading analysis
(George 2009; Tatum 2010).

Prior to the crackdown, there was “cooperation to maintain smuggling corridors in South
Ossetia” (George 2009, p.138). Although the Roki Tunnel – controlled by South Ossetians,
backed by Russian troops – smuggled $10 million a month into Georgia without taxes, it also
had the unintended consequence of pacifying the separatist conflict. “The Ergneti smuggling
market in South Ossetia offered,” Kukhianidze concluded, “an opportunity for interethnic
stability that years of confidence building could not deliver” (Kukhianidze 2009, p.224). The
moment Georgia withdrew its tolerance and implicit encouragement of the Ergneti Market
smuggling, its scale plummeted but separatist tensions again slid towards violence (Cornell 2005,
p.49; see also Freese 2005).

The escalating tensions reawakened the arms trade – legal and illegal. In the summer of
2004, Georgian forces seized nine full trucks of arms and munition being transported by Russian
troops. Though Russians insisted the weapons were their own, Georgia was probably correct in
alleging they were intended for South Ossetian separatists (Independent International Fact-

Finding Mission on the Conflict in Georgia 2009, p.107). After a failed plan of full military occupation of South Ossetia by May 2006 (including regaining control of the Roki Tunnel), Georgia entered “a period of unprecedented militarisation,” with a plan to join NATO in record time, a bolstered military budget (“by 2008 the imports of weapons reached USD one billion – an astronomical amount by Georgia’s standards”), a rejection of peacekeeping operations in separatist regions, and a demand for Russian withdrawal from South Ossetia. Offensive weapons purchases skyrocketed in this period, primarily from OSCE countries – supposed mediators in the South Ossetia dispute. In reaction, Russian arms flows to South Ossetian local authorities rose, as did Russian military preparedness on the border.

War erupted in 2008. In the subsequent years, “most able-bodied men in South Ossetia [who] took up arms to protect their homes” were armed by Russian military supplies directly. Without its own formal army, South Ossetia organized its fighters in militias (opolchentsy). In addition, North Ossetian and Russian irregulars crossed the border in the thousands to fight in the conflict (Ibid, p.193; p.352). By 2009, South Ossetia’s ambassador to Russia remarked that “[a]s many as there are people in the population, that’s how many weapons there are,” referring to privately-held guns in South Ossetia (Ellen 2009).

Positive Effect on Kosovo Separatism, Negligible on Ossetian

Both Kosovo and South Ossetia had significant opportunities for criminal arms flow – albeit in different ways – preceding their respective critical junctures. However, while Kosovo smugglers were fundamentally predisposed to channeling arms directly to armed separatist struggle, the South Ossetian criminal infrastructure not only had no need for arms but was opposed to separatist escalation. Given Russia’s generous military supplies to South Ossetia, and
given the peaceful period between the two Georgian wars, organized crime simply had no interest in smuggled weapons. Furthermore, the Ergneti Market – while having full capacity to host a flourishing, undetectable arms traffic – was such that weapons were not a strategic commodity to promote. The multi-ethnic character of organized crime in South Ossetia was diametrically opposed to the ethnically charged, highly separatist criminal organization in Kosovo. The KLA took advantage of the deep-rooted arms trade in Serbia and the onslaught of weapons from Albania in 1998, while South Ossetian militias only turned to violence (and weapons smuggling) after the shutting-down of Ergneti.

Conclusions

The preceding chapter illustrated the usefulness of differentiating organized crime as an agent from the separatist movement on the one hand, and the host state on the other. This chapter has demonstrated that further disaggregating different branches of organized crime can also be illuminating. Some regional and global shifts in flows of illicit commodities preceded critical junctures of separatist success. But others did not. To speak of “geographic advantage” or being a criminal “hub” requires that we specify what precise traffic and when. It is not the case that certain separatist movements are destined by geography or climate to dabble in criminal funding. More importantly, not all illicit commodity smuggling is conducive to separatist success.

Aggregate criminal opportunity in the form of drug and arms flows was present for both separatist movements. Opportunity through human trafficking flows was not. Timing was here less important than the nature of the commodity. For Kosovo, the regional human traffic opportunity (mid-1980s – 1992) preceded regional drug traffic opportunity (late 1990s), but the benefits were simply more difficult to extract. Criminal profiteering from IDPs, refugees,
prostitutes, etc. was a laborious task compared to profiting from drugs in the late 1990s – let alone diverting such resources to separatists. Drugs could easily be sold for arms – if willingness to support separatism encouraged such a conversion.

Opportunity, however, is nothing without an endogenous criminal filter. Two conditions relating to organized crime have to align for regional patterns to convert to separatist aid: (1) the criminal capacity to meaningfully participate in the regional trend has to be matched with (2) a willingness to divert funds, resources, etc. to the separatist movement. What I have called criminal filtering is the *sina qua non* of separatist benefit from organized crime. But, as we see with the arms opportunity in South Ossetia, the separatists cannot overcome criminal unwillingness. Analogously, as we see with the drug opportunity in South Ossetia, organized criminal willingness to support separatism cannot overcome the lack of preparedness to exploit regional opportunity.

The criminal filter for human traffic was quite predisposed in both Kosovo and South Ossetia – but to no avail. In order for separatist movements to benefit in any way from organized crime at the critical junctures, aggregate crime patterns had to be favorable before those junctures. Organized criminal networks in both sites – more than willing to kidnap, forcefully expel, escort, etc. at the host state’s – simply had nothing substantial to filter. Thus both Kosovo and South Ossetia *could not have had* human trafficking benefits (in the form or profits, mercenaries or refugee hostage exchanges) because regional flow trends were unfavorable before 1999 and 2008, respectively. Separatist movements in small and underdeveloped societies such as Serbia and Georgia are dependent, ultimately, on broader macro-criminal patterns if they are to benefit from organized crime.
Overall levels of organized criminal activity through smuggling give a highly distorted picture if not disaggregated. Aggregate criminal flows were at their highest before Serbia’s and Georgia’s critical junctures. The five-or-so years preceding 1998-9 in Kosovo and 2008 in South Ossetia were the zenith of smuggling volume and criminal enterprise. Borders were largely symbolic, gangsters controlled more transit than the host state did, and illicit, black trade far outpaced the formal economy. Yet the two criminal opportunities resulted in diametrically opposite effects for separatists: unprecedented success for Kosovo, obstruction for South Ossetia. The principal reason is apparent only when we disaggregate according to commodity. Ergneti was nonviolent, arms and drugs were marginal, and the bulk of the smuggling was of everyday goods (the key impetus for a local, inter-ethnic market). The Kosovo-Albania border smuggling, on the other hand, was primarily of arms and drugs (best sold outside Serbia/Kosovo; with only ethnic and separatist local demand). The specificity of weapons, in particular, seems to have the most potential for aiding separatist movements; the KLA’s pivotal leverage over the host state came with guns, even though they had already monopolized the hard drug market for years prior. Their preparedness coalesced with their predisposition for all the traffics, but this constellation was most effective in arming a separatist militia.

Finally, a purely state-centered explanation of separatist success would be misleading. State repression is revealed to be partly differentiated according to commodity as well (curbing of human traffic can be effective while simultaneous crackdown on other branches is feeble). More generally, the state crackdown on Kosovo before the 1999 critical juncture was far more intense (and brutal) than the state crackdown on South Ossetia before its 2008 critical juncture. Milošević’s campaign was, by any measure, more aggressive and incendiary than Saakashvili’s. But a central factor provoking both crackdowns was precisely organized crime: KLA smuggling
in Serbia, Ergneti smuggling in Georgia. The divergence in results can hardly be explained without an appreciation of the profound difference in these two criminal enterprises. While the arms traffic was highly conducive to separatist escalation (with a fortuitous circumstance in Albania, and the preparedness and predisposition of the KLA to exploit it), the Ergneti market was not only adverse to separatist mobilization, but was pro-actively undermining it. Though the preparedness of the Ossetian militias to exploit the arms traffic was at least as strong as the KLA’s, there was simply no criminal willingness to divert arms for separatist purposes. The relative extent to which criminal enterprises were localized in the separatist territory or not – a crucial determinant of preparedness – directly contributed to the effects of the state crackdowns.

Thus far, we have moved from the broad, macro-analytic Chapter 1 to increasingly narrower scopes in Chapters 2 and 3. I have shown that disaggregating organized crime between host state territory and separatist territory, as well as into three particular traffics (drugs, human, and arms), reveals nuanced causal links to separatist movement success. We now turn to the closing Chapter 4, which will take the most micro-analytic lens of all: I focus on two highly temporally-bound and particular criminal episodes – human organ and highly-enriched uranium smuggling. Given their nefarious nature and peculiar criminal minutiae, these two episodes shed further light on the ways organized criminal activity can impact separatist success.
CHAPTER 4
NEFARIOUS CRIME AND SEPARATIST STIGMA:
CRIMINAL INFRASTRUCTURE, AUTONOMY AND COMMUNITY IN THE ORGAN
AND NUCLEAR TRAFFIC

In Chapter 3, we saw how endogenous factors (criminal preparedness and predisposition) determine whether exogenous factors (regional smuggling opportunities) end up aiding or hindering the separatist movement. I suggested that organized crime acts as a filter, and that South Ossetian organized crime was sometimes unprepared or unwilling to take advantage of smuggling opportunities towards promoting separatism; in contrast, Kosovo’s criminals were consistently prepared and predisposed to do so. Drug, arms and human trafficking, however, are not the only indicative criminal branches that have impacted on separatist success.

In this closing chapter, I address the question: under what conditions does nefarious organized crime harm the separatist movement? I examine two distinctly nefarious organized criminal episodes – organ smuggling in Kosovo and nuclear trafficking in South Ossetia – the exposure of which has impacted directly on the trajectory of separatist movement success. Namely, both of these nefarious episodes became public scandals that undermined separatist movement success; they justified repression from the host state (in the case of South Ossetia) or international military authorities (in the case of Kosovo). I argue that nefarious crime harmed South Ossetia’s separatists more than Kosovo’s because organized criminal capacity was greater in Kosovo, thus containing the harm.

I explore the differences in organized criminal capacity according to three dimensions: (1) criminal infrastructure, as reflected in control of borders and sites; (2) criminal autonomy, as reflected in the ability to leverage separatist ideology and to instrumentalize movement institutions; and (3) criminal community, as reflected in levels of discipline, fear and clan-based solidarity.
Nefarious Organized Crime: Scandal, Profit and Risk

The two episodes – organ harvesting in 1999-2000 and HEU trafficking in 2006 – were the only two exposed nefarious criminal incidents in the period under study. Whereas profiteering from drugs, arms and the like can readily be justified in conditions of ethnic/national tension, organ and nuclear trafficking carry a nearly universal stigma that makes them practically impossible to justify when exposed. Undoubtedly, the scandals were exaggerated by tabloids, opportunistic intelligence services and sensationalist politicians. But both separatist movements incurred tremendous cost to their credibility and overall capacity, as Serbia and Georgia exploited the exposure to push for reintegration – within their means. KFOR/UNMIK and later EULEX sought separatist leadership accountability in Kosovo, and Georgia (with NATO and IAEA backing) sought to reintegrate the separatist province.

In both cases, the nefarious episode served as the decisive validation of aggressive crackdowns on separatism. Though certainly not sufficient causes, they served as the “last drops in the bucket” that motivated an onslaught of bad publicity, threats of sanctions, exclusions from international forums, diplomatic pressure, persecution attempts, and declines in domestic confidence from separatist constituencies. The two nefarious episodes offer a convenient opportunity to explore the independent impact of organized crime on separatist movement success.

Two Nefarious Criminal Episodes

Despite conspicuous differences in the nature of the commodity, the resemblance of the organ and nuclear traffics is considerable. First, they are both supply-side ends of regional chains that transport contraband desired by desperate people: dying or suffering patients in want of
organs on the one hand, and terrorist fundamentalists or terrorist states on the other. Both rely on
a pool of educated and skilled – if unemployed – doctors and medical technicians (organ
harvesting) and scientists and engineers (nuclear trafficking) with the expertise to ensure quality
or expedite extraction. Both nefarious enterprises profited individual criminals. There is no
evidence that returns or earned favors were directed to the separatist movements per se, as was
occasionally the case with arms smuggling for both movements.

Furthermore, both nefarious episodes were embedded in other criminal branches in two
senses. First, they both developed after the establishment and extension of networks of
smuggling in more traditional contraband such as drugs, cars and persons. Neither created new
geographic paths ad hoc, but were encouraged by previous criminal experiences, connections,
means of protection and transportation. Second, both required the patronage of state-affiliated
actors who cooperate for profit. Security guards, border and customs officers, security service
employees, and government officials with information on risks and opportunities, appear at every
critical step of the two traffics. In addition, indispensable expertise came from individuals
affiliated with the state apparatus (whether of the two host states, Serbia and Georgia, or of the
patron-states of the two separatist movements, Albania and Russia).

In the 1999-2000 case, vital organs seem to have been the primary contraband
(numbering in the dozens). They were harvested from a subset of documented abductees (“most
conspicuous” as “victims of organized crime”) “taken into central Albania to be murdered before
having their kidneys removed in a makeshift operating clinic” (p.24-25). “The kidney travels
well,” able to last up to forty hours in an ice box during transportation; hearts can only last four
to six hours (Scheper-Hughes 2003). Organ trafficking through Kosovo probably could not have
involved procedures as complex as removal of livers and hearts, but less sensitive organs like
kidneys (worth $15,000 in Iran, $250,000 in the US), eyeballs ($1,525 for a pair), spleens ($508), small intestines ($2,519) and the like, are more likely to have been harvested (Flottau 2008, p3). Another possibility is “blood farming,” milking victims for blood for extended periods ($25-$300 a pint), a less profitable but more reliable method given the difficulties of transportation from Albania’s mountainous north. Estimates of annual profits generated by the organ trading market globally range from $600 million to $1.2 billion. The bulk of this illicit market is in kidneys, which alone account for half-a-billion to $1 billion yearly – some 5-10% of kidney transplantations worldwide are accounted for by the traffic (Haken 2010, p.21).

The organ smugglers in 1999-2000 were pioneers in their region, achieved profits above average, and were exceptional in their violent method (kidnapping and murdering donors). A World Health Organization estimate in 2007 found that the bulk of the kidney market involved voluntary donations (Budiani-Saberi et al. 2008). Kidney prices can range from $10,000-$150,000, depending on the urgency of the buyer’s need, the risk of transportation and whether the organ is bought or extracted by force. The profit in Kosovo’s organ traffic was especially lucrative for the middle-men, as suppliers were unpaid abductees. Among the world’s most prominent “kidney bazars” are Pakistan, India and Turkey. It was to the last of these destinations that Kosovo’s organ traffic was directed – average profit by kidney traffickers in Turkey is estimated to be $10,000 (Jafar 2009).

In the 2006 case, the smugglers reported (to law-enforcement, unknowingly) that they plan to sell 2-3 kg of HEU for $30 million. The agreed-on price was $1,000,000 for 100 grams – $10,000 per gram (p.2). Less than 20 kg of HEU is required to construct a viable atomic bomb, while 40 kg could transform a non-state actor into a veritable nuclear power. Contrary to popular

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belief, the dominant concern among experts is not whether terrorists have the capacity to build a bomb, but whether they can accumulate enough weapons-grade material to fuel it. The known amount of unsecured (“loose”) nuclear material that could in principle reach dangerous hands reached unprecedented heights in the post-Cold War period: “enough highly enriched uranium (HEU) and weapon-grade plutonium remain in the world to build tens of thousands of nuclear weapons” (Kupatadze 2010, p.219). The number of interested, organized and fanatical buyers is even greater – by a factor of at least ten (Schmid and Wesley 2006).

The HEU episode was a landmark case because the HEU was found to be 89% enriched (“weapons-grade”), thus fully suitable for military purposes and nuclear weapons. The investigators, the media and possibly the smugglers themselves were all in disbelief that the enrichment level was as high as that before US tests confirmed it. Most incidents in this domain never amount to more than exaggerations and misinformation on the part of eager sellers, boastful police officials or alarmist governments soliciting international aid. The “realm of nuclear trafficking…is littered with rumors and outright scams.” Despite the skepticism this injected into the market, demand was enormous and profit was easy to concentrate in very few hands: the “four middle-aged grifters” who sought to sell to a Turkish buyer “were convinced they were about to become millionaires” instantly (p.1-2).

Sources: Council of Europe and Belfer Center Reports

Two documents serve as the main sources for this chapter: a Council of Europe (CE) report on an episode of organ smuggling in Kosovo between 1999-2000, and a Belfer Center (BC) report on an episode of nuclear smuggling in South Ossetia and Georgia in 2006. Due to the authors’ access to relevant sources, duration of investigation and reasonable impartiality,
these documents provide the best available expositions of the scope, nature and chronology of
the nefarious criminal episodes in the two cases. They can be considered the most reliable
accounts of two scandals that have been saturated with misinformation, propaganda and
tabloidization.\textsuperscript{56} They will occasionally be supplemented with other investigative reports,
journalistic, scholarly and government (Sheets 2008; Sokova et al. 2007; Schmidle 2013; Institut
fur Europasische Politik 2007).\textsuperscript{57} Due to the singular nature of markets for human organs and
enriched uranium (unstable, uncertain and highly stigmatized) (Shimazono 2007; Zaitseva and
Hand 2003), these two episodes may reasonably be considered representative of the nefarious
criminal branches at large. They are the only two to have been exposed at length in Serbia and
Georgia.

The CE report was produced by an investigative team headed by Swiss prosecutor Dick
Marty, commissioned by the Parliamentary Assembly of the Council of Europe and later adopted
in 2011 (Marty 2010). Marty’s team spoke to scores of KLA insiders (ranging from foot soldiers
to commanders), IGO and NGO specialists, and officials from all institutions with relevant
jurisdiction before and after the recorded period of the traffic: the Kosovo Force of NATO
(KFOR), the United Nations (UN), the Hague-based International Criminal Tribunal for War
Crimes in Yugoslavia (ICTY), the Serbian government and Belgrade-based War Crimes
Tribunal, and the European Union Rule of Law Mission in Kosovo (EULEX). The team also
visited relevant sites where organ harvesting took place. First-hand witnesses of the nefarious
criminal activity included “drivers, bodyguards and other ‘fixers’ who performed logistical and
practical tasks aimed at delivering the human bodies to the operating clinic,” in addition to “the

\textsuperscript{56} References to the CE and BC reports pages will be noted alone in brackets in the text; all supplementary sources
will be noted separately.
\textsuperscript{57} See also German Secret Service report “BND Analyse vom 22.02.2005,” February 22\textsuperscript{nd} 2005, available at
Wikileaks.org.
'organisers’, the criminal ringleaders who […] entered business deals to provide human organs for transplantation purposes in return for handsome financial rewards” (p.25).

Analogously, the most in-depth and credible report on nuclear smuggling in Georgia/South Ossetia was prepared for the Managing the Atom Project at Harvard’s Belfer Center in 2008; it is part of a series entitled “Securing the Bomb,” commissioned by the Nuclear Threat Initiative, a credible non-profit (Bronner 2008). This detailed account of a 2006 seizure of Highly Enriched Uranium (HEU) by Georgian authorities traces the landmark (failed) smuggling operation and provides details on perpetrators, their backgrounds, the nature of their criminal infrastructure, and the chronology of events leading to exposure. For the report, journalist Michael Bronner interviewed dozens of US and Georgian officials (including investigators, prosecutors and law-enforcement authorities who captured the smugglers), first-hand witnesses of the traffic, those who interrogated the criminals, and NGO specialists covering Georgian organized crime. The report also synthesizes documents and other evidence from the Department of Energy, the FBI’s Weapons of Mass Destruction unit, the Russian security service (FSB), and the International Atomic Energy Agency (IAEA). Bronner also traveled to relevant sites related to the traffic. It can likewise be said, therefore, that this report covers sources from all institutions with formal jurisdiction over the territory where nuclear smuggling occurred.

**Contextual Advantage: Four reasons Kosovo was more vulnerable than South Ossetia to Exposure of Nefarious Crime**

I contend that South Ossetian separatism endured greater harm from the nefarious criminal episode *despite* four contextual reasons that made Kosovar separatism much more vulnerable to harm from nefarious crime exposure.
Reason 1: Extent of Separatist-Criminal Connection

Insofar as plausible deniability was a factor minimizing harm, the genuine extent of criminal affiliation with separatist leadership and ideology is a crucial determinant. One would expect the exposure of nefarious organized crime to harm the separatist movement more when the two are indeed congruent. In the case of Kosovo, the criminal-separatist connection was direct and glaring. In the case of South Ossetia, the criminal-separatist connection was obscure and indirect at best.

The criminal entrepreneurs in the 2006 HEU case were entirely unaffiliated with separatist institutions and doctrines. The four apprehended culprits, though sympathetic to the Ossetian nationalist cause, had no known ties to the Kokoity oligarchy or to the preceding, Chibirov one. They had no records of service in Ossetian militias, or of any positions in the Tskhinvali bureaucracy. In contrast, the organ smuggling ring was run by the separatist movement leadership. The organizers were KLA commanders at the highest level, led by Hashim Thaqi. Accomplices in the traffic beneath him included Xhemshit Krasniqi, Kadri Veseli, Azem Syla (Thaqi’s uncle), Sabit and Riza Geqi, and Fatmir Limaj (p.20) – more than half of surviving separatist leaders after 1999.

Both nefarious criminal enterprises were unmistakably motivated by profit. However, while the Kosovo criminal organization was at least draped in the cause of separatist national liberation, the HEU criminals did not at all hint at Ossetian/Russian nationalism or separatism. On the contrary, the HEU smugglers alleged solidarity with Islamic fundamentalists and other enemies of Ossetia’s patron, Russia. Their intended customer (in fact an undercover policeman) was an Al Qaeda representative. An interviewer recalls that the head smuggler...told me that when he watched the twin towers fall on TV he had celebrated, and he talked excitedly about how “nine grams can
bring down the elephant” - meaning that a tiny amount of nuclear material could bring down the entire United States. And that was his goal (Walker 2010, p.10).

This is the only motivation (outside profit) that can be attributed to the HEU episode, for which there is any evidence. An analysis of this nefarious market in Georgia/South Ossetia concludes that “radiological trafficking […] is mainly profit-driven and opportunistic,” setting it apart from typical “terror-crime nexus” groups that combine economic and ideological motives explicitly (Kupatadze 2010, p.220).

Even the HEU criminals’ status was modest. Indeed, the criminal command hierarchy outside the four captured men is unclear. Oleg Khintsagov, the ringleader and sole Russian, was a 49-year old auto-mechanic from Nogir in North Ossetia. Investigators found he had contacts in Vladikavkaz, the capital of that Republic, but no membership with pro-Ossetian separatist groups in Russia. Khintsagov opened a small trading company in the 1990s to import various goods into Georgia through South Ossetia – he was thus an incidental beneficiary of the Ergneti Market, only tangentially associated with the dominant Tedeyev Clan. Three of the four (in their early 30s) were Georgians from around Kazbegi, a secluded town bordering South Ossetia (but outside it) at the base of one of Georgia’s highest peaks. These low-level foot soldiers – Vaja Chikhasvili, Henry Sujashvili and Revaz Kurkumuli – were childhood friends who “had been working together for years in legal and illegal businesses before the HEU trafficking” (Kupatadze 2010, p.225). Khintsagov’s connections to the Russian mafia and elements of the Russian security apparatus are suspected but unclear, except that they must be distant (p.19-20). None of the criminals had war-related experiences or crimes to speak of.

The organ traffickers, in contrast, were criminal elites with outstanding separatist credentials. The group is credited with triumphing over rivals in turf wars to monopolize the
major criminal branches between Kosovo and Albania – the Drenica Group, named after Kosovo’s Drenica Valley and headed by Thaqi, “wrested control of most of the illicit criminal enterprises in which Kosovar Albanians were involved in the Republic of Albania, beginning at the latest in 1998” (p.14). They were not only seasoned criminals with regional reputations, but veterans in the separatist liberation struggle. Thaqi, Haliti, Veseli, Syla and Limaj are credited with “assassinations, detentions, beatings and interrogations in various parts of Kosovo” and its southern neighbor “in the context of KLA-led operations on the territory of Albania, between 1998 and 2000” (p.16). The Drenica Valley was simultaneously a criminal heartland of the separatist territory and the most successful site of resistance to Serbian state violence.

While nefarious crime in Kosovo was independent of Serbian territory, the Ossetian nefarious traffic flowed into the host state proper. To be sure, HEU smugglers relied on Ossetian and Russian organized crime to (unsuccessfully) participate in the specialized traffic. The very first information that eventually led to the successful investigation and arrests came from the separatist territory: “[t]he report came from South Ossetian criminal contacts run by Georgian intelligence” (p.8). Furthermore, a major concern of law enforcement was that the suspects would flee to this region in particular “to the safety of the conflict zone” (p.11). The smugglers clearly exploited kinship- and clan-based social capital to seek out customers, explore the market and plan their escape. The general atmosphere of “reports of nuclear chit-chat in criminal circles in South Ossetia” (p.8) was surely symptomatic of a broader pool of accomplices. But the criminals themselves – three of them Georgian, after all – were hardly in any position to exert leverage through separatist movement institutions. Indeed, their infiltration of the host state was seemingly greater than that of the separatist movement. Khintsagov relied on his cousin, a former Georgian customs officer, for travel across the Russian-Georgian border (Bronner 2008, p.10).
In addition, Chikhasvili was a Georgian Ministry of Internal Affairs Security Guard, enabling transit from Russia. One could just as easily argue that the nefarious crime was a Russian-Georgian affair instead of a Russian-Ossetian one.

In Kosovo, there was little ambiguity as to the nefarious episode vis-a-vis the separatist movement. The CE report centers on the “collusion between the criminal class and high political and institutional office bearers” (p.10). The organ traffic was enabled – and partly inspired by – separatist officials’ privileges. Their capacity through Kosovo institutions extended not only to border-crossings but to

…running the KLA’s ad hoc network of detention facilities on the territory of [neighboring] Albania; and for determining the fate of the prisoners who were held in those facilities, including the many abducted civilians brought over the border into Albania from Kosovo (p.16).

While knowledge of Ossetia’s criminal involvement was limited, NATO analysts as well as four independent governments’ intelligence services concurred that Thaqi was “the most dangerous of the KLA’s ‘criminal bosses’” (p. 15). Leverage even included collaboration with the Albanian secret service through Veseli, “a kingpin of the Drenica Group” (p.19).

Finally, not only was the HEU traffic comparatively isolated from separatist movement patronage – it was far more improvised and independent of any superordinates above Khintsagov himself. The BC report indicates that their planning even for mundane steps in the traffic was unstable:

[T]he original plan had been for Oleg [Khintsagov] to pass the HEU to the three Georgians for them to deliver in Tbilisi, but Oleg surprised them by saying he would cross over and travel with them to the meeting, keeping the material in his possession (p.9).

Thus not only were travel and transportation uncontrolled by criminal separatist channels, but the bottom of the criminal hierarchy itself was seemingly more flexible and erratic in the process.
The organ harvesting activities, in contrast, “were seemingly co-ordinated and covered up according to a premeditated, albeit evolving, overarching strategy on the part of the leadership of the Drenica Group” (p.18). The institutional congruence of the Drenica group with the separatist movement hierarchy could not have been greater: “KLA units and their respective zones of operational command corresponded in an almost perfect mirror image to the structures that controlled the various forms of organised crime” (p.14).

In sum, it was far more difficult for state propagandists, investigators, judges, journalists and analysts to credibly tie nefarious crime to South Ossetian separatism than to Kosovar separatism. Uranium smuggling was only tangentially related to South Ossetian separatists. Both host states (Serbia and Georgia) waged aggressive propaganda campaigns to equate the separatist movement with organized criminal interests based on sensationalist tales of the nefarious criminal episodes. Georgia’s claims were much further from the factual record – but more detrimental to the reputation of the Ossetian separatist cause.

Reason 2: Organ Harvesting was More Difficult, Riskier, Attracted Greater Stigma

Whereas media sensationalism nurtured an awareness (and fear) of organ trafficking disproportionate to its actual prevalence (Meyer 2006), public perception of nuclear smuggling is agreed to be inadequate even by anti-alarmist experts (Frost 2005). The bodily harm and graphic nature of organ harvesting may make it appear that uranium smuggling is hardly as gruesome. In fact, judging by the potential causalities and scale of destruction, the latter is objectively far more dangerous. Popular intuition and international norms, however, suggest the opposite. The process by which a few hundred grams of enriched radioactive material in the hands of a fanatic in Berlin may cause unprecedented nuclear meltdown appears somewhat abstract and fantastical; the
process by which a kidnapped teenager being mutilated with a scalpel leads to a desperate buyer in Istanbul appears personal and dramatic. For this reason among others, organ harvesting is not only riskier and more demanding but is treated (by public opinion as well as by international and most national laws) to be more egregious than uranium smuggling, inviting harsher penalties and greater stigma.58

The particularity of the crimes in Kosovo invited stigma additionally. Organ harvesting appears egregious because it involves at least an assault on human dignity (in voluntary cases), at most on basic human rights to life and security (in abduction cases). The Kosovo harvesting episode involved exclusively the latter, involuntary practice. Crimes included kidnapping/abduction, imprisonment, human trafficking across an international border (Yugoslavia-Albania), torture and murder. In contrast, the HEU smugglers were guilty of theft, smuggling and bribery – nonviolent crimes. The BC report assumes an alarmist tone (p.i-ii) in part because these may appear to readers as trivial, victimless crimes. At best, the charge of directly aiding terrorism can be applied; it is practically impossible to prove, and even then pales in comparison to what smugglers of human parts are routinely convicted of.

Furthermore, the logistical challenges of organ smuggling were overwhelmingly greater. Exposure (and repercussions for separatists) was thus far more likely. The main pressure was time: organs required careful but swift transportation across guarded borders, with the risk of the entire enterprise becoming futile measured in hours. Secured deals with trustworthy buyers must precede organ extraction, otherwise harvesting is wasted. Enriched uranium, on the other hand, can maintain its black market value for years. Indeed, those in illicit possession rarely rush to

58 For overview of international organ smuggling, see Shimazono (2007) and Budiani Saberi et al. (2008). For legal frameworks, see Delmonico (2009). For an “undercover ethnography” of the illicit organ trade, see Schepers-Hughes (2004). For uranium smuggling overview, see Zaitseva and Hand (2003). For practical and legal ramifications, see Cochran et al. (2008).
advertise it, but wait instead for suitable buyers or for demand to increase with wars or unrest. Smugglers sometimes wait for years for contacts with potential clients. Khintsagov claimed to have bought his commodity in 1999. He “sat on it for five or six years” at least (p. 17). A sizable portion of the BC report describes the many repeated occasions when smugglers rescind on an offer, partner, meeting place or time, agreed-on method of exchange, etc. Organ traffickers have no such luxury.

Transportation requirements also added relative advantages to uranium smugglers. Carrying enriched uranium discretely is trivial compared to a kidney. A small plastic bag with the HEU made its way (presumably) from Russia through South Ossetia to Kazbegi and into central Georgia in a coat pocket and an ordinary briefcase (p. i, 12). It could not cause radiation to its carrier, nor did it require any protective casing. Simple concealment almost guaranteed discrete transport across customs and administrative checkpoints:

when the smugglers passed the Russian and Georgian border posts on either side of Kazbegi with 100 grams of highly enriched, weapons-grade uranium, they successfully navigated not only the Russian and Georgian border guards on duty that day, but two sets of US-funded nuclear “portal monitors” – radiation detection sensors installed on either side of the line specifically designed to prevent exactly that (p. 9).

Though the smugglers did in fact rely on complicit border officials to ensure secure transit, this was not at all necessary – it was an added precaution. Namely, the radiation portal monitors installed around the Caucasus – and especially those at the smugglers’ Kazbegi crossing – were unreliable and known to be ineffective. Border officials readily confessed to tourists “that they hang there broken or inoperative a lot of the time” (p.9). Incompetence, lack of training and unpredictable electricity outages reduced the outdated scanners to mere decorations:

Power outages are a big problem because the equipment requires rebooting every time power is cut. “Under the old [government]
system, I mean, we lost power here a lot. Every day, ten times a day or more,” […] “At some point, people just said, ‘The hell with turning— I mean, we gotta walk 100 meters to turn it back on.’ So they didn’t. In other cases, people were not motivated to use the equipment (p.9)

Detection is so unlikely that the interdiction rate for HEU is estimated to be less than for narcotics – well below 10% (Sheets 2008). In practice, therefore, the smugglers required nothing but legal travel documents and a pocketed plastic bag – no storage facilities, equipment, time pressure, or violence were anticipated.

Consider the contrast with the organ smugglers. Most harvesting instances were of so called “cadaver kidneys,” removed posthumously and thus without great need for anesthetics or controlled clinical conditions in the operating space. Nevertheless, the perpetrators required as a prerequisite

…a state-of-the-art reception centre for the organised crime of organ trafficking. It was styled as a makeshift operating clinic, and it was the site at which some of the captives held by KLA members and affiliates had their kidneys removed against their will. […] [T]he ringleaders of this criminal enterprise then shipped the human organs out of Albania and sold them to private overseas clinics [primarily in Istanbul] (p.22).

Expensive equipment, secured deals with Turkish middle-men, experienced surgeons (preferably doctors), and rehearsed transportation routes were all indispensable. The organs (primarily kidneys) had to be carried in a sterilized box with a pump or, at the very least, an ice cooler that can sustain the precious cargo en route. Both storage options were conspicuous, requiring customs officers’ support.

Whereas the Ossetian smugglers were largely free to choose their border crossings, storage and pace without any added manpower, their Kosovo counterparts required an entire network of well-coordinated and disciplined allies. After initial war-time abductions, traffickers
were obliged to transport and select their victims carefully – requiring dozens of accomplices and, thus, potential witnesses. Unlike survivors or captives whose deaths were recorded (if not their burial sites), the subset of prisoners associated with this clinic were never seen or heard from again since their disappearance. Unlike for most other abductees (whose transport to and from the detention site is typically witnessed by each source), their transport to the facility (whether from location of captivity or another facility) is documented in multiple witness testimony, but their departure is not.

As many as four locations were used – Bicaj, Burrel, Rripe, Fushe-Kruje – as prison camps and detention facilities where abductees were kept and verified for eligibility. These included an abandoned compound along a major road, two privately-owned farmhouses whose inhabitants had to be persuaded/coerced into cooperating, and a ‘‘safe house’’ not only for KLA affiliates, but for other groups of organised criminals involved in smuggling drugs and trafficking in human beings (p.24). Not only was the number of witnesses growing with every accomplice, but even “accidental” detection was possible because the traffic overlapped simultaneously with other criminal enterprises. While HEU traffickers traveled freely in populated urban areas, smugglers in Kosovo were restricted to their criminal ties for storage. For instance, after “an arduous drive of several hours,” some involuntary organ donors were held at a “safe house” owned by a proprietor “who allegedly shared both clan ties and organised criminal connections with members of the ‘Drenica Group’” (p.25).

Adding to the chores, the victims went through a “process of filtering” after capture and transport that required considerable patience and discipline in an atmosphere of post-war revanchism:

Factors thought to have played into the filtering process, as recounted to us by multiple sources, included age, sex, health
condition, and indeed the ethnic origin of the captives […] The central concern was to maintain the viability of the organ: prisoners were initially kept alive, fed well and allowed to sleep, and treated with relative restraint by KLA guards and henchmen who would otherwise have beaten them up indiscriminately (p. 22-24).

Selected bodies were transported to Fushe-Kruje, chosen for its proximity to Tirana airport. This further increased the exposure dramatically, not least because captives often became aware of their intended fate through close contact with other prisoners or rumors during transportation. Others “[a]t the latest when their blood was drawn by syringe for testing (a step that appears to have been akin to “tissue typing”, or determining levels of organ transplantation compatibility), or when they were physically examined by men referred to as “doctors” (ibid). Acts of desperation and risky escape attempts were constant risks.

After additional stays at the site (requiring alert guards for days, perhaps weeks on end), the final step required the most care and coordination:

As and when the transplant surgeons were confirmed to be in position and ready to operate, the captives were brought out of the “safe house” individually, summarily executed by a KLA gunman, and their corpses transported swiftly to the operating clinic (p.25).

Most cases ended with a shot to the head before their organs were removed. If and when transportation was successful, discrete disposal of corpses and removal of evidence from the operating rooms required effort beyond anything the HEU smugglers exerted.

In sum, the level of organization and number of logistical challenges was overwhelmingly greater for the organ harvesters. If and when they were to overcome the many prerequisites for success, their exposure and stigmatization/penalty were much more likely. HEU smuggling was trivial compared to the organ traffic – not to mention more profitable.
Reason 3: Host State, International and INGO Capacity and Willingness to Crackdown

Most organ harvesting- and HEU-related criminal rings are not exposed through independent host state action. Weak-capacity states such as Serbia and Georgia are particularly unlikely to effectively crack down on such markets independently, lacking resources and political will. Our two cases were, accordingly, exposed under pressure and resource-direction of (a) larger states (the US/EU and Russia, respectively) that have regional/global capacity and act as geopolitical patrons; and (b) IGOs and INGOs such as the UN, the OSCE, the IAEA and Interpol, which supplied information, resources and strategy. These sets of agents were critical in exposing the two episodes in question; overall, the 1999-2000 nefarious episode was conducted under decidedly less favorable circumstances for the criminals.

Both host states themselves lacked any meaningful capacity to credibly expose nefarious crime associated with the separatist territories.

After what little capacity existed on Serbia’s part since the Yugoslav civil wars of the 1990s, the host state definitively lost all law-enforcement capacity after the 1999 war. In the years preceding the organ smuggling traffic, Serbian troops withdrew in defeat from NATO and conceded Kosovo’s judicial, police and penal institutions to international arbitration. Their control of the Serbia-Albania border was never regained. In the years preceding the organ smuggling traffic, Serbian jurisdiction was restricted to southern areas of Serbia proper with Albanian minorities. Even when these capabilities were exercised in 2002 as counter-terrorism operations, Kosovo’s total autonomy from Belgrade was undisputed (Simovic and Karanovic 2005).

Georgia’s effective sovereignty over South Ossetia ended after the 1991-2 war with Ossetia and the entry of Russian troops, after which even Georgia proper remained
unconsolidated for three years. In the years preceding the HEU trafficking episode, Tbilisi began reasserting its territorial control over southern segments of the separatist province, but antagonized Ossetian institutions and Russia through the anti-Ergneti market campaign. The resulting polarization between host state and South Ossetia (with its patron, Russia) led to utter ambiguity as to jurisdiction and territorial control. Georgia has not exercised any oversight of the Ossetian Georgia-Russia border (including the all-important Roki Tunnel) since then. More broadly, the critical obstacle was that nefarious criminals could, just as the 2006 ones planned to, simply flee “to the safety of the conflict zone” (p.11), leaving the host state powerless.

The host states themselves, therefore, were largely incapable of combating even less well-organized crime. Even when they demonstrated most willingness (the Milošević regime in 1998 and the Saakashvili regime in 2004), the campaigns led to war (in 1999 and 2008, respectively). In part, their incapacity for anti-crime measures in the separatist territory contributed to ethnic polarization and ultimately foreign intervention (see Chapter 3).

The crime-fighting capacity and willingness of IGOs, however, was highly unequal. In Kosovo since the organ smuggling episode until 2012, enormous IGO capacity and increasing willingness to expose organized crime existed and escalated for nearly thirteen years. From the HEU smuggling episode until 2012, there was only a brief period of weak international capacity and willingness followed by total negligence, jurisdictional confusion, and deliberate lawlessness on the part of those with any capacity – and only six years.

Both KFOR and EULEX – and their US, NATO and EU funders – invested not only hundreds of millions of dollars, but tens of thousands of troops and personnel, as well as global diplomatic sponsorship, into Kosovo’s rule of law. Western countries heavily invested their credibility into a “nation-building” project. The aim was to stabilize the Balkan region and
design an institutional infrastructure that could be integrated into the EU and NATO. Their priority – ahead of economic development or democracy – was “security reconstruction,” including police and judicial systems’ reform. Curbing organized crime and corruption was a “litmus test” not only for the credibility of US/EU foreign policy, but “for determining the success of international organizations in producing enduring peace in post-conflict zones” generally (Dursun-Ozkanca 2009). To that end, overwhelming numbers of police and criminal justice agents were trained and galvanized in Kosovo, particularly in the first five years after the war (1999-2004), during which the organ trafficking occurred (Wilson 2006).

Since 2006, EULEX administers the separatist territory. The EU’s disposition to curb and expose organized crime was even stronger than that of their predecessor. It was the most comprehensive civilian EU operation in history, with a highly executive mandate which it often exercised at the expense of nurturing Kosovo institutions (Spernbauer 2010). Not only were European law-enforcement officials, judges, investigators and prosecutors given unprecedented resources and jurisdiction, but Kosovo Albanian institutions were monitored and scrutinized through elaborate administrative mechanisms. EULEX prosecutors were empowered to investigate, prosecute and publicize war crimes, crimes against humanity, and organized crime – a range of jurisdiction that earned them much resentment from the indigenous population. 59 After the 2008 economic crisis, foreign aid to separatist institutions was more conditional than ever, prompting even greater pressure. The Council of Europe (and EU generally) were on a mission to prove themselves capable of effective peacekeeping in Europe itself. This was triply important: as proof to each individual member-nation that its donations to Kosovo are justifiable; as a sign to NATO that EU countries deserve equal status as partners in international security;

59 One need only puruse Priština’s major daily, Koha Ditore, to detect the image of quasi-colonial lordship that EULEX is perceived to have.
and, finally, as a message to the US that its involvement in European affairs is unnecessary or undesirable (the latter, cynics argue, accounts for the fanaticism of EULEX compared to KFOR) (Brosig 2011).

In contrast, the IGO scene around South Ossetia was largely vacant. The only multi-lateral framework that existed in South Ossetia was the Joint Control Commission (JCC) and its accompanying Joint Peacekeeping Forces (JPKF), which included Russian, North Ossetian, host state and separatist representatives. The European Commission was largely an observer, while Russia was clearly dominant in the four-way partnership. It resisted every attempt at incorporating meaningful law-enforcement possibilities, such as OSCE partnership in 2005 – Russia preferred military control over a lawless territory to international control of an ordered one. In the 2000s, the JCC thus “focused primarily on economic issues,” partly because no consensus over law-enforcement was possible (International Independent Fact-Finding Mission on the Conflict in Georgia 2009, p.103). Whereas KFOR and EULEX had no competitors over jurisdiction, the JCC was plagued throughout by rivalry between the parties, leaving South Ossetia outside any coherent legal framework. The Ossetians themselves further enhanced the exclusion of IGOs: they “were rather suspicious [even] of NGOs, and were at all events opposed to any activities that they perceived as being in competition with the JCC format” dominated by their patron (International Independent Fact-Finding Mission on the Conflict in Georgia 2009, p.112). Russia’s capacity in South Ossetia was thus considerable, though disputed.

Russia’s willingness to crack down on organized crime, however, was modest. Their commanding role in the JPKF was directed towards making South Ossetia as dependent on Russia as possible, conferring minimal support to indigenous institutions (see Chapter 2). Whereas Kosovo’s peacekeepers were on a “nation-building” exercise, Russian peacekeepers
nurtured the Ergneti market and helped provoke the 2008 war in defense of it. Furthermore, the JCC was powerless in addressing nuclear trafficking in particular. At the time of the HEU episode, there had been a 15-year-old multilateral effort by over a dozen major countries (the US and Russia included) to curb smuggling and secure unaccounted-for stockpiles of nuclear weapons, with a particular emphasis on the Caucasus region. Over a billion US dollars have been committed to the international crackdown. Russia’s dominance of the JCC, however, ensured that South Ossetia was isolated from any benefits of this campaign. The reason was that those “efforts rely too heavily on technology [available only to Georgia proper], rather than old-fashioned police work, to keep nuclear smuggling in check” (p. 4). The per capita numbers of policemen and judges in the separatist territory were miniscule compared to those in Kosovo – by a factor ranging from ten to twenty in the 2000s.60

In sum, while KFOR/EULEX were high-capacity law-enforcement administrators and overseers of the entire separatist region, the JCC was merely “a practical, if not necessarily efficient, conflict-management mechanism” under the dominance of a regional power (Russia) that was not prioritizing law enforcement (International Independent Fact-Finding Mission on the Conflict in Georgia 2009, p.108). The level of IGO capacity and willingness to curb crime in Kosovo was outstanding, even by international standards. A ten-year onslaught of international judges, prosecutors and police under the auspices of UNMIK was succeeded by an even more aggressive EULEX mandate that ripened the judicial, penal and police systems of Kosovo. In South Ossetia, a Russian-dominated JCC/JPKF administration remained relatively consistent in resisting international supervision, isolating South Ossetia from regional initiatives against nuclear smuggling, and deliberately undermining Ossetian law-enforcement.

60 On JCC and JPKF, see Mackinlay and Cross (2003). On Kosovo’s international presence, see KFOR and EULEX press releases and Kosovo Statistical Office.
Finally, the nefarious episode in Kosovo had the tremendous disadvantage of a specialized IGO judicial organ scrutinizing its actors, activities and territorial scope. The International Criminal Tribunal for the Former Yugoslavia (ICTY) is a UN-created court prosecuting individual criminals in the region, not states. While EULEX’s scope was restricted to the territory of Kosovo, the ICTY had jurisdiction over all the former Yugoslav countries in addition to all other UN member states, which have an international obligation to cooperate with the court. Thus the ICTY’s scrutiny extended indirectly even to Albania, where the organ traffic was centered. The nefarious episode in South Ossetia/Georgia enjoyed a level of guaranteed immunity because no such authority existed. Georgia did lodge two inter-state applications against the Russian Federation with the European Court of Human Rights and the International Court of Justice (ICJ), to little avail. Both apply to levels of nation-states, and neither could have incorporated organized criminals at all, let alone the more specialized HEU smugglers.

It is therefore critical to emphasize that exposure of the HEU traffic largely happen despite the international circumstances, not because of them. The organ smugglers were operating in a much more hostile environment.

Reason 4: Entrepreneurship and Regional Criminal Precedents

The organ smugglers were entrepreneurial out of necessity. They created a market without known precedents in a region isolated from the global organ trade. A key feature of the organ traffic worldwide is that it “flows from poor, underdeveloped countries to rich, developed ones” (Haken 2010, p.22). Buyers almost exclusively come from the advanced, wealthiest nations; secondarily, “from wealthy classes from developing countries” in the Middle East such as Israel and Saudi Arabia (Ibid). The Balkan countries are both physically and economically
distant from these, with Serbia and Kosovo especially so after a decade of sanctions had isolated them from the advanced capitalist countries. Donors, furthermore, are from developing or underdeveloped states such as China, India, the Philippines and Brazil. The only known “hub” for illicit organ donors even remotely near Kosovo is Romania, hardly a convenient opportunity. The only accessible site to Kosovo with credible supply for the organ trade is Turkey. In sum, the Balkan context is far from ideal for organ harvesters. Unlike its vital position as a regional “bridge” for narcotics (see Chapter 3), Kosovo was largely peripheral to the global organ trade at the turn of the century.

Nuclear smugglers around South Ossetia in 2006, however, had a flourishing market within their own region. While the organ traffic is a market between rich and poor countries, nuclear smuggling flows among poor states themselves. Buyers are decidedly not from wealthy countries or organizations, but from rouge states and terrorist cells that gravitate towards conflict-ridden, impoverished areas (Langewiesche 2007). The 2004 school hostage crisis in Beslan, North Ossetia (which left 400 dead in clashes with Chechen terrorists) is a perfect illustration of South Ossetia’s proximity to potential buyers of nuclear material. Georgia and its neighbors are fertile ground for traffickers supplying rebels in nearby Chechnya; Kurdish militants in neighboring Turkey, Al Qaeda cells in transit to or from the Middle East, rogue ex-Soviet networks in and around nearby Russian military bases – among many other potential buyers. Known cases from nearby sites include Azerbaijani, Armenian and even Ukrainian smugglers (Kupatadze 2010, p.222). Demand is also conveniently high from bordering Turkey itself, where the greatest number of Georgian nationals smuggling radiological materials were apprehended.

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61 Langewiesche calls Turkey the world’s “grand bazaar” for the nuclear market, unrivaled as a transit and exchange hub for traffickers.
Above all, South Ossetia’s geographic proximity and political servility to Russia made it ideally positioned for nuclear smuggling opportunities. Though the height of seizures of nuclear material after the Cold War was fell between 1992-5 (15 kg), the traffic “continues [throughout the 2000s] to be most acute in the regions of the former Soviet Union and, in particular, in the greater Black Sea region” (Schmid and Spencer-Smith 2012, p.1). Western Russia is by-far the most central site for the global nuclear traffic: “most cases of trafficking in weapon-grade nuclear materials [globally] have been related to Russia, which remains [in late 2000s] a major source of unsecured radioactive substances” (Kupatadze 2010, p.219). Due in large part to Russia’s negligence described in the preceding section, HEU smugglers had the advantage of a region-wide dispersion of nuclear materials. Demand for the contraband was diverse, with many potential criminal partnerships, and high enough to even attract deceptive suppliers:

According to Georgian law enforcement officers, for every bona fide smuggler who has access to radiological materials and the ability and intention to sell them, there are approximately three or four minor swindlers who might pretend to have access to radiological materials in order to perpetrate a scam (Kupatadze 2010, p.227).

Notwithstanding “swindlers,” at the time of the nefarious criminal episode, the IAEA estimated as many as 300 sources of “loose” nuclear material recorded in Georgia since independence (IAEA 2006). At least sixteen incidents of nuclear smuggling have been confirmed between 1993 and 2006 – a fraction of the total, undetected traffic (IAEA 2007). In Serbia/Kosovo, the WHO did not document a single case of organ trading (voluntary or otherwise) before 1999 or any of its neighboring countries.  

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Simply put, while the organ traffickers “invented the wheel” in their efforts, nuclear traffickers were surrounded by opportunities and model practices.

**Criminal Infrastructure, Autonomy and Community**

We have reviewed four contextual reasons that would have led us to expect that South Ossetian separatists bear *less* harm from nefarious crime exposure than Kosovar separatists. In fact, the organ traffickers in Kosovo overcame the relative “disadvantages” described above. They ensured that harm was minimal, while HEU traffickers could not do the same. I argue that the superior capacity of Kosovo’s organized crime scene protected the separatist movement from harmful effects of the nefarious criminal episode. In contrast, South Ossetia’s weaker organized criminal capacity did not (and *could* not) exculpate the separatist cause to that degree.

Below I explore the differences in organized criminal capacity according to three dimensions: (1) criminal *infrastructure*, as reflected in control of borders and sites; (2) criminal *autonomy*, as reflected in the ability to leverage separatist ideology and to instrumentalize separatist movement institutions; and (3) criminal *community*, as reflected in the levels of discipline, fear and clan-based solidarity. Though these dimensions naturally overlap, it will become clear that each contributed to addressing the four contextual reasons outlined above in different ways. Table 12 summarizes the comparison that is to follow.
Table 12. Two Nefarious Criminal Episodes Compared

<table>
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<th>Kosovo Organized Crime</th>
<th>South Ossetia Organized Crime</th>
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<tbody>
<tr>
<td><strong>Criminal Infrastructure</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Control over Borders</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>Control over Safe Houses, other sites</td>
<td>Extensive.</td>
<td>Limited.</td>
</tr>
<tr>
<td><strong>Criminal Autonomy</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Effective use of ideological cover</td>
<td>Extensive.</td>
<td>None.</td>
</tr>
<tr>
<td>Immunity through separatist institutions</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td><strong>Criminal Community</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kinship-based discipline and silence through fear</td>
<td>Yes.</td>
<td>No, <em>ad hoc</em> amateurs.</td>
</tr>
<tr>
<td>Containment of harm to separatist movement</td>
<td>Yes.</td>
<td>No.</td>
</tr>
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Infrastructure: Kosovo-Albania Border vs. the Roki Tunnel

Both nefarious episodes had critical transit points enabling smuggling. For the organ smugglers, it was the Kosovo-Albania border: a 115 km stretch including six formal terrestrial crossings, the main one being the Morine-Vermice with a highway connecting the capital Priština. Host state forces were barely monitoring this stretch of land even before the 1999 war, after which they withdrew entirely. Years of arms and drug trafficking, in addition to refugee flows from 1998 onwards, empowered a class of criminal “gatekeepers” who would later serve as low- and mid-level KLA officers. They charged travelers (including refugees fleeing Serbian terror) and truck drivers at most crossings. With their guidance, even mule-riders with Kalashnikovs attached to the animals could use informal pathways alongside formal checkpoints. Over the years, they secured active support from the Albanian secret service, the Sherbimi.
Informative Kombetare (SHIK), which freed them of any law-enforcement dangers from Tirana (p.14).  

When all military/police presence was finally withdrawn in June 1999, there was no question as to who would inherit jurisdiction. “During this chaotic phase” after the war, the CE report explains, “the border between Kosovo and Albania effectively ceased to exist”:

It was in this context that KLA militia factions moved freely on either side of the border, which […] had by then become little more than a token dividing line. So it is clear that the KLA held effective control in the region during that critical period [of organ smuggling], both in Kosovo and in the northern part of Albania near the border (p.7).

Under the umbrella of the postwar KLA, the organ smugglers thus exercised rule over the entire border (not merely one or another crossing). Customs checkpoints existed (i.e. KLA officers stood guard at the six points), but did little more than salute crossing compatriots. Vehicles were uninspected, documents unrequired. The Drenica Group thus acquired by 1999 “effectively unfettered control of an expanded territorial area in which to carry out various forms of smuggling and trafficking” (p.17).

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64 Thaqi enjoyed support “from Albania’s secret services, and from the formidable Albanian mafia” (p.14). For corroboration, see Human Rights Watch (2008).
The advantages were threefold. First, this gave smugglers access to friendly territory far outside the reach of the hostile host state. Albania was outside the jurisdiction of the ICTY (restricted to the former Yugoslav territories), the KFOR and EULEX missions (restricted to Kosovo), and the EU more broadly. The smugglers thus resolved the risk of IGO crackdown by simply escaping their jurisdiction. Second, the logistical needs of transporting captives and their organs quickly and safely were met through already-established KLA networks outside Kosovo. Gatekeepers allowing and directing passage across borders also commanded camps from which KLA guerrillas were deployed and where arrivals of goods were unquestioned; remote interrogation/recruitment centers where prisoners could be brought, held and guarded; and populated Albanian villages with prior experiences of assistance (coerced or otherwise). Third, organ harvesters gained easy access to Tirana airport, from which organs could be flown to
Turkey, with the assistance of the non-Kosovo branch of the Albanian mafia. This geographic link was essential, the CE report notes, because:

\[\ldots\text{the deeper into Albanian territory a facility’s physical location, the less directly it related to the KLA’s war effort and the more entrenched its connection proved to be with the underworld of organised crime} (p.20).\]

In other words, the smugglers’ control over the border *injected* them into a broader criminal network in a neighboring state with access to Turkey. While Kosovo itself was entirely peripheral to the global organ trade, Albania was a bridge to Istanbul. By penetrating deep into Albanian territory, the Kosovo smugglers effectively attached themselves to a major supply and transit hub for the organ market.

The HEU smugglers likewise had a critical transit point: a mountain tunnel through the Greater Caucasus connecting South Ossetia to Russian North Ossetia. It is the sole route not only from the capital Tskhinvali, but from the entire separatist territory, into Russia. At 2,000 meters altitude, surrounding stretches of the Ossetian-Russian border are effectively impossible to cross – with or without gatekeepers’ permission. Since the first Ossetian war (1992), separatist officials levied customs and taxes on the Ossetian side of the crossing, while their Russian allies regulated traffic on the other end. This formed the basis of the Ergneti Market that characterized the mid-1990s and early 2000s – drugs, arms and humans were trafficked, but the bulk of the transit was everyday contraband. Although “[t]he only border control is on the Russian side, and the Russian Customs are hardly a firewall” (p.7), it remained a formal inter-state crossing throughout the period. Russian troops, policemen, peacekeepers and customs officers never ceded control to criminal gatekeepers. Rather, they were “wholly complicit in smuggling activities” as partners (ibid.), charging for their services as border guardians.
Note that the HEU smugglers’ critical transit point was far more modest to control than the organ smugglers’. It was a single crossing, not an *entire* border. Furthermore, it had been outside Georgian control for fifteen years, while Serbian forces had just withdrawn days earlier. Simultaneously, the Roki Tunnel was equally – if not more – vital to the HEU enterprise. It is the sole Russia-South Ossetia entry point. It would have allowed them to approach their desired market in Tskhinvali without risky contact with host state forces. Having acquired the HEU from the Siberian town of Novosibirsk, the challenge was first to reach South Ossetia (later Georgia proper) with minimal risk. Exiting Russia through the Roki Tunnel would have directly placed them in “the safety of the conflict zone” (p.11), where they initially sought buyers unsuccessfully and where they yearned to exchange the HEU for money. The only two alternative routes between Georgia and Russia were the Gantiadi-Adler crossing (through separatist Abkhazia) and the Kazbegi-Verkhni Lars customs checkpoint on a Georgian military road.
Indicatively, the HEU smugglers did not – because they *could not* – use the Roki Tunnel. Whoever the senior commanders above the smugglers in the criminal hierarchy were, they were able to provide expertise and access to the Novosibirsk Chemical Concentrate Plant, “where thefts of enriched radioactive and nuclear material have been recorded repeatedly” (p. 17). But they were evidently incapable of arranging secure transport, or of mobilizing accomplices with gatekeeper capacity – let alone accessing an airport or exerting influence over an entire village.
Lacking the contacts and leverage to do so, the smugglers used the regular Georgian border crossing near Kazbegi. Not only was it run by Georgian officials, but by American-trained customs officers specifically instructed to spot nuclear materials; the checkpoint was also equipped with radiation detectors, a fact the smugglers were fully aware of (p.i). Their strategy revealed the far-weaker criminal control over borders. Namely, the risk on the Russian side was addressed by Khintsagov’s “cousin who is a former Russian customs officer” (p. 10); on the Georgian side, by Chikhasvili’s role as a Ministry of Internal Affairs security guard. Even as three of the smugglers were from Kazbegi, this luckless crossing (though initially successful) was detected. It would contribute enormously to the stigmatization of South Ossetia as such, as Kazbegi is at the very border with South Ossetia.

In contrast to the organ smugglers’ trusted reliance on the Albanian mafia and SHIK, the HEU traffickers could not even rely fully on “their own” Russian secret service or mafia. It was the Russian FSB that detected the movement across Kazbegi, associated it with nuclear smuggling, and even shared the evidence with Georgian authorities “during a brief period of intelligence-sharing on this case” (p.10). This at least indicates that the mainstream of the Russian secret service was not in close collaboration with the smugglers.

Their lack of access to the Roki Tunnel – and the weak precautions they took moving through Kazbegi checkpoint – arguably cost them their freedom. Once Georgian law-enforcement enticed them into negotiating with undercover policemen, it was too late to restrict the traffic to the separatist territory:

The main haggling [between undercover law enforcement and the smugglers] was over the location where they’d meet. According to [the head of the Georgian Unit], the smugglers were pushing for Tskhinvali [, the separatist capital,] hardly a place any Turkish middleman in his right mind would bring $1 million cash. It was the […] middleman, the undercover agent, who suggested Gldani.
Thus there was hardly an excuse for things going the way they did (p. 2).

“Pushing for Tskhinvali” would have been possible if they had not entered Georgia proper to begin with. Had the smugglers exerted any criminal influence over the Roki Tunnel, escape though it would have enabled an exit strategy and increased their leverage to meet in South Ossetia. The criminals were rather fortunate that the radiation equipment at Kazbegi – and its incompetent handlers – were dysfunctional.

Infrastructure: Safe Houses and Logistics “On the Ground”

Kosovo’s nefarious criminals “had virtually exclusive control on the ground” over a variety of sites throughout Kosovo as well as Albania. It was for this reason that NATO and related international bodies with jurisdiction over the separatist territory ceded control to local criminal structures. “[T]he international bodies responsible for security in Kosovo very much relied on the political forces in power in Kosovo, most of them former KLA leaders” (p. 2) in large part because they were the only credible partners in securing the territory. The CE investigation

…identified at least six separate detention facilities on the territory of the Republic of Albania, situated across a territory that spans from Cahan at the foot of Mount Pashtrik, almost at the northernmost tip of Albania, to the beachfront road in Durres, on the Mediterranean coast in the west of Albania (p. 18).

[…]

KLA factions and splinter groups that had control of distinct areas of Kosovo (villages, stretches of road, sometimes even individual buildings) were able to run organised criminal enterprises almost at will, including in disposing of the trophies of their perceived victory over the Serbs (p. 17).
Thus safe houses could be chosen from “a whole ad hoc network of such facilities” (p.22). Each site had a distinct “operational profile,” which distinguished the location’s treatment and ultimate fate of abductees. Profiles ranged from training camps for KLA fighters, to prisons and interrogation centers, to settings for leadership meetings, to arms and supplies storages, to medical facilities for treatment of injuries. Sites included Cahan, Kukës, Bicaj; Burrel/Rripe; Durres and Fushë-Krujë – all especially remote and seclude.

It is noteworthy that the claim on these facilities was a criminal achievement of the Thaçi hierarchy, not of the separatist movement itself. The Drenica Group had “built a formidable power base in the organised criminal enterprises that were flourishing in Kosovo and Albania” well before its members replaced the Rugova separatist administration (p.14). Their “firm control over criminal cartels active in municipalities including, but not limited to, Istok, Srbica, Skenderaj, Klina, Prizren and [capital] Priština” (ibid.) preceded – indeed, aided – their co-optation of the separatist movement. Their adaptation of the facilities in Albania for war purposes was made possible by criminal precedents in the mid-1990s.

The organ harvesters made full use of the safe houses after the war. Surgical procedures for organ harvesting were conducted at multiple sites, mostly medical centers or improvised hospitals that had been wartime rest areas for wounded KLA fighters. One witness, a mid-level ranked KLA soldier, was brought in 1998 to a school used as a makeshift hospital to undergo medical training. Albanian militants prepared fighters to carry out basic and sometimes more complex medical interventions. Guidance through heart, kidney and lung transplantations was given with plastic figures provided by medically-trained instructors. The witness remembers

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65 Bruno Vekaric in “Anatomy of a Crime,” broadcast October 9th, 2012 on Radio Televizija Srbija (RTS). It should be noted that doubts have been raised about the witness’ exaggerations (in particular regarding a heart transplant he was ordered by his KLA superiors to perform on a captive young man). The witness has nevertheless been deemed credible after a year of polygraph and intelligence verification by the Belgrade-based Tribunal.
pumps, scalpels, vacuums, plastic bags and various “medical liquids” during training. Volunteers were thus trained to revitalize injured KLA members (commanders in particular), a non-profit military purpose – originally.

The witness soon discovered, however, that nefarious crime had taken over the facilities. He himself was ordered to perform procedures in front of more qualified medical representatives. Organ extraction was done without anesthesia or sedation, with the donor losing consciousness or dying when the pain threshold was exceeded. This approach is economical when the donor’s movements are secured. Though below medical standards, the procedure was highly routinized: they were experienced in clasping the victim, anticipating steps in the procedure, being aware of timing restrictions, preempting difficulties in transportation of the ice-box with the organ, and improvising when a tool is missing due to carelessness (on one occasion, the tip of a Kalashnikov rifle was used to sever the rib cage). 66

The sites were secured by obedient KLA guards, while road transportation was available to all other sites. A carved space fitting the delicate ice box was made in the trunk of a Volvo, next to the spare tire. The parcel was driven to Rinas airport, though the witness was told Tirana was the final destination. Albanian military personnel were involved, at least unknowingly, by securing passage at the airport onto a private plane with a Turkish flag. The principal prosecutor for the case involving this witness stated that the scenes described clearly suggest that the organ trade was seeking to expand, training as many amateur surgeons as possible, minimizing costs of the procedure and multiplying the number of involuntary donors – in a word, streamlining the process.

South Ossetia’s nefarious criminals had nothing even approaching this kind of control on the ground. The smugglers apparently did not have a single safe house in South Ossetia, hiding

66 “Anatomy of a Crime” broadcast. The program includes recorded testimony by the witness.
in “a bluish-white, eight-story council house in a low-income suburb called Muthiani, not far from the Gldani Market” where they sought to sell the HEU (p. 12). Not only was this site on the outskirt of the Georgian capital, but was completely unguarded and visited by civilians uninvolved in the criminal enterprise. The Georgian officers arrested them at the site (HEU in jacket pocket) because they had no “chance to destroy the material – in the lavatory, for example” (ibid.). In contrast, Kosovo criminals disposed of entire bodies effectively through control of safe houses (see below).

South Ossetia was, of course, flourishing in safe houses for a variety of enterprises. For example, “a major transnational counterfeiting operation of American $100 bills ran from a strikingly high-quality printing press in South Ossetia” (p.7), one of the most impoverished and underdeveloped regions in the former Soviet space. US embassy experts expressed awe at the quality of the counterfeit (Georgians intercepted a shipment as high as $300,000), taking for granted that less demanding criminal enterprises are scattered throughout the breakaway province. Even more notoriously, a widespread car-smuggling ring through South Ossetia thrived for years, including garages and secret checkpoints connecting Russia to Georgia. Such sites were also secretive and effective as bases of illegal operations, the BC report notes, because “Tskhinvali and South Ossetia on the whole are armed to the teeth,” giving criminals privacy and protection at low cost. Even training camps for foreign militants have been documented. Notwithstanding all these opportunities, the HEU smugglers could not acquire a safe house, let alone establish a base of operations, in South Ossetia.

After at least five separate trips into South Ossetia in failed search of customers, the criminals were obliged to reorient to Georgia proper. The Gldani Market itself was not only unsecluded, but fully urban and surrounded by residential areas:
Bordered by traffic and mud with a crumbling trinity of hospital-blue, Soviet-era apartment blocks hulking over one edge, the market marks the final stop of Tbilisi’s small subway line, built during the Cold War to second as a bomb shelter as much as for anything else. It serves a steady shuffl of darkly clad commuters who queue here for minibuses pointed further into the periphery. It is, in other words, no place special, or less (p.1).

Furthermore, whereas Kosovo criminals secured their own sites without separatist movement assistance, the HEU gang failed to do so with or without South Ossetian institutions. A single organ smuggler, Shaip Muja, personally handled “medical-related equipment and supplies from international donors and local channels” in addition to “administer[ing] a diverse array of other infrastructure: at least one helicopter; several well-funded construction projects; houses and apartments (p. 16). The South Ossetian smugglers’ property in Kazbegi and North Ossetia combined could not match this (p. 4-6).

Transportation methods and decisions also signaled their lack of command over territory. Their only logistical need was to transport the (easily mobile) “baggie-wrapped, bomb-grade parcel” from North Ossetia (p.10). This contraband is a quarter of the size of an icebox with a kidney, among other advantages. Khintsagov’s base was in North Ossetia’s Nogir, where he “lived with his father and brother” and held the HEU while hunting for customers. This suburban village is almost as near to South Ossetia as to Kazbegi – and “ethnically linked” to its “Georgian sister province, South Ossetia,” making it far preferable to go into the separatist territory than into Georgia proper (p.6). Relying on the Kazbegi connection, the criminals opted for the riskier option. Khintsagov’s three subordinates “crossed easily into Russia (North Ossetia) to meet” him and take the HEU (p.9). After this (fully legal) movement across Kazbegi, they returned over the same crossing with Khintsagov and the parcel. Not only was this a riskier route, it represents a roundabout path to South Ossetia itself (where they initially planned to sell).
They not only avoided entering South Ossetia directly (thus bypassing Georgia proper), but they apparently never resided with the HEU package in South Ossetia even after entering Georgia. They clearly had no safe house whatsoever except Kazbegi.

**Autonomy: Ideological Cover**

The Kosovo nefarious criminals repeatedly and effectively draped their activities in the cause of separatist ideology. “The result,” the CE report concludes, “is that political leaders can plausibly dismiss the allegations relating to KLA involvement in [organ-related] detention, torture and murder in Albania.” The Del Ponte memoirs, a 2004 UNMIK report, INGO reports, leading media accounts, as well as the CE report itself, have all successfully been dismissed “as little more than a ‘spectacle’ created by Serbian political propagandists” (p.26). After a systematic and fruitful public relations effort to this effect, this remains the official doctrine of the separatist movement under criminal command.67

This was enabled not only by the violent “spillover” that occurs after war (including refugee flows and kidnappings, making ongoing crimes more difficult to spot and easy to justify as revanchism). After all, South Ossetian nefarious entrepreneurs had two wars after which to camouflage their smuggling operations – the organ traffickers had only one. It was also enabled by the fact that the nefarious crime ring successfully motivated and justified a variety of criminal actions that perpetuated and concealed the organ trade. Even noncriminal elements were convincingly marshaled for criminal ends. Thus intra-ethnic criminal rivalries by the Drenica group were given a flavor of national liberation:

>M[any scores were settled between different factions and against those considered, without any kind of trial, to be traitors because

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67 For a review, see “On the ‘Fabrications’ Made Up To Harm Kosovo’s Image” in Pean (2013, p.279-84).
they were suspected of having collaborated with the Serbian authorities previously in place (p.2).

In an exemplary case, Skender Kuci, an Albanian witness against Haradinaj, was assassinated with the note “This is how enemies of the KLA end up” (Pean 2013, p.237). Another witness, after performing an organ extraction from a “19-20 year-old” Serbian man, was commended by a “famous senior officer” with the following praise: “Congratulations, you have gone golden. We need soldiers like that in Kosovo. Only then will we win” (Pean 2013, p.13). On another occasion, an excavation was ordered at a mineshaft where dozens of murdered Serbs’ bodies were suspected to be buried (some probably after organ harvesting). The potential embarrassment was preempted not only with mafia-style threats to the construction company tasked with the job, but also by the

…local community, which caused considerable delay in carrying out the explorations. According to what we have been told, the prevailing attitude among the Kosovar population is to regard as a ‘traitor’ anyone who provides information regarding mass graves containing Serb victims (p. 9).

Of course, both the organ traffic and the broader violence within which it flourished did not include only Serbian victims. Thus the mobilization of people against excavation attempts was not protecting the “Kosovar population” but the Drenica criminal leadership. Over forty surviving prisoners of war who were held at detention facilities for “collaboration” or sympathy with KLA rivals (the LDK and FARK) reported being beaten and tortured during captivity as Serbian collaborators (p.19-20). In fact, the LDK and FARK were a noncriminalized (but violent) separatist rival. The CE report also notes that “[c]onfirmed dozens – presumed hundreds – of bodies of murdered ‘disloyal’ Albanians were buried in Albania as martyrs to the cause of Kosovo liberation” (p. 21).
The HEU smugglers, in contrast, had not employed any ideological cover (nationalist revanchism or otherwise) effectively. There is no evidence that any of their actions were made easier by appeals to the separatist cause, that they coerced or persuaded accomplices with appeals to ethnic hostility, or that local communities were mobilized to unwittingly support their nefarious crime. The Russian ringleader simply recruited his three Georgian accomplices by “enter[ing] the family promising they’d all get rich” (p.6).

Furthermore, the propaganda war after exposure was firmly won by the host state, with no separatist movement support for the imprisoned smugglers. Whereas Serbian anti-separatist propaganda appealing to the horror of organ harvesting was rare, belated, and quickly dismissed (Schmidle 2013), the HEU smugglers became symbols of all the dangers of Ossetian separatism:

From the outset, the Georgian government has maintained the uranium smuggling scandal exposes a need for greater international control over separatist South Ossetia […] the day information about the year-long investigation became public, the Ministry of Foreign Affairs charged that the arrests of four alleged uranium smugglers – one Russian, three Georgian – underscored the lack of control over the mountainous borders that run between Russia and the two contested territories (Corso 2007, p.1).

Within hours of the 2006 sting operation, FBI and Department of Energy nuclear security experts flew into Tbilisi in panic. Their findings were trumpeted throughout regional and international news outlets, often exaggerated (Kupatadze 2010). South Ossetia as a separatist project was stigmatized as such by major exposes in the New York Times, Washington Post and the Atlantic Monthly, TraCCC reports, IAEA statements, and the BC report itself. All major Georgian news outlets promoted the consensus view that the exposure…

Highlight[s] the dangers posed by the loose frontiers and unaccountable ‘governments’ of disputed territories effectively under Russian control. [Thus there] are strong arguments for the
United States to continue providing Georgia with millions of dollars in assistance to strengthen its customs and intelligence services (Sheets 2008, p9).

Nothing was noted of the relative unimportance of South Ossetia and its government, the authority of which was routinely put under such skeptical quotation marks. By the time a pivotal incident report by the IAEA concerning the nefarious crime came out, the incident was universally presented “as compelling evidence of the international threat posed by South Ossetia’s lawlessness” (Sheets 2008, p.4). US pressure on Georgia to reintegrate the northern separatists escalated. Even after it was publically revealed that the traffickers were “not known to have brought the goods into the breakaway region itself” and that “the materials were not brought into Georgia via South Ossetia,” the separatists bore the brunt of the stigma (Corso 2007, p1). Pre-2006 NGO reports emphasizing the “trafficking of nuclear materials […] being transferred by non-Georgians” were recirculated even though they have no connection to the later nefarious episode (Shelley et al. 2007, p.51).

The campaign also took a distinctively anti-Russian stance, attributing the problem to Russia’s support for Ossetian separatists:

[I]t should be emphasized that uncontrolled separatist territories in Georgia serve as a safe haven for illegal activities related to proliferation of different components of weapons of mass destruction. […] This is one of the reasons why the government of Georgia has long sought [the] stationing of international observers on the segments of its border with the Russian Federation adjacent to Georgia's separatist territories of Abkhazia and the Tskhinvali Region/South Ossetia (Corso 2007, p.1).

Russian officials, like the separatist movement, washed their hands of the criminals entirely – they declared the nefarious episode to be a US/Georgian “provocation” designed to humiliate Russia at the July 2006 G-8 summit in St. Petersburg (Blagov 2006, p.1). Similarly, South Ossetian foreign minister Murat Dzhioyev “argued that Tbilisi is using the uranium scandal to
gain leverage in the ongoing World Trade Organization negotiations between Georgia and Russia” (Ibid). While Georgia insisted that “the incident demonstrates the need to urgently reintegrate the breakaway region of South Ossetia into Georgia,” the Ossetians and Russians saw “proof that Georgian leaders are using [the episode] as political leverage” (Sokova et al. 2007, p.1).

In sum, the ideological stance of the organ traffickers was widely affirmed, with even pragmatic benefits in the form of “cover-up” actions by loyal separatists. The HEU traffickers, on the other hand, could never hope to convince anyone that they were freedom fighters or national liberators – let alone protect their reputation under a separatist cloak.

**Autonomy: Immunity through Separatist Office**

From its very origins, the organ traffic enjoyed minimal risk because of protective measures exercised through separatist institutions. It emerged in the context of war-profitteering accompanying separatist struggle:

Senior commanders of the KLA have reportedly not failed to profit from the war, including by securing material and personal benefits for themselves. They wanted to secure access to resources for themselves and their family/clan members, notably through positions of power in political office, or in lucrative industries such as petroleum, construction and real estate. [...] And many of them were seemingly bent on profiteering to the maximum of their potential while they had operational control of certain lawless territories (e.g. in parts of southern and western Kosovo), and leverage – especially in terms of financial resources – with which to negotiate footholds for themselves in other territories (e.g. in Albania) (p. 12).

The CE report, against host state interpretation as an indictment of Western collaboration in the organ traffic, in fact describes a policy of *accommodation* by international organizations to the criminal reality on the ground. This policy was largely without alternative:
In effect the new Kosovo has been built on the existing structures of the Kosovar Albanian homeland movement. It follows that the successive international administrations put in place […] have had to maintain good relations with their de facto allies on the ground, as the latter have become the new masters of the local political scene (p. 7).

As the postwar years passed, the “mafia structures” of the Drenica Group gradually “evolved from being part of an armed force, the KLA (ostensibly engaged in a war of liberation), into being a conspicuously powerful band of criminal entrepreneurs […] with designs on a form of ‘state capture’” (p. 18). This was reflected in the individual careers of most key protagonists in the organ traffic: during or after the nefarious episode, Thaqi was Prime Minister, Deputy Prime Minister and Foreign Minister; Haradinaj was Prime Minister; Limaj was Minister of Transport and Telecommunication; Veseli was Deputy of the Assembly of Kosovo, etc. Most criminal kingpins founded political parties, including the Democratic Party of Kosovo and the Alliance for the Future of Kosovo, exercising command over “a large number of former KLA operatives” with no criminal background (p. 13). In most cases, the criminal activities of the figures preceded and succeeded their holding various offices in separatist institutions. There is far more evidence of criminal co-optation of separatist movement positions than vice versa.

The CE report details a typical career in this regard: Muja, a key figure in the organ traffic, was the indispensable link to the Turkish market. Suitably enough, he served as Health Co-ordinator for the Provisional Government of Kosovo under Thaqi, with special responsibility “for the Health portfolio” (p. 16). Based in Albania as a high-level KLA commander before and during the war, Muja proceeded to become a Cabinet Member in the Kosovo government, leading commander of the Kosovo Protection Corps after the war, and an “influential office-holder in the current Kosovo authorities”: 252
The common thread running through all of Muja’s roles is his involvement in the medical sector. This individual presents himself, and is accepted in many quarters, as “Dr. Shaip Muja”: purportedly not only a medical doctor and general surgeon, but also a humanitarian and progressive practitioner (p. 16).

[...]

[This concealed] Muja’s central role for more than a decade [i.e. well before assuming separatist office] in far less laudable international networks, comprising human traffickers, brokers of illicit surgical procedures, and other perpetrators of organised crime.

[...]

Muja has derived much of his access, his cover and his impunity as an organised criminal from having maintained an apparently legitimate medical “career” in parallel. There is an analogy to be drawn here with the way that Thaqi and other Drenica Group members have used their own roles in public office, and often in international diplomacy. The difference in Muja’s case is that his profile in organised crime is scarcely known outside of the criminal networks he has worked with and the few investigators who have tracked them. (p.17).

Other Drenica Group figures likewise instrumentalized their separatist office for criminal ends according to the specialized branch they controlled. In a prominent scandal, three agents of the German intelligence services were imprisoned in Kosovo in November 2008 on concocted charges of involvement in a bombing incident. Against police and laboratory reports that exculpated them, and despite an unknown militant group that claimed responsibility for the attack, a criminalized district court kept the agents in prison. The German press suggested this was “revenge,” as investigations into organ smuggling “lead to a murky underworld of organized crime and secret service schemes” (Lachmann 2008, p.1). Only after German diplomatic pressure escalated to threats (including cutting of aid to Kosovo) did separatist authorities release
the prisoners. Such “strong resistance” of the Kosovar authorities” is routine in other judicial cases touching on organ harvesting as well (p.9).

Through another separatist institution, the Drenica Group even instituted economic incentives towards concealing their crimes. On Thaqi’s urging, separatist authorities instituted a law of compensation for families of “martyrs” such as to exclude Albanians who died or disappeared after June 1999. This excluded hundreds classified as “traitors” – some of them suspected victims of organ harvesting. The result was that many relatives of missing persons who disappeared when the KLA took over deliberately misreported the disappearance dates as being prior to the end of the war “out of fear that their loved ones might be deemed to have been ‘traitors’ to the cause, punished by the KLA” (p. 9). This not only made sense for reasons of family security and honor, but for financial ones. The CE report notes that this “hunt for ‘traitors’” has “served to cover up the crimes [around the organ traffic]” (p.9).

The risk for HEU traffickers, on the other hand, was far from minimal. Criminal leverage over separatist institutions was limited. More importantly, organized crime was unwilling to waste the modest influence it did have on protecting this nefarious branch. The Russian mafia and their Ossetian associates had at best indirect control over South Ossetian ministries, parliamentarians, courts or militias. As a consequence, political immunity was far from guaranteed:

> These professional criminals behaved as rational actors trying to diversify their business interests; any engagement with smuggling in radiological materials would have jeopardized their influence on legal businesses and damaged their links with the upperworld, especially with politicians (Kupatadze 2010, p.230).

Bluntly put, while the Albanian/Kosovo mafia sought to profit enormously through separatist patronage, the analogous Russian/Ossetian mafia would lose more than it would gain.
Involvement in nuclear trafficking “would have jeopardized the protection provided by representatives of the political elite and would have closed doors to the legitimate world.” Based on similar dilemmas of criminals with only partial (certainly, non-personal) leverage over political allies, the Russian criminal groups were found to have “a clear awareness on the part of senior [crime] figures that the dangers in such activities far outweigh the potential gains” (Ibid).

The separatist movement, for its part, was perfectly willing to engage in criminal anti-Georgian activity – but for separatist, not lucrative criminal ends. Ossetian militias freely shot at the Georgian Minister of Defense as he was flying over separatist territory in 2006, forcing an emergency landing (Alasania 2007, p.147). Other violent incidents and acts of sabotage/vandalism characterized the entire period between the closing of Ergneti and the Second South Ossetia War, from 2004-8. But the Kokoity administration – partly under orders from Russia, which itself was eager to be exculpated from criminal stigma – restricted itself to low-key criminal activity in the form of corruption, cronyism and mismanagement of foreign (i.e. Russian) aid. It took care to avoid any association with nefarious crime.

As a consequence, the four low-level criminals could not hope for any spontaneous separatist movement support, let alone to instrumentalize its institutions themselves. They could not even secure their information sources in South Ossetia, who seem to have pro-actively undermined their operations. Indeed, at that moment of unprecedented hostility between host state and separatist movement in 2006, the “criminal circles in South Ossetia” were apparently under greater influence from Tbilisi through informants (p. 8) than they were under any control from the HEU traffickers. The most that has been documented is that when radiological material had been transported through the separatist territory, this “transport was supported by the official South Ossetian armed militias” (Traughber 2007, p.59). If this was true in the 2006 case (the BC
investigation found no evidence), the militias were implicated through bribery or deception – far from control on the criminals’ part.

Community: “Yellow House” vs. Kazbegi

As an opening illustration, the disparity in criminal community is epitomized by two localities: the “Yellow House” near Burrel, which served as transit/surgery setting for organ harvesting, and the village of Kazbegi, where HEU smugglers hailed from and used as operational base. Both of these remote, mountainous villages were chosen for their tribal, clan-based affinity towards the criminals. Both nefarious activities were hoping to rely on local villagers’ support, shelter, and at least tacit complicity of the kinfolk in stages of the traffic. Furthermore, these sites were the principal locations from which the nefarious episodes were discovered – were there no investigations of various sorts at these sites, the nefarious episodes would likely never have been uncovered. Most importantly, the Yellow House and Kazbegi were the indispensable symbolic “link” to the respective separatist movements. Even though neither of them is on separatist territory, these village-towns became iconic landmarks of separatist involvement in nefarious activity. In the public eye (aided by host state propaganda), they became “smoking guns,” forever stigmatizing separatist institutions with nefarious crime (p.4-6).68

The Yellow House, a cottage near the Albanian village of Rribe (Burrel), was at the heart of a long-standing criminal community. The mountainous northern town of some 15,000 people was remote and lawless, thus a convenient prison and torture site during Albania’s communist dictatorship. Its reputation persisted: “Burrel was considered synonymous with hell on earth”

68 See also UNMIK document on 2004 visit to Rribe, available at https://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_1st_Report_Kosovo_en.pdf [Accessed October 18, 2014].
(Flottau 2008, p.1). The organ harvesting took place at a private family residence reachable through a gravel road about 15 km from Burrel. “Countless memorial plaques line both sides of the road,” one traveler noted. “Many of the dead were gangsters […]. In the late 1990s, Burrel was the most dangerous city in Albania. Three competing Mafia families terrorized the local populace, until the gangs destroyed one another” (Ibid).

The nefarious criminals built on the tradition: they “ordered and oversaw multiple deliveries of civilian captives to the [Yellow House] over a period of up to a year, from July 1999 until mid-2000” (p.23). In 2002-3, eight witnesses – some of whom were from Prizren, others from Albania itself – approached a UN forensic mission and claimed to have witnessed or participated in organ trafficking at the village. In February 2004, a joint investigative team of the ICTY and UNMIK visited the soon-to-be notorious Yellow House. They discovered blood stains, syringes, intravenous drip bags, stomach tranquilizers and other medical equipment that raised suspicion (Grange and Hroar 2004). The CE report later confirmed that the Yellow House was a “‘way station,’” where abductees underwent “‘processing’/‘filtering’, including the testing of their blood and physical condition.” Some had organs removed, and were disposed of around the village: witnesses recounted “the burial, disinterment, movement and reburial of the captives’ corpses” (p.23).

Patronage networks were quickly galvanized into expunging the events from memory – villagers around Rribe destroyed evidence, painted over the house (from conspicuous yellow to white), drove weapons depots away from the area, threatened/vandalized neighboring households, and labeled “traitor” families (through gossip, graffiti, blood feud declarations) that were thought to be untrustworthy witnesses to the traffic. Not least among the errands was reburying victims’ corpses. After one or more organs were extracted, the remaining bodies were
risky if exposed – their characteristic mutilations would immediately suggest the criminal branch in question (sowing the bodies is poor disguise), and their DNA could in principle be traced to the organs smuggled (even in the new recipients’ bodies). An effective solution was to bury them under Albanian names on the gravel road to Rribe itself (p.3). When investigators sought to dig up such graves in 2004 – following testimonies from witnesses who personally drove and buried organ harvesting victims under false names – the villagers objected on all possible grounds, including religion and tradition, and successfully thwarted the excavation.

The Drenica clan rewarded them according to criminal custom. Investigators found that the “silence of the inhabitants of Rripe” as to organ-harvesting activities “was obtained by threats, but also by ‘pay-offs’ including significant sums of money, as well as free access to alcohol, drugs and prostitutes”:

Sources close to the KLA spoke of a large number of trafficked women and girls being brought to the [Yellow House], where they were exploited for sex not only by the KLA personnel, but also by some of the menfolk in the Rripe community (p.23).

In addition to reburial of corpses, some new ones were clearly also added. Forensic expert Jose Pablo Baraybar, former head of the UNMIK Forensics and Missing Persons Office, later remarked that the main reasons the investigation failed to proceed was that witnesses against criminal kingpins were being murdered in Kosovo, which produced a chilling effect across the clan structure:

As soon as that happened, all the sources that could have taken us from the cemetery and shown us exactly where the bodies were buried vanished! Literally vanished! They began hiding and no longer wanted to speak with us. They ran away!69

The 2004 witnesses, says the investigator, "disappeared from the face of the earth." At any rate, their presumed fate was enough to keep Rribe silent. The men, most of them involved in the alleged crimes themselves, accused former KLA leaders as well as high-ranking politicians in Kosovo of having been behind the organ trade. They were afraid that "any further testimony would be a death sentence for them." After being taken to Italy for their protection, they disappeared (Flottau 2208, p.1).

Even the family residing in the Yellow House itself was, from all accounts, simply terrified into solidarity with the criminals. Whether coerced or paid for, their involvement was clearly inspired by fear. The family patriarch – a shepherd – gushed incredible explanations to the investigators in panic. The presence of syringes and other medical equipment, he argued, “is perfectly normal for people to administer their own injections in emergencies.” The blood stains were first said to be from child birth; then, from a traditional animal slaughter according to Islamic custom. His family would interject in anxiety during interviews to offer more credible stories. When investigators uncovered the original yellow paint beneath a fresh layer of white paint, the father nevertheless insisted, against eight witnesses who independently described it as yellow, that “it had always been white.” Then, his granddaughter reminded everyone that they had painted it briefly for a wedding before returning it to white, contradicting photographic evidence from UN investigators.

By comparison, Kazbegi is a quiet and uneventful criminal hub. To be sure, the HEU criminals benefited from their kinship ties to the community (particularly their heightened communal solidarity):

Vaja, Henry and Revaz grew up in the same small town and were close friends, which up in Kazbegi country means a tighter bond than in other parts. “They were like one family. It was their custom to share money, for example,” said Archi Pavlenishvili, the
Radioactive Materials Investigation Team officer. “If one of them became wealthy, then others must be also.” No later than the beginning of 2005, a fourth man entered the family promising they’d all get rich. It was Oleg, the Russian, whose last name investigators would later learn to be Khintsagov (p.5-6).

“Everybody knows everybody in Kazbegi,” the BC report notes, and the “locals’ ‘fierce mountain identity’” allowed for “a tighter bond than in other parts [of Georgia/South Ossetia]” (p.5). But this community had nowhere near the clan-based discipline and fear of Rribe. Violence was practically unknown in the village, witnesses were easily recruited by Georgian investigators, and criminal profiteering shared by families. The HEU ring smuggled “low-level contraband” such as wheat, gasoline and cigarettes – all in modest amounts. One of them was a drug dealer, again a low-level middleman (“small time”). Ringleader Khintsagov – arriving like a financial savior – himself survived as a “small time trader,” peddling “Turkish chandeliers, dried fish, sausages” (Sheets 2008). He may have had connections to the Russian mafia, as well as unsavory regimes in Syria, Iraq and the UAE, but neither he nor anyone else conducted extortion, bribery, intimidation or murder around Kazbegi. The contrast is symptomatic of a broader difference in organized criminal community.

**Community: Systematic Silence vs. Incredible Deniability**

The principal reason that Kosovo’s separatist movement had not been especially harmed by the exposure of nefarious crime is that exposure has been *contained* by criminal force. Despite feverish smear campaigns and public relations debacles, as well as tremendous pressure to prosecute the Kosovo leadership on the part of key EU figures and EULEX itself, no arrests, convictions or other formal stigmatizations of the perpetrators were possible. The CE report summarizes the reason:
[The organ smugglers] have succeeded in eliminating, or intimidating into silence, the majority of the potential and actual witnesses against them (both enemies and erstwhile allies), using violence, threats, blackmail, and protection rackets [in addition to] accru[ing] personal wealth totally out of proportion with their declared activities (p.15).

Journalists, policemen, judges, independent investigators and witnesses were routinely targeted after every public exposure of an accusation, legal charge or gossip – even the most informal, abstract hint that organ smuggling had happened was met with criminal repression. Having themselves been threatened, the CE investigators encountered the atmosphere of terror first-hand. They admit that their own report is inconclusive – and bemoan the fact that its impact on the Kosovo leadership has been limited – because:

There were witnesses to the events who were eliminated, and others too terrified by the mere fact of being questioned on these events. Such witnesses have no confidence whatsoever in the protective measures that they might be granted. We ourselves [CE investigators] had to take meticulous precautions in respect of certain interlocutors to assure them of the strictest anonymity (p. 10).

Quite simply, plausible deniability was maintained through intimidation and murder. Both “KLA commanders and rank-and-file members were exasperated by the heavy toll inflicted on the ethnic Albanian population of Kosovo” by the criminal factions (p. 17). The Drenica Group developed a well-rehearsed campaign of violence against anyone who might credibly stigmatize organized criminal figures of any crime, let alone the nefarious one.

The persistence and effectiveness of this strategy is worth illustrating. On December 2002, a potential witness against five ex-KLA members (including Haradinaj’s brother, Daut), accused of torturing detainees, was targeted in a bomb explosion in downtown Priština. A month later, an ex-KLA officer set to testify against Faut was killed (as were his sons and nephew) in a drive-by shooting in west Kosovo’s largest city – in full view of at least 40 witnesses. A few
days later, when UNMIK-backed police sought to speak to the bystanders, no less than an anti-tank missile was fired at them. The same police was further disciplined in August 2003, when four men opened fire from automatic weapons directly next to a police station, killing three (including an 11-year-old girl) and injuring five. UNMIK then confirmed what the local population already knew full-well: potential witnesses against KLA leaders were being systematically targeted along with their families, friends, and policemen they had been in contact with (Council of Europe 2010; Pean 2013, p.221-2). Naturally, the treatment of ordinary civilians was no better. Certain villages endured several waves of “door-to-door campaign[s] of intimidation” in which hooded bandits “were ordered to collect names [of] putative ‘collaborators,’” including “large numbers of ethnic Albanians, as well as Roma and other minorities” (p.17).

Not only were local forces (KFOR, UNMIK, EULEX and the Kosovo police) made impotent, but so was the ICTY. Partly to counter accusations of leniency towards Albanians at the expense of other Yugoslav nationalities, the Hague court brought war crimes charges against Limaj and Ramush Haradinaj, two of the principal organ smugglers. After a similar series of mafia-style assassinations of witnesses, both were exonerated and returned to Kosovo. In frustration, ICTY prosecutors – including Chief Prosecutor Del Ponte – published details on the witness intimidation that disabled the trials. Non-violent measures sent the proper message as effectively as violent ones: threatening letters and phone calls, gunshots fired into the air in front of witnesses’ homes, conspicuous trailing of witnesses’ children, a sniper laser pointed at a witness’s wife’s face in public, among other “warnings” (Pean 2013, p.226).

These sorts of incidents, Pean notes, were “surely born in mind when testifying.” Limaj even “survived” a second trial by EULEX in 2012 after the principal witness against him was found hung under suspicious circumstances in Berlin (p.227).
Even ICTY protective measures were futile. After barely succeeding to secure thirty-four witnesses against Haradinaj, prosecutors were forced to issue warrants for eighteen who changed their minds despite guarantees of safety and anonymity. The court denied the prosecution’s request for additional warrants for three more witnesses because the danger to their safety could not be evaluated properly. Two of them appeared voluntarily but refused to testify (one was too frightened to even enter the Hague courtroom for fear of running into a familiar face). Thirteen obeyed the issued warrants, but tempered their testimonies considerably. Some denied their testimonies entirely weeks after giving them. One witness even withdrew mid-way during his exposition, fearing for his life in panic during the testimony itself; the ICTY escorted him to their medical facility. In sum, after nine witnesses were assassinated and the rest intimidated into silence or withdrawal, Haradinaj was exonerated in April 2008. Prosecutors’ appeals and retrial attempts encountered similar problems (Pean 2013, p.236-8).

Finally, it is noteworthy that this atmosphere of terror is highly durable. The CE report explains that the “subject [of organized criminal dominance] is still truly taboo in Kosovo today, although everybody talks about it in private, very cautiously” (p.2). The author can confirm from personal experience that this is the case, particularly outside Priština, and has remained so after 2011.71 All the while, the deniability claims not just of major criminal kingpins but of “all political parties in Priština” are agreed: they all “acted as one ‘unanimously denouncing the [CE] report as a Serbian conspiracy’” (Neotucheva 2012, p.186).

The criminal hierarchy that executed the HEU traffic also nurtured a culture of silence, but hardly as effective or systematic. No campaigns of intimidation or violence towards witnesses, accomplices or law-enforcement were recorded, let alone any attack on law-

71 In contrast, Tbilisi tour guides into South Ossetia speak freely (almost with pride) of the variety of criminal enterprises through South Ossetia.
enforcement institutions heading the crackdown. The Georgian Radioactive Material Investigation Unit that single-handedly headed the sting operation was poorly resourced, under-staffed and far easier to target than the NATO-backed forces investigating the Kosovo crime rings. Every institution with jurisdiction in Kosovo recoiled at the mere possibility of revealing any details publicly, for fear of empowering suspects and endangering witnesses and policemen. Contrarily, the Georgian Unit confidently shared names of suspects and agents, locations, dates and even security lapses that would directly empower future smugglers (a full section of the BC report entitled “The system fell apart absolutely” is symptomatic, p.12-14). Information was deliberately trumpeted in international and domestic public forums with no repercussions on Georgian officers (some of whom became celebrity folk heroes), witnesses in Prison #5 in Tbilisi (notoriously gang-run), Ossetian militia members, or anywhere else in the streets of South Ossetia or Georgia.

Behind the smugglers, to be sure, were figures from the Russian mafia or security apparatus who inspired warranted fear. Khintsagov

…was apparently so afraid of his nuclear suppliers that after he was arrested, he refused to give even their first names. “He could have just invented some generic Russian names—Oleg, Dmitry. But he didn’t even do that,” said [the head of the Unit]. “He was evidently terrified, possibly for his relatives, and possibly because when his jail sentence in Georgia is up, he knows he will be deported back to Russia” (Sheet 2008, p.3).

Though no evidence has been produced linking him to the Russian state apparatus or mafia directly, his word alone – without exonerating murders, for instance – was sufficient to make the connection to South Ossetia. The narrative was: he visited the province five times in 2005, the smugglers insisted they had an additional two-to-three kilos of equally-enriched material,
therefore the product (and volume) could only be supplied by the separatists’ patron, Russia
through South Ossetia.

Against this narrative, the smugglers’ deniability was not only incredible but somewhat
incoherent. With no coordination whatsoever with Russian and South Ossetian officials, the
criminals produced a cacophony of contradictory stories about who supported them, where they
acquired the HEU, or what they even acquired:

Oleg “partially plead guilty” during his initial interrogation, saying
that he had traveled to Novosibirsk, Siberia’s largest city, where he
purchased the material, which he understood to be radioactive, for
$10,000 from someone named “Rashid.” […] At the trial’s
opening, however, the story changed, […] Now, Oleg was
claiming that the material was some sort of “typographic oxide”
for computer printers, and that he had stored it in his car for five or
six years. Finally, […] he told the court the substance wasn’t
uranium but a common ore readily available in the mines near his
village. “Maybe he was afraid something would happen to his
family in Russia,” Pavlenishvili, the investigator, hypothesized. Or
maybe he was afraid of spending his life in Prison Number 5
(p.17).

In either case, this was hardly as effective as the “highly harmonized reaction” of KLA
offenders, which never wavered – from local courts to international tribunals.

An emblematic illustration of the contrast is between the arrests of organ-smuggler Limaj
and HEU-smuggler Sujashvili. When apprehended in Slovenia, Limaj is confident of his gang’s
silence, refusing to shift blame: with his “head raised high, he smiles and claims that all of this is
an unfortunate misunderstanding” (Pean 2013, p.225). When apprehended in Georgia, Sujashvili
immediately “played small theater,” “red-faced and trembling [he] turned on his friend, Oleg: ‘Is
it true?! Is it real radioactive materials?! Oh, now my family’s ashamed! What have you done?!’”
(p. 12).
Community: Kanun Clans vs. Opportunistic Amateurs

Arguably the most important difference in criminal capacity between the organ and HEU smugglers was in the discipline with which their patronage networks operated. Both Kosovo and South Ossetia (and Georgia) have strong tribal traditions of the fis and the mamasakhilisebi, respectively. Strong blood feud traditions pervade both territories. Village elders and patriarchs are highly esteemed in both societies, bestowing clientistic status on subordinates. However, the nefarious criminals in the HEU episode were simply not as embedded in these traditions (highly conducive to organized crime) as the KLA was.

“The structure of Kosovar Albanian society” as a whole was found to be “very much clan orientated” (p.6). In this context, the organ traffickers were a tidily divided criminal clan (the Drenica Group), allowing the KLA’s “key” commanders to

…establish protection rackets in the areas where their own clansmen were prevalent in Albania, or where they could find common cause with established organised criminals involved in such activities as human trafficking, sale of stolen motor vehicles, and the sex trade (p. 15).

A strict code of ethics, backed by principles of honor and fear of reprisals for violators, accompanied clan membership:

[T]he structures of KLA units had been shaped, to a significant degree, according to the hierarchies, allegiances and codes of honour that prevail among the ethnic Albanian clans, or extended families, and which form a de facto set of laws, known as the Kanun, in the regions of Kosovo from which their commanders originated (p. 14).

The CE investigators noted the levels of commitment and loyalty this entailed was the single greatest obstacle of the investigation. Experts

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72 For Kosovo, see Kaltcheva (2009). For South Ossetia and mountainous Georgia proper, see Immigration and Refugee Board of Canada, Georgia: Blood feuds, including definitions, statistics, state protection, mediation and relocation (2002 - 2011), 26 January 2011, available at: [http://www.refworld.org/docid/51dd0ef84.html](http://www.refworld.org/docid/51dd0ef84.html) [accessed 6 February 2015].
…counseled us that organized criminal networks of Albanians ("the Albanian mafia") in Albania itself, in neighboring territories including Kosovo and the former Yugoslav Republic of Macedonia, and in the Diaspora, were probably more difficult to penetrate than the Cosa Nostra; even low-level operatives would rather take a jail term of decades, or a conviction for contempt, than turn in their clansmen (p. 11).

Elsewhere, it notes that the criminal loyalty can in a sense “trump” the very clans it is embedded in:

[T]he ancestral custom, which still prevails in some parts of society, of entrenched clan loyalty, or its equivalent in the sphere of organised crime. Even where the conspirators in question are not themselves members of the same clans or extended families, the allegiances they feel towards their criminal “bosses” are as unbreakable as any family bonds (p.26).

The advantages of this for the criminals as well as the separatist movement were enormous. The “fear, often to the point of genuine terror, which we have observed in some of our informants immediately upon broaching the subject of our inquiry [organ traffic]” was not only enforced through intimidation, but through custom and tradition (p. 6). The KLA did not need to invent or impose it, but merely to instrumentalize it. Most Albanian witnesses at the Hague were not threatened or intimidated. In explaining the failure of the ICTY in prosecuting organ traffickers, former chief prosecutor Del Ponte notes that this was unnecessary: “former KLA fighters were under strong influence of their deep loyalty to the KLA altogether,” a “feeling of duty that affected the willingness of witnesses to tell the truth about certain events in their testimony.” She concluded: “There is no doubt that a feeling of honor and other tribal values have a special meaning in the culture of Albanian witnesses from Kosovo” (Pean 2013, p.226). CE chief investigator Marty agreed: “The entrenched sense of loyalty to one’s clansmen,” he noted, “and the concept of honour” was the principal obstacle to exposing the crime. It “rendered most ethnic Albanian witnesses unreachable for us” (p.11).
This Albanian clan-based criminal milieu has no ethnic rivals to speak of: due in part to the international peacekeeping presence, as well as the cantonization of Serbian, Roma and Gorani villages, minorities in Kosovo have not formed clan-like armed groups. In contrast, the Georgian/Ossetian criminal milieu is highly ethnically diversified. Violent non-state actors include the military wing of the breakaway Abkhazia province, Armenian militias of Javakheti, Chechen terrorist cells, as well as militias such as the White Legion (Tetri Legioni), the Forest Brothers, and the Hunter Battalion (Arasli 2007, p.7). These formations compete for lucrative contraband, but – in most permutations – harbor dissimilar ideologies, patronage traditions, religions, and relations to ethnic mafias in neighboring states. Furthermore, Armenians, Chechens and non-Chechen Muslims (of whom there are hundreds of thousands in Georgia) host their own criminal clan communities. Since the structure of the regional nuclear traffic involves flows from Central Asia through Georgia/Ossetia into the Middle East, these ethnic-based criminal groups are better positioned to attract and communicate with customers in Arabic states (Traughber 2007).

As a consequence, collaborative criminal efforts are most often ad hoc and multi-ethnic, having no stable kinship relations to rely on. In a 2010 review of all notable nuclear smuggling cases involving Georgia, Kupatadze surveys a variety of cases ranging from ethnic- and kinship-based ties to multi-ethnic partnerships, with no apparent regularity as to whether agents in this nefarious criminal branch appeal to ethnic loyalties or not (Kupatadze 2010). Instead of disciplined clan hierarchies and kinship loyalty, past experiences (from Ergneti smuggling, in particular) are the sole foundation for mutual confidence:

73 This may be one of the reasons why even the dominant Mkhedrioni militia (comparable to the KLA) had not expanded its criminal enterprise to HEU smuggling: the “members of the paramilitary group Mkhedrioni […] did express interest in acquiring radiological materials, but they were never charged in any related crime” (Kupatadze 2010, p.224).

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In the trafficking of radioactive substances (as with other kind of smuggling [in Georgia]), the collaborators’ past experiences working together are essential, especially given the highly secretive nature of the enterprise. Single-deal partnerships would not be possible without a great deal of trust, which is generated via past cooperation (Kupatadze 2010, p.223).

Patrons and clients in the nefarious episode, accordingly, were spontaneously tied together for a single profitable occasion. Far from clansmen acting out of honor, the HEU criminals were best described as ordinary opportunists. The BC report marvels at the incompetence of a “smuggler who carries HEU in plastic baggies in his pocket, and who provides his pursuers with an easily traced landline number while chatting on his cell phone after the deal goes sour” (p. i). “None of the men were sophisticated smugglers” (p.5-6):

Investigators frequently refer to the people involved in radioactive materials smuggling as mochaliche, a colloquial Georgian term for individuals who are apt, resilient, and resourceful at finding ways to achieve their ends and who are willing to engage in both legal and illegal activities for profit. For mochaliche, the goal of earning money justifies any means, including the violation of ethical norms (Kupatadze 2010, p.224).

These include ethnic/kinship norms – three Georgians and a Russian, after all, conspired to sell to anti-Russian Turkish Islamists in anti-Georgian Ossetian territory. Under circumstances like these, trust was understandably frail, leading to impulsive betrayals among criminals at every step (p. 16-18).

Above all, whereas the Albanian Kanun dominated the nefarious crime scene in Kosovo, the analogous thieves-in-law (vory) codes were unrelated to the HEU traffic:

Significantly, none of the above cases [including the 2006 episode] involved anyone from the professional criminal organizations that were dominant in the former Soviet Union, namely the vory-v-zakone. This is notable because the vory constituted the most powerful organized crime network in the 1990s, in both Georgia and Russia; in Georgia, they had stakes in almost every sector of licit and illicit activity. Georgian professional criminals were
powerful in Russia, Ukraine, and other former Soviet republics, and they operated powerful transnational smuggling rings that served as conduits of various materials, both licit and illicit. However, Georgian law enforcement and intelligence agencies are not aware of any evidence that would indicate that the vory were involved in radiological trafficking (Kupatadze 2010, p.229).  

To be sure, the BC report warns that at least criminal head Khintsagov “may have been more than the incompetent small-time criminal he seemed” because of his “unexpected knowledge of nuclear matters,” and his repeated travels to “Syria, Saddam Hussein’s Iraq, and the United Arab Emirates,” which indicate state sponsorship (p.i). Even if the skepticism is justified, the connection to the regional clan tradition of thieves-in-law (vory) remains unfounded. There is as much evidence that a Middle Eastern criminal syndicate was behind the nefarious episode as there is that Russian or Georgian clans were involved.

It would nevertheless be highly misleading to simply dismiss this as disorganized crime. It was the third time in seven years that illicit HEU transit had been intercepted in Georgia. Dozens of seizures or attempted thefts of weapons-grade material were reported after the Soviet Union, all through similar criminal channels. In almost every case, the theft and primary sale was by insiders with Russian and/or Turkish mafia connections. Whether sanctioned by high-level kingpins or not, mid-level figures (like Khintsagov’s source) undoubtedly give orders and discipline subordinates, at least for their “looking the other way.” Indeed, the HEU trafficking hierarchy is broader, more internationalized and more durable over time than the effectively less organized organ traffic in the region. The key difference is that the nuclear market is ethnically heterogeneous; it seems to be clan-based only at lowest-level ties.

74 Emphasis added.
75 See the Nuclear Trafficking Collection database of the Nuclear Trafficking Initiative, which documents proliferation-significant instances of nuclear material seizures. Their annual reports cite all known instances of trafficking in nuclear and radioactive materials through all former USSR republics, 1991 to 2012. The 2006 case is cited, and is rather typical of the regional traffic as a whole.
An indicative source is a 2012 inventory of nuclear smuggling incidents in the Black Sea region by Schmid and Spencer-Smith. Though incomprehensive, the inventory records all documented incidents of smuggled materials that could be used for nuclear weapons construction in the wider Black Sea area from 1990-2011. It catalogues countries involved, amounts and types of radiological and nuclear material, seizure circumstances and details about traffickers and their intended destination. Despite data limitations, the compilers reveal what “might be considered ‘archetypes’ of nuclear and radiological smuggling and trafficking in the wider Black Sea region” (Scmid and Spencer-Smith 2012, p.1).

For our purposes, three deductions suffice: (a) the HEU traffic consistently revolves around the same criminal milieus in the same localities - however, these are ethnically diverse and consist of clans that are otherwise mutually antagonized (Turkish, Armenian, Russian, Islamic mafias cooperate, but with less cordiality than within their ranks); (b) Georgia’s recurrence and South Ossetia’s relative absence indicates that Ossetian/Georgian clan loyalties rarely had the opportunity to be employed (out of a total of 341 incidents, twenty-five cite Georgia: only one of these citations associates the traffic with South Ossetia); and (c) the effectiveness of various national law enforcement in curbing the nuclear traffic, including Georgian after 2003, is largely a result of ethnic parochialism among the criminal branches. Turkish/Russian/Chechen criminals take no risks out of solidarity for their “out-group” accomplices; in addition, national law-enforcement seems to disproportionately persecute smugglers not of their titular ethnic background.\textsuperscript{76} Georgia itself reported thirteen criminal persecutions for radioactive material smuggling since the early 2000s: out of twenty-seven smugglers, twenty were ethnic Georgians, four Armenians, one Ossetian, one Turk and one

\textsuperscript{76} This applies to Turkish arrests in particular – they are disproportionately concentrated on Uzbekistan, Chechnya, Georgia, and especially Armenia.
Azerbaijani (Kupadze 2010, p.222). Most Georgian smugglers are persecuted by Turkish authorities.

This feeble level of ethnic trust – as a feature of the criminal market regionally – is ultimately what made the 2006 HEU episode so devastating to South Ossetia. The principal reason for the arrests was the criminals’ lack of reliable contacts with potential buyers, their inability to defend themselves from persecution, and their utter lack of support from the Ossetian criminal community. Even though the market demand was far higher (and easier to access) than for the organ traffickers, the HEU smugglers failed to secure reliable, verified access to Turkey. Simply put, the HEU traffickers were caught for lack of logistical care and clan support.

Conclusions

In this chapter, I argued that nefarious crime harmed South Ossetia’s separatist movement more than Kosovo’s because organized criminal capacity was greater in Kosovo, thus containing the harm in a variety of ways. This finding is especially remarkable because there are four strong contextual reasons that made Kosovar separatism much more vulnerable to harm from nefarious crime exposure. Namely, while the HEU smugglers were unaffiliated with the separatist movement, the organ smuggling episode was organized by the highest level of separatist leadership; the organ harvesting operations were far more difficult, riskier and invited greater stigma and persecution; the HEU smugglers were operating in a much less repressive and hostile environment, as host state, international and INGO capacity to crackdown was far weaker in South Ossetia; and while the nuclear traffic was well-established with precedents, the organ smugglers had to be entrepreneurial.
I have argued that three features of organized crime explain the outcome: *infrastructure*, as reflected in control over borders and sites; *autonomy*, as reflected in use of ideological cover and immunity through separatist office; and *community*, as reflected in kinship-based, fear-driven discipline and clan loyalty.

Criminal infrastructure in Kosovo included full control over their critical transit points for the smuggling route. The Kosovo-Albania border and the criminal gatekeepers who administered it were part of a strict command hierarchy under KLA criminal kingpins. This border effectively became anything but, giving smugglers entry to friendly territory far from the host state’s reach, transport opportunities for driving captives and their organs to safe houses, and access to Tirana airport. The South Ossetia smugglers failed to control even the far less demanding Roki Tunnel, which remained a somewhat effective (and therefore risky) inter-state crossing. Criminal gatekeepers never replaced troops, policemen, customs officers and peacekeepers, thus compelling HEU traffickers to use the riskier Kazbegi crossing through Georgian territory.

Similarly, while Kosovo’s nefarious criminals controlled an elaborate network of facilities and safe houses (with guards, accomplices, drivers, etc.), South Ossetia’s had barely any logistical control over sites on the ground. This advantage not only helped postpone exposure, but helped contain its effects after it ensued.

Furthermore, Kosovo’s organ smugglers were far more autonomous. They effectively draped their activities in the cause of national liberation, presenting assassinations, kidnappings, elimination of rivals, concealment of graveyards, as well as organ extractions themselves as means to noble separatist ends. The HEU smugglers, on the other hand, failed to exert any ideological leverage – no appeals to ethnic loyalty, separatist struggle or any goals higher than profit empowered the criminals to act more freely or gain pragmatic benefits for their operations.
Indeed, their nefarious activities became easily instrumentalized through anti-Ossetian propaganda. Furthermore, while the KLA leadership systematically extracted protective measures and immunity from separatist institutions (minimizing risk to themselves before, during and after exposure), the HEU traffickers had no capacity to seek protection from separatist office, let alone instrumentalize it. Not only was immunity out of the question, but even basic confidence measures in low-level separatist positions could not be secured.

Finally, and perhaps most intriguingly, the organ smugglers relied on a community of kinship, trust and fear that the HEU smugglers were simply not embedded in. I illustrated this disparity with a contrast between the Yellow House – where entire villages were terrified, bribed or otherwise inspired to protect perpetrators, punish witnesses and conceal evidence – and Kazbegi – where discipline and solidarity were modest, even as the South Ossetian nefarious criminals hailed from the community. Systematic silence characterized the response to exposure in Kosovo, where the separatist movement was shielded by a coordinated, disciplined campaign of intimidation that ensured plausible deniability and minimized stigma. In South Ossetia, exposure revealed a far less effective and unsystematic culture of silence around the HEU smugglers; these nefarious criminals were not only abandoned and powerless to contain the harm through their communities, but their fates became ultimate justifications for anti-separatist repression. Above all, while the organ smuggling ring was embedded in clan-based patronage networks and traditions of honor, blood feuds and Kanun rules dictating loyalty, the South Ossetian traffic was rather multi-ethnic, improvised, disloyal to clan/kinship groups, and deviant from thieves-in-law rules and codes of honor.

In sum, exposure and persecution of HEU criminals reveals the relative underdevelopment of the South Ossetian criminal community. Their being caught without any
containment measures from the separatist movement, or their organized criminal network, is a
direct consequence of their inferior infrastructure, lesser autonomy and lack of community. In
contrast, the immunity and effective defensibility of the organ smugglers (including from
stigmatization of the separatist movement) are an outgrowth of the solidarity, discipline and fear-
based trust that comes from their clan structure – as well as their autonomous control over the
separatist movement, and their extensive infrastructure. The protection of the separatist
movement was an unintended consequence of organized criminal circles protecting themselves.
CONCLUSION

Almost every region of our world is being disrupted by separatist movements. Some are successful and some less so. Contrary to predictions after the Berlin Wall fell, the expectation today is that centrifugal, secessionist forces will continue to multiply in the coming decades. This work has shed light on a neglected explanatory factor in understanding why this will be the case. I have argued that organized crime matters for separatist success. Through a comparative analysis of two relatively minor separatist movements from a global perspective, one cannot hope to generalize about the causes of separatist success globally. However, the variety of organized criminal roles and recurrent causal mechanisms tying criminal activities to movement outcomes may be applied to any separatist struggle and refined accordingly.

I began with the observation that Kosovo is a more successful separatist movement than South Ossetia. One can confidently predict as of 2015 that, should either become fully independent nation-states, Kosovo is more apt to do so, while South Ossetia is more likely to merge with Russia. Kosovo’s capacity for self-government in matters of coercion, taxation and border-control – and hence its capacity to function without international supervision – is simply greater than South Ossetia’s, whose weaker capacity has doomed it to remain dependent on its patron-state, Russia. Having argued the dependence of separatist movement success on organized crime in four chapters, I return to the six explanatory propositions foreshadowed in the Introduction. Below, I synthesize the chapter arguments as they apply to each in turn.

To reiterate, the six explanatory propositions are: (1) organized crime can be formative of state structure, capacity and stability; (2) popular support for the separatist movement can directly depend on organized criminal activities; (3) organized criminal capacity can – through its relations to the host state and separatist movement – hinder or advance separatist success; (4)
the ethnic heterogeneity/homogeneity of organized crime may determine its capacity and willingness to promote separatist success; (5) organized crime contributes to separatist movement success when it is (a) prepared and (b) predisposed to divert regional smuggling opportunities towards movement goals; and (6) whether host state repression helps or harms the separatist movement depends on the role that organized crime is fulfilling vis-à-vis the state and separatists.

To crystalize the conceptual stakes in each proposition, I will sporadically draw analogies using one of Simmel’s original examples of triadic relations: the patriarchal nuclear family of father, mother and child. Value judgments aside, I employ the analogy between a separatist movement and a wife seeking to leave the marital union. Let us consider an abusive father, a mother striving towards divorce, and a delinquent son. There are many families like this in the neighborhood, even if most are not. I will ascribe maliciousness to father, mother and son alike depending on the proposition – the purpose is merely illustration. My general argument has been, by analogy, that the wife’s successful divorce can be explained well with reference to the son’s autonomous relational role. Conceptualizing the delinquent kid as a mere appendix of one or another parent or – worse still – as a tertiary factor in the prospects for divorce is misleading and inaccurate.

First, organized crime can be formative of state structure, capacity and stability. The extant literature largely treats organized crime as – to use the dated Marxian term – epiphenomenal. Social movement scholars (state-centered theorists in particular) tend to simply reduce organized crime to a byproduct of state weakness. Sometimes it is conflated with

77 Gender and family issues aside, I merely try to crystalize the relational configuration as a triad. The son will not be assumed to be innocent in his child status. I portray a heterosexist, deeply pathological family, to be sure. The son could almost as easily be a “third man” closely related to both parents. The key is to see the comparative advantage of considering all three as opposed to the parents alone in explaining divorce.
corruption or state incapacity broadly. It is rarely considered anything but a dependent causal factor, determined by the state either directly or through unintended consequences. I have argued that it is worthwhile to reverse this causal logic. In regions torn by separatism, organized crime can itself determine whether the state is authoritarian or democratic, strong or weak, divided or consolidated, stable or volatile – among other fundamental features.

Conventional wisdom taught us that anything straining state resources is likely to help organized crime. Thus state-separatist collision is a helpful precondition for organized crime to have a consequential impact on the state. To repeat an earlier analogy, small parliamentary parties which are otherwise negligible have their greatest opportunity to become dominant deciders of parliamentary outcomes when the large parties are in disagreement. Similarly, if separatist tension did not exist at all, organized crime would presumably not be as formative of host state features. But I have argued we can go further: organized crime can itself represent such a colossal burden on state resources – or, it can serve as primary provider of state resources, as the Milošević regime displayed – that we should conceptualize it as a determinant of state-separatist conflict, not just a consequence of it.

Chapter 1 revealed macro-analytic reasons for contending that organized crime is a crucial factor in this regard. In the two regions, separatist movements co-exist with a variety of organized criminal networks. These mafias directly undermine state capacity by supporting not merely secessionists but anti-government forces more generally. Through control of borders, well-coordinated smugglers regulate the movement of people, commodities, and even ideas that can jeopardize state legitimacy. Likewise interested in reconfiguring borders, separatists naturally cooperate with gangsters. Furthermore, criminal militias provide goods and services (including protection) in ethnically-exclusionary ways, challenging the state’s own efficacy at
fulfilling these functions. As the cases of Moldova, Tajikistan, Montenegro and other cases demonstrate, government elites rely on organized crime to such an extent that their very existence would be questionable without mafia sustenance. Under such circumstances, relegating organized crime to a derivative of state agenda-setting is absurd. Mafias sustain states, not just vice-versa.

Considering the regional ex-Yugoslav and ex-Soviet cases, I concluded that organized crime is as important as state strategy/ethnic structure and geopolitical dependence as a factor in determining separatist success. By definition, separatist success requires curbing state structure and capacity, and at least temporarily destabilizing the host state. A general mechanism that I have recurrently explored is that organized crime, through its impact on the host state, paves the way for the separatist movement to sustain itself, to mobilize or to attack effectively. Gamsakhurdia’s attempt at reintegration of South Ossetia, Saakashvili’s 2008 debacle, and Milošević’s pre-1996 Kosovo policy, were all instances of state incapacity catalyzing separatist progress. First, organized crime incapacitated the state. Then, the state – responding to provocation, out of panic, or simply out of strategic blunder – confronts the separatist movement. Weak, illegitimate and unstable, the host state fails. Finally, the mafia’s grip on state and/or separatist institutions becomes even greater – and the state is destabilized, weakened, and further criminalized.

The Georgian civil war, to mention the most paradigmatic illustration, was instigated by organized criminal gangs – the Mkhedrioni and the National Guard. The state was destabilized before it even consolidated properly. The Mkhedrioni then pretended to do the government’s bidding in attacking South Ossetia. Ostensibly Gamsakhurdia’s subordinates, they fought a war of plunder and profiteering – not of containing separatism. Such a war undermined state
credibility and capacity, but strengthened criminal kingpins. South Ossetian society responded by spawning its own militias (which would later cooperate lucratively with the gangs that attacked them). Then, criminal clans intensified the civil war through street-fighting and gangsterism, plunging the entire country into unprecedented decay. Mafias directly co-opted the government – its former employer – through coup d’état. Finally, once the centralized state became unrecognizable as such, criminal hierarchies sought to consolidate it in a form that protects their illegal markets. They ended the civil war on their terms, designing the conditions of the transition into the Shevardnadze period. The new leader was simply compelled to integrate criminals into the government out of necessity – meaningful state capacity would have been impossible without them. Organized criminal networks remained pillars of statehood for years to come. In the course of such a process, Gamsakhurdia’s government hardly stood a chance at any coherent policy towards South Ossetian separatism.

This ideal typical mafia process in relation to the state may be outlined as follows. First, cripple the state. Second, offer one’s services to it knowing it has no alternative. Then, further undermine it to the point of collapse. Finally, act as savior from the catastrophe one brought about. In this context, the question of co-optation was a recurrent one. State co-optation of movement institutions is a familiar and well-researched process. Yet we saw that organized criminal co-optation in Serbia and Georgia played a much more decisive role in determining outcomes. Indeed, state co-optation episodes pale in comparison to criminal co-optation episodes.

I also argued that the two negative cases of Chechnya and Transnistria urge us further to consider organized crime as an autonomous agent vis-à-vis the state. Namely, Chechnya is not a highly successful movement but boasts enormous organized crime; Transnistria, on the other
hand, is a highly successful movement but does not have substantial organized crime on its
territory. Chechen organized crime was particular because it did not vary significantly over the
time period – the relevant mafia played a single, consistent role. In Transnistria, organized crime
was largely monopolized by the Moldovan host state itself and thus could not have as direct an
effect on separatist success. These two dimensions – organized criminal variation, or the extent
to which aggregate crime patterns and roles varied significantly over time, and relative
representation, or the extent to which organized crime is primarily based in separatist or host
state territory – encouraged us to think about the complexity of organized crime. Different
mafias with different trajectories will produce differing effects on state structure.

Using our family analogy, the delinquent son’s role can be formative on the patriarch’s
ability to keep the family together – by force or otherwise. We have tended to treat divorces as
matters of the mindset, choices, decisions, opportunities and grievances of the husband. But each
of these can depend fundamentally on the delinquent son. The abusive husband’s opportunity to
keep his wife in captivity may very well depend on the kid’s resourcefulness in helping his
mother leave (perhaps the son can drive, saved up pocket money for life away from the father, or
can physically match the father’s violence). Alternatively, the delinquent son may be the sole
earner for the family, while both parents are unemployed or underpaid. Perhaps the patriarch’s
position as head of the household depends on good relations with the son. Or, suppose the
mischievous son realizes his greatest chance for autonomy is in destroying family harmony
(perhaps by withholding his earnings from the family, antagonizing the father against the mother
to distract them from the bank account, or blackmailing the father into giving him the car keys).
The son might, furthermore, aspire to become the patriarchal “man of the house” by undermining
the father’s ability to be one – with or without the mother’s help. In such family dynamics,
reducing the son’s behavior to the father’s patriarchy overall would be pure confusion. Divorce outcomes would have to be understood with reference to the son as an agentic, consequential factor.

Second, popular support for the separatist movement can directly depend on organized criminal activities. The social movement literature is rightly concerned with insurgent consciousness, cognitive liberation, ideological/cultural framing and related concepts. These aim at theorizing the conditions under which popular support for the movement coincides with favorable political opportunity structure (among other conditions). Political opportunity structure in turn determines movement outcomes. I have suggested that separatist movements are somewhat unique among social movements in their exclusionary and non-reformist character. Concretely, Kosovar and South Ossetian separatist movement success depended directly on their ability to convince large constituencies that loyalty to the host state is undesirable, unprofitable or dangerous. Somewhat counterintuitively, organized crime has the capacity to both advance and undermine separatist movement success – it can persuade or coerce entire constituencies to support separatism, or to deem it against their interests.

In Chapter 1, we saw that most separatist movements in the two regions that have achieved any meaningful level of autonomy (the moderately and highly successful ones) overlap with significant organized crime. We explored some of the reasons for this: criminal profiteering is often directly analogous to government activities such as providing economic services, protection and order. Most forms of corruption can or must coexist parasitically with governments – and these are the limit of what most of the literature has acknowledged. But the organized crime that characterizes separatist provinces in the ex-Yugoslav and ex-Soviet regions goes beyond that. It creates parallel institutional channels for distributing goods and protection
that deliberately exclude the state and its supporters. Insofar as the separatist movement has the requisite militias and reliable smugglers to offer protection and goods, it can attract support more effectively.

In Chapter 2, we saw that Phase 2 in Georgia was a unique phase in its negative effect on separatist success. The single most important reason was that the Ergneti Market made separatist mobilization and ideology highly unpopular. For its own purposes, the dominant criminal enterprise opted for peaceful and multi-ethnic smuggling. This in turn fostered cooperation between ordinary Georgians and Ossetians through massive, prolonged and routinized illicit trade. Separatist elites were unable to mobilize the Ossetian population on an anti-Georgian basis – but not for lack of trying. Ordinary Ossetians did not care to sacrifice their livelihoods for a movement that threatened Ergneti’s flow of goods. Even the separatist elites themselves became less willing to live up to their own secessionist ideology, as their dependence on Russia increased. As a consequence, irredentism began to be the only realistic separatist demand – and it has remained so to this day. Contrasting this to Kosovo’s consistent progress, I have argued that the South Ossetian separatist trajectory was one of interrupted progress.

It is worth emphasizing that organized crime has often been more stable and reliable than the host state itself – a very good reason to support it. In contexts such as the Balkans and Caucasus, the coherence and continuity of the host state does not last long. From 1989-2012, Serbia and Georgia were fundamentally transformed every few years by border-shifting wars, mass emigrations, transformative economic crises, and democratic uprisings that uprooted entire state sectors. The continuity between the Gamsakhurdia, Shevardnadze and Saakashvili regimes was as slim as the continuity between Milošević, Djindjic and Tadić. As I indicated in Chapter 2, popular support for the state oscillated accordingly. Generally, people are hesitant to trust such
unstable power centers. But consider how comparatively consistent and resilient organized crime was during the same period. The KLA was formally disbanded after winning the separatist war in 1999. Did it disappear? On the contrary, its commanders expanded their narco-trafficking empire and continued to exercise violent mafia rule throughout Kosovo – now as statesmen. Ioseliani and Kitovani were forcibly removed from Georgian public life. But did their criminal empires recede? On the contrary, they continued to be pillars of corruption in major Georgian state sectors. The Bulldozer revolution allegedly severed ties with the Milošević criminal apparatus. Did the Zemun Clan decline? Far from it: they returned with a vengeance within three years, assassinating the Prime Minister in an attempted coup. On the whole, insofar as popular support is drawn to stability, organized crime can be more attractive than states.

By rough analogy to the dysfunctional family, let us compare two dynamics. In one scenario, let the wife be disinterested as to the possibility of divorce, but with a son who does everything he can to motivate her to end the marriage – he secures an apartment for her in the event of separation, reminds her of her husband’s cruelty, and promises to share his earnings with her when she leaves. In the second scenario, let the wife be equally disinterested, but with a son who ensures that remaining in the marriage is desirable – he conditions his donations to both parents on their good behavior, including incentives to the father to be less patriarchal. These two cases, I contend, are worth differentiating in that the wife’s decision can be swayed by the son’s activities. If we were to examine his mother’s decision entirely without reference to his inducements, we would miss a crucial dimension of the family dynamic.

Third, organized criminal capacity can – through its relations to the host state and separatist movement – hinder or advance separatist success. Separatist movements, as stressed in the Introduction, are not like the reformist and inclusionary ones that dominate the literature.
Separatists are deliberately excluded from legal, formal channels for acquiring resources. Thus it is natural for them to turn to illicit commodities and extra-institutional support for acquiring goods and services. But organized crime can assume a variety of relations with the state on the one hand and the separatist movement on the other, constituting different roles.

In Chapter 1, we saw that Yugoslavia and USSR has simultaneous, very similar contexts of state collapse. These spawned the modern Serbian and Georgian states and, subsequently, Kosovar and South Ossetian separatist movements. These movements – despite the numerous similarities that make them convenient comparative cases – boasted different outcomes. While the South Ossetian movement remained irredentist and less successful, the Kosovar movement was fully separatist and more successful. The fact that organized crime assumed an impartial bystander role in South Ossetia but a *divisor et imperator* role in Kosovo accounts for the difference.

The relational insight of Chapter 2 – with its application of Simmel – makes this point vivid. The trajectories of the two separatist movements were simply divergent in a way that suggests that organized criminal relations are an obvious explanatory factor. Organized crime in Serbia evolved from the role of bystander, to *divisor et imperator*, to *tertius gaudens*. In contrast, organized crime in Georgia evolved from the role of *tertius gaudens*, to non-partisan mediator, to bystander. The substantive differences (and sequence) of these roles in three phases reveal that Kosovo had more opportunity to be propelled into separatist success than South Ossetia. The middle period (Phase 2) in each case was the crucial difference in the two trajectories. While Kosovo had four years of intense separatist escalation through ethnic war in its middle phase, South Ossetia had nearly an eight-year interregnum of separatist de-escalation and ethnic pacification.
When state-separatist collision was high, organized crime as *tertius gaudens* profited enormously in both cases – growing in scope, becoming an indispensable broker between the two sides, and inheriting the duties that movement and state institutions themselves failed to provide because of their confrontation. Given the differing sequences, South Ossetian separatism simply had the “misfortune” that organized crime assumed the role of *tertius gaudens* before that of non-partisan mediator. In Kosovo, organized crime played *tertius gaudens* only after *divisor et imperator*.

Several mechanisms connecting organized crime’s role to state and movement outcomes relate to borders. We saw that boundary changes – an inevitable goal of separatist movements – impact directly on organized criminal roles in the two cases. Chapters 2-4 demonstrated that organized crime largely preyed on smuggling across disputed borders – the Kosovo-Albania border and the South Ossetia-Russia border primarily, and the borders leading from Serbia and Georgia westward into Europe secondarily. When disputed borders were profitable for organized criminal networks (as with the Georgia-South Ossetia border), criminal advantage was maintained by keeping the borders frozen. When disputed borders were not profitable for organized criminal networks (as with the Serbia-Kosovo border), criminals and separatists conspired to violently seize and administer them.

By our analogy, let us consider another two family dynamics. In the first, the delinquent son played a number of roles in the family triad. First, he passively benefited from the quarreling of the parents which he did not cause (by taking advantage of their lack of communication, for example, to stay out late or ask for double allowances); then, he began to be a pro-active go-between preventing quarrels and motivating both parents to avoid mutually painful bickering (by organizing family gatherings or funding spa trips that both parents enjoy, for instance); finally,
he got tired of pro-actively reconciling them and started minding his own business as they returned to their quarrelsome ways (spending more time with his peers, excluding his parents when possible, and generally adapting neutrally to the given circumstances). Now let us consider another family trajectory. The delinquent son first just stood by, preoccupied with his own affairs, neither promoting nor preventing divorce (ignoring and adapting to parents’ rules); but then, he began to pro-actively promote misunderstandings and quarrels for his own ends (by manipulating their fears of infidelity, say, or provoking the father to be abusive in the hopes that he can take over the family); finally, the son began to passively benefit from the now-contentious parents (extracting double favors behind their backs, or stealing money from the drawer during quarrels he did not incite). The sequences of the son’s roles in the two trajectories are evidently an important determinant of the ensuing divorces.

Fourth, the ethnic heterogeneity/homogeneity of organized crime may determine its capacity and willingness to promote separatist success. It is inherited wisdom that separatist mobilization depends on ethnic mobilization at a large scale, which can in turn determine separatist success by developing a nationalist anti-state ideology coupled with ethnically-exclusionary, quasi-state services that compete with what the state has to offer. The general neglect of organized crime as an agent resulted in a disregard for criminal goals which can indirectly serve such ends.

The great irony of Serbian and Georgian obsession with reintegrating the two separatist provinces is that Kosovo and South Ossetia are rather worthless strategically, economically and even ethnically from a nationalist perspective. These are small, underdeveloped regions that have consistently drained host state resources even during periods of near-total host state control. To make matters worse, they are inhabited by majority populations that are unruly and ethnically
hostile to the titular constituencies of Serbia and Georgia (and the animosity is mutual, of course). Yet the state exhausts enormous resources to maintain even a charade of sovereignty over these lands. Serbia went so far as to endure a war against NATO and Georgia as far as to provoke Russian military aggression to preserve their claims over the territories. From the perspectives of the Milošević and Saakashvili regimes at the time, they risked no less than total military occupation given the strength of the separatists’ allies. Gamsakhurdia even recklessly embarked on the First South Ossetia War in the middle of a civil war in Georgia proper, before he had even consolidated state power from rampaging gangs in the streets.

In Chapters 2 and 3, I argued that organized crime in the separatist territory itself was an important dimension to consider. We saw that the KLA’s rise to separatist leadership positions was done via a confrontation with the less polarizing Rugova, and a brutal enforcement of ethnic obedience in Kosovo. It was only after ethnic polarization was enforced within the Albanian community that organized crime successfully turned to confronting the Serbian state on ethnic grounds. In South Ossetia, in contrast, the ethnic cooperation between separatist and Georgian criminals set clear limits on ethnic polarization. State-separatist confrontation was attempted from both sides, but the Ergneti Market prevailed in its tempering of ethnic division – ordinary Ossetians and Georgians were jointly empowered by a frozen conflict with disputed borders. Even as regional drug and arms flow opportunities appeared to potentially disrupt the ethnic truce, organized crime continued to be a leading factor for peace and stability.

The micro-analytic approach in Chapter 4 demonstrated the effects of organized crime on ethnic mobilization even more vividly. I argued that nefarious crime harmed the South Ossetian separatist movement more than Kosovo’s because organized criminal capacity was greater in Kosovo, thus containing the harm. To be sure, both Kosovo’s and South Ossetia’s separatist
movements suffered considerably from the exposure of their respective nefarious criminal episodes. But the ethnic homogeneity of the organ smugglers and the ethnic heterogeneity of the nuclear smugglers produced different effects: Kosovo separatist success was promoted, but South Ossetian was hindered.

Despite four contextual reasons that made Kosovo separatists more vulnerable to nefarious crime exposure, they managed to contain the harm because organized crime had superior capacity: it had greater infrastructure (as seen in control of borders and sites on the ground), greater autonomy (as seen in use of ideological cover and immunity through separatist institutions), and great community (as reflected in kinship-based discipline and clan loyalty). Both infrastructure and autonomy were in part reflections of criminal ethnic homogeneity (Kosovo) or heterogeneity (South Ossetia). Control over the Kosovo-Albania border and the lack of control over the Roki Tunnel were determined by how multi-ethnic the nefarious criminals were. In addition, the instrumentalization of separatist institutions (for immunity and ideological cover) was made possible or impossible by the level of ethnic identification with the organ or nuclear traffickers, respectively.

But the third component – community – best illustrated the importance of ethnic homogeneity among mafias. The organ traffickers took advantage of a criminal community based on kinship, trust and fear that the organ smugglers were simply not operating in. Considering two “scenes of the crime,” the Yellow House in Albania and Kazbegi in Georgia, we saw how this disparity ultimately led to greater harm of the nuclear traffic to South Ossetian separatists. Entire villages around the Yellow House were effectively disciplined through intimidation and ethnic solidarity to minimize the potential stigma of exposure of the nefarious episode. Plausible deniability and silence were ensured through a coordinated campaign of ethnic
disciplining based on clans, blood feuds and enforcement of Kanun rules. Though one might debate how voluntary it was, a de facto ethnic solidarity ensued. Nefarious criminals were directly protected by the ethnic homogeneity of the separatist community. In contrast, ethnic loyalties in and around Kazbegi did not amount to much. The nuclear smugglers were part of a multi-ethnic enterprise, could not rely on clan-based silence and patronage, and did not enjoy protection from kinship loyalty and discipline. In sum, in the course of protecting their interests, organized criminal enterprise in Kosovo contained the harm to the separatist movement because the nefarious criminals were ethnically homogenous, but in South Ossetia it failed to do so because the nefarious criminals were ethnically heterogeneous.

In our analogy, the question would be whether we take for granted that the son is straightforwardly, equally partial and loving toward both parents, or whether he is significantly biased towards one (who is in turn protective of him). The son might have no relation whatsoever with his mother – they may not even speak. Conversely, the son might be on intimate and loving terms with the mother (sharing everything, material and emotional). Suppose the delinquent son engages in reckless, shameful behavior that would jeopardize the parents’ marriage (perhaps he commits a bank robbery with the household rifle, incriminating the parents). If the mother-son bond is greater than the father-son bond, we might expect mother and son to conspire to minimize the stigma (and perhaps even shift blame to the patriarch) when word gets out in the neighborhood and among police. On the other hand, if the son is equally intimate with both parents, they might wash their hands of the troublemaker and the mother might interpret the incident as yet another sign of a failed marriage and disastrous parenting – further encouraging divorce. The centrality of the son’s influence on successful separation is crucial in both cases.
Further, organized crime contributes to separatist movement success when it is (a) prepared and (b) predisposed to divert regional smuggling opportunities towards movement goals. Studies of civil war and ethnic conflict often speak of “geographic advantages” and “criminal hubs” in explaining away organized criminal effects on states and movements. In Chapter 3, I proposed a model of a criminal filter as a nuanced analytic alternative. Criminal filtering, I argued, consists of preparedness – organized criminal capacity to participate in regional trends, based on previous trafficking experience – and predisposition – willingness to divert funds or commodities to the separatist cause, based on the separatist share of the illicit market in question. Opportunity is nothing without a favorable criminal filter.

After disaggregating organized crime as an agent from the separatist movement and the state in Chapter 2, I further disaggregated organized crime in Chapter 3 into different branches according to the illicit commodity being smuggled. This revealed that some regional and global shifts in criminal traffic were fortuitously timed. Such was the arms traffic for Kosovo. Other opportunities appeared too late (the drug traffic for South Ossetia) or not at all (the human traffic for both). I affirmed the proposition in relation to two critical junctures of separatist movement success: the 1999 Kosovo war and the 2008 Second South Ossetia War. These were the times to divert drug, human and arms trade benefits to the separatist cause. The mafia in Kosovo was not only at the right place at the right time, but was prepared and predisposed to further separatist goals. The mafia in South Ossetia, however, was unprepared and/or unwilling to do the same.

This disaggregation was important because organized crime taken as a single, undifferentiated trend can be misleading. The half-a-decade preceding the 1999 war in Kosovo and the 2008 war in South Ossetia were similar: they represent the pinnacle of organized criminal smuggling. These were the golden ages of black markets in the two societies. Yet the
effect on separatist success for Kosovo was the mirror-opposite of the effect for South Ossetia. The reason becomes apparent only when we differentiate the violent, ethnically-exclusionary Albanian traffics based on drugs and arms from the nonviolent, multi-ethnic Ergneti, where arms and drugs were marginal.

The Serbian drug trade was more adaptable and voluminous. The Georgia/South Ossetia narcotics traffic was characterized by low adaptability and humbler volume. Among the reasons for this discrepancy was that the Serbian drug trade was highly concentrated and dependent on the separatist territory, while the Georgian drug trade was simply not concentrated in South Ossetia. What modest traffic there was in the separatist province, its size was miniscule and its duration short. Furthermore, while the drug trade was well-established before 1999, and only escalated after the war in Kosovo, the traffic was largely non-existent in South Ossetia before the 2008 war. Indeed, the drug traffic in South Ossetia was a consequence of the critical juncture, not a catalyst of it. Lastly, Kosovo drug cartels were a more ethnically-exclusionary, kinship-based operation than their Ossetian counterparts. South Ossetian criminals had strong competition from other ethnic minority-based criminal enterprises (Chechen, Armenian, etc.). The Kosovo Albanian mafia, on the other hand, was the only ethnically-rooted criminal enterprise of a minority group in Serbia.

Human trafficking in both separatist territories was largely irrelevant. The success of the two movements could not be affected by this criminal branch, as there were no favorable regional or global trends that could have been filtered by organized crime. The nature of the human traffic was such that diverting funds, labor or other benefits to the separatist cause was inherently difficult to begin with. Nevertheless, it is worth noting that Serbia’s separatist territory was once again central to the human traffic, while Georgia’s was marginal. Thus South Ossetian
criminals – due in no small part to Georgia’s effective crackdown on this particular criminal
branch – *would have been* unprepared for the opportunity, even if it had existed.

The arms traffic was the most dramatic illustration of criminal filtering. In the span of a
few weeks, Kosovo was deluged with practically the full national armaments supply of a
sovereign neighboring state. The arms were numerous enough to give every single resident of the
territory a weapon. South Ossetia also had substantive opportunities for illicit weapons supplies
before the 2008 juncture. Why had organized crime not channeled some of these commodities to
separatist armed struggle? Once again, the answer is Ergneti. Bluntly put, everyone was too busy
buying and selling everyday goods from ethnic in-group and out-group alike. Criminal
preparedness was there, but the predisposition was missing.

Consider our patriarchal family with a victimized wife who is denied financial resources
and cannot afford legal protection from her abusive spouse. Suppose they live in a poor favela
where sporadic waves of stolen money circulate around the neighborhood (when a bank is
robbed, or when fugitives on the run pay accomplices off). Let us say the mischievous son is the
leading member of the family in dealing with the outside world (perhaps the parents are home-
bound, rarely leaving the house; or perhaps the son is intentionally spending every waking
moment outside socializing with neighborhood crooks). One might wonder under what
conditions the neighborhood financial flows could empower the wife to successfully divorce, if
she remains isolated inside the household. Two such conditions are relevant in relation to the
son: first, he should be prepared to acquire the funds (he must know the right neighborhood
offender and preferably have prior experiences extracting money from him); and second, he must
care enough for his mother to aid her (he must refrain from spending the loot selfishly).
Finally, whether host state repression helps or harms the separatist movement depends on the role that organized crime is fulfilling vis-à-vis the state and separatists. As process-tracing in Chapter 2 and outcomes of criminal filtering in Chapter 3 have demonstrated, this proposition applies not only to repression of the separatist movement, but also to repression of organized crime itself. This is the counterintuitive lesson of Ergneti. The intuitive view that repressing organized crime is bound to have roughly the same positive effect on separatist success (not to mention public law and order, state stability, chances for peace) is fully false. Whether organized crime is promoting or hindering inter-ethnic cooperation is an all-important difference which in turn determines the effects of state repression.

In Chapter 2, I concluded that host state effectiveness in curbing organized crime in its own territory (regardless of mafia expansion in the separatist province) can indirectly affect the movement. Georgia’s Phase 1 was the zenith of organize crime, and it directly inspired separatist institutions to criminalize. It promoted militia proliferation, a criminalized political culture, and a cynical pretense for plundering, smuggling and illegal profiteering. In later phases, Saakashvili’s crackdown on organized crime in Georgia proper directly threatened the separatist economy and later Kokoity’s political position. In Serbia, the transition from Phase 2 to Phase 3 (via the Bulldozer Revolution) showed the cost of host state failure to curb its organized crime (it decapitated its government in assassinating Djindjic). Kosovo was free to pursue independence without any interference from Belgrade, where mafias simply crippled the state from acting against separatists. While Serbia effectively lost sovereignty in 1999 and Georgia in 1991, the latter was able to at least regain an opportunity at anti-separatist repression because it had decriminalized itself. Serbia’s internal decriminalization was more limited, and hence its capacity for repression more modest.
Furthermore, I revealed in Chapter 3 that the consequences of state repression of both organized crime and separatism vary. In anti-crime crackdowns, host state effects vary according to illicit commodity. Government repression of the human traffic can be effective while concurrent crackdowns on drug and arms smuggling barely leave a mark. In anti-separatist crackdowns, furthermore, organized crime was a central player in provoking host state action. Comparing Serbia’s repression in Kosovo preceding the 1999 critical juncture and Georgia’s preceding the 2008 juncture, I pointed out that both crackdowns were directly instigated by organized criminal activity. Milošević was provoked into brutal, disproportionate retaliation by KLA guerrilla incidents enabled by arms smuggling across the Albania border. Saakashvili was provoked into counterproductive, violent police and military actions by Ergneti smuggling. When state repression came, however, its effects were determined in large part by criminal filtering of regional criminal flows. Ossetian militias were as prepared as the KLA to exploit the arms traffic prior to the respective critical juncture. However, while Kosovo organized crime was willing to exploit the weapons flow, South Ossetian organized crime was not: the former was ethnically-polarized and localized in the separatist territory, while the latter was inter-ethnic and embedded in Georgia proper as well as South Ossetia.

Thus the effects of the state repression episodes were different because different mechanisms were at play. Serbian repression greatly promoted Kosovar separatist success by strengthening organized crime; but Georgian repression rekindled South Ossetian separatism by undermining organized crime. From a state-centered perspective, both outcomes were unintended consequences. From a more nuanced view that incorporates organized crime, however, the Serbian outcome was an instance of criminal empowerment of the separatist movement to effectively confront the host state on its own (violent) terms, while the Georgian
outcome was a tragic, self-fulfilling prophesy on the state’s part and a fortuitous opportunity of the separatist movement to remobilize after years of dormant Ergneti demobilization.

Consider by analogy our family with an abusive father and victimized wife. Notoriously, marital violence can produce divergent effects on a wife’s escape from the abuser. In some cases, a wife planning escape is caused to think again when the husband initiates or escalates his violent side. In other cases, a wife that had never dreamt of divorce is immediately motivated to leave at the first display of violence. Explaining this away in relation to the wife’s changing (mis)perceptions of her husband is easy and obvious. But what if the difference between the two outcomes is in the son’s role in the family? Consider three scenarios. First, suppose the son is certain to bring the police or his loyal neighborhood buddies at the first sight of his mother’s victimization – and that the father is fully aware of this certainty. This would obviously be a strong explanation for the effect of the father’s repression on the mother’s successful separation. Second, one could imagine a son that pro-actively motivates the father to beat his wife (perhaps lying about her infidelity, knowing the father’s jealous temper) for his own cruel reasons. In such a case, the son’s role is surely as important as the parents’ dyad. Finally, consider a scenario in which the son is the only remaining motivation keeping the father from victimizing the mother (“not in front of the kid”). Then suppose the father begins battering the son, which in turn causes the mother to step in and results in violence all around. Suffice it to say that the father’s abusive, violent behavior (state repression) has quite different outcomes through different causal chains in these three cases because of the different role of the child (organized crime).

In closing, separatist movements will continue to pose profound dilemmas not only for social scientists, but for diplomats, policy-makers, and law-enforcement officials. The variety of organized criminal roles needs further exploration in other regions. The formulation “state-
sponsored organized crime” comes quickly to the minds of scholars and journalists alike. What about organized crime-sponsored states? What about states that are consolidated, designed and sustained by mafias? Does criminal non-partisan mediation keep separatists at bay? If so, what is the price of repressing such organized crime? These and many other questions can fruitfully be explored in hundreds of separatist hotbeds in the world. Future research into social movements, as well as state-society relations broadly, can benefit enormously from further conceptualization of organized crime and separatism.

The lazy temptation to explain separatist success away via state strength, international military support, or the primordiality of separatist identity will remain with us. I have suggested that they lead us astray. Both organized crime and separatism remain under-theorized, and future researchers could benefit from further conceptualization of both. The widespread avoidance of the concepts of “separatism,” “secessionism” and related terms is symptomatic of a broader bias against endogenous actors. Thinking of east Ukrainian separatists as mere instruments of Moscow, or of Boko Haram as mere symptom of Nigerian state incapacity, obscures endogenous criminal agents. Is there any doubt that Donbas militias are champions of arms smuggling regardless of their separatist vocation, or that Boko Haram’s schoolgirl kidnappings are part of that region’s flourishing prostitution traffic? How do these roles affect their separatist prospects? If we fail to examine the implications of these criminal enterprises, we may err in both prediction and value judgment.

Ultimately, the political difficulty with separatism is in the reductio ad absurdum of secessionist territorial claims. Every separatist movement itself has minorities (usually of host state ethnicity) on the territory it wishes to control. Thus in principle, every separatist movement could itself host a separatist or irredentist movement after successful independence. The thorny
question of nationalist rights and self-determination has largely served as excuse to ignore the role of organized crime in supporting separatism. If one shows that a separatist movement relies on mafias, the thought goes, one is implying its illegitimacy. But this logic is misguided. Scholars of nationalism know full-well that every successful nationalist movement is founded on an “original sin” of ethnic cleansing, exclusion and banditry. Illegal and violent tactics are the hallmarks of successful movements in torn states. Almost every advanced separatist movement after the Cold War has had to rely on organized criminal resources towards realizing autonomy in one way or another. If this were to be taken as a sign of illegitimacy, we would be hard-pressed to identify a single legitimate secession. Distinguishing the empirical question of the impact of organized crime from the normative question of its (sometimes) pernicious effects is essential for any explanatory account.
METHODOLOGICAL APPENDIX: 
FIELDWORK AND ARCHIVES IN TORN STATES

Even though I had anticipated methodological problems when I set out to investigate the relation of separatism to organized crime, I completely misidentified what the main ones were to be. Having repeatedly done fieldwork in Kosovo, including an interview-based study of nationalism among students at Belgrade and Priština Universities (Mandic 2015), I expected the primary problems to be logistical. Since crossing “borders” (as separatists call them) or “administrative boundaries” (as host state bureaucrats call them) was often time-consuming and costly, and since ignorance of Albanian, Georgian, Ossetian and Russian often required a translator as well as a tour guide, I thought traveling would be the greatest difficulty. In fact, the two main difficulties were access to archives – by far the greatest challenge, and the most costly research component – and evaluating the credibility of sources – steering clear of nationalist propaganda and quasi-scientific references. Below I explore some of the dilemmas, challenges and regrets I have faced in the hopes that they aid future students of the topic.

Fieldwork

With the help of a Research Fellowship from the Minda de Ginzburg Center for European Studies in the 2013-4 academic year, I was able to travel extensively in Serbia/Kosovo and Georgia/South Ossetia interviewing experts, conducting informal ethnographies and exploring archives. I spent a total of five and a half months in Serbia, three of which were in Kosovo and three and a half months in Georgia, four weeks of which were in South Ossetia. I visited the four relevant capitals, cities/towns along separatist borders, and major towns on separatist territory. In Serbia proper, I have been to Belgrade, Preševo, and Bujanovac; in Kosovo itself, in Kosovska Mitrovica, Orahovac, Prizren, Uroševac, and Gnjilane. In Georgia proper, I traveled to Tbilisi,
Kutaisi, Gori, Kazbegi, and Stepantsminda; in South Ossetia itself, Tskhinvali, Leningor, Kvaisi, Kurta and Akhalgori. A civilian family in northern Mitrovica and another in Stepantsminda accepted me as a paying tenant and assisted in renting cars and finding guides; their kindness and hospitality will stay with me for life.

**Serbian Bias and Comparative Insight**

My acquaintance with Kosovo and Serbia is far greater than with South Ossetia and Georgia. I had written my Senior Thesis on Serbian nationalism partly with archives in Belgrade, and had traveled in Kosovo with the help of the Belgrade UNHCR when I tagged along their efforts to collect data on Internally Displaced Persons (IDPs). I accompanied them as they drove from village to village in 2006, and again in 2010, for a total of four weeks. On the other hand, I had never set foot in South Ossetia until November 2013. Ever since, all my efforts at traveling in Georgia have felt like “catching up” and approximating some kind of symmetry of familiarity and understanding for this comparative study. The effort was futile in some sense, but was precious as an exercise in sharpening the comparative analytic issues. What was the equivalent militia in South Ossetia to Kosovo’s KLA? Did Russian peacekeepers at the Russia-South Ossetia border crossing function like KFOR peacekeepers at the Kosovo-Albania border? In what sense was the 1999 Kosovo war analogous to the First South Ossetia War? What about the Second? Was state corruption as devastating under Shevardnadze as under Milošević?

Ultimately, the most important comparative insight that I gained while traveling was that organized crime in Kosovo and South Ossetia played different roles and produced different results. I was rather unprepared for this possibility. I approached the question of separatist success with a strong state-centered bias. I took for granted that movement mobilization and
demobilization were ultimately byproducts of what the state is doing to the separatists, to the international community, and to itself internally. I reasoned that, when the state wages an anti-crime or anti-corruption campaign, it will have similar effects on separatist escalation in both Kosovo and South Ossetia; the more it curbs organized crime, the less criminal resources will be available for separatist to use. I could not have been more misguided.

Borders

Traveling into Kosovo and South Ossetia was rather unproblematic. Like dozens of times previously, I entered Kosovo with a Serbian passport without difficulty – on some occasions riding alone by bus and on others as part of a UNHCR crew in a car. Invitation letters from Priština offices helped expedite the movement between Serbian, Kosovar and international booths – tens of meters apart but technically integrated at some crossings. Furthermore, there is a widespread myth (pervasive even among some experts) that it is impossible to enter South Ossetia except through Russia. Utter nonsense. Tour guides in Tbilisi provide cheap and guided transportation, along with taxi translation services, for people interested in making the trip northward. In the summers, they run small businesses and hiking tours of the breathtaking Ossetian mountains. South Ossetian authorities do not stamp passports, leaving you free to show it to Georgian authorities without questions raised. It may be formally true that the “administrative borders” separating Georgia proper from the separatist territories are sealed since the 2008 war, but in fact customs guards and soldiers at checkpoints cooperate daily with their friends and cousins to allow for passage without visas or even documents (at a price they agree on with the tour guides). I easily secured a permission letter via email from the Consular Section of the Ministry of Foreign Affairs of South Ossetia, which I printed and carried with me.
Notwithstanding all this, it is certainly true that many Georgians attempting to enter the separatist region from Georgia proper (to visit cousins and the like) get stopped and harassed for “illegal” crossing.

I unfortunately did not manage to go to northern Albania and North Ossetia. The Kosovo-Albania border is in many ways far more porous (for ethnic Albanians more so, it is suspected) than the Kosovo-Serbia border, which is supposedly unrecognized internationally. Nevertheless, I did not manage to enter Albania for lack of a formal invitation/permit to enter the country through Kosovo (I would have had to travel elsewhere, to Macedonia or Montenegro, and it did not seem worth it prior to reading the Marty report for Chapter 4). On the other hand, I had completely overestimated how difficult it would be to cross into Kosovo from Serbia, due in part to my traveling nightmares prior to the declaration of independence of 2008. In the meantime, travel has become easier (though obscenely expensive for Kosovo Serbs who wish to keep Republic of Serbia license plates). International customs guards have become more professional and routinized since 2006. I secured UNHCR invitation letters, which may have made the experience smoother. Naturally, Albanians going into southern Serbia are harassed by Serbian guards and Serbs traveling anywhere within Kosovo are duly intimidated (every year there are incidents of stonings of buses transporting Serb children from Kosovo enclaves).

In north South Ossetia, the Roki Tunnel into Russia is marked by an immense iron gate which is closed at night. One can only travel through during daytime. Russian peacekeepers clearly control everything that passes on the Trans-Caucasus highway generally. The excuses they offer for refusing entrance are made easier by the fact that crumbling infrastructure is indeed a genuine problem (the Tunnel was constructed in 1985 but poorly maintained after the Soviets; repair work had been done in 2004), that avalanches occur every winter (sometimes
trapping vehicles and people inside the tunnel), and that the legal framework of the JCC is ambiguous enough to allow for creative, self-serving interpretations of who is allowed to be where. One young Russian soldier, drawn to the news that an American and Serbian are there (he expected one of each), shared a few informal facts with me. Some 800 vehicles pass every day, half of them trucks. Boxes of cigarettes are the best “ticket” for lonely travelers without merchandise, though customs guards might also accept other commodities. If NATO tries anything funny through Georgia, they are ready to fight; in the meantime, they are trying to keep “the lifeline” that is the Roki Tunnel functional, without which “South Ossetia dies.” The site is undoubtedly a strategic frontier for the Russian military.

Small Societies with Big Scars

In Belgrade and Tbilisi – and even more so in Tskhinvali and Priština – one is immediately struck by how small the societies are. Everyone seems to know everyone. The great economic paradox is that young people are overwhelmingly unemployed, but somehow afford to sit in eateries and cafes all day long ordering coffee upon coffee and discussing politics. I met the son-in-law of a South Ossetian minister accidentally at a Tskhinvali eatery. He immediately took me on a tour of the main government building (an architectural relic), where all separatist officials work. In Priština, I once began discussing a journalist who received mafia-death threats (by no means a rarity); my host interrupted me: “Oh, you mean so-and-so. Let me call him, he’s right around the corner!” The high social capital had its benefits, but also its risks. When word got around that an American is interested in researching KLA heroes, dozens of unsolicited emails from sources (some of them crackpots, other valuable) began flowing in. When word got out that a Serb is looking to dig up dirt on KLA criminals, however, I received a few unsavory
messages, as well as a direct verbal insult from a stranger on the street. In South Ossetia, the effect of enacting my background was the mirror opposite: being an American raised everyone’s eyebrows and suspicions; being a Serb opened doors and secured free drinks over discussions of Kosovo’s relevance for South Ossetia.

Simultaneously, everyone’s fate is seemingly connected to the conflicts. Much of the male population is either refugees and/or former fighters, or they have some in the family. One Albanian acquaintance in Priština fought in the Bosnia war of 1995 as well as in 1999 for the KLA. An accidental meeting with a Special Units operative at a Belgrade public pool revealed he was trained through four wars. Almost every single adult male I have met in South Ossetia served in the military. Ossetian and Georgian refugees and their stories dominate conversations. The single most-recommended tourist site in Tskhinvali is the monument to victims of the 2008 war. Above all, ethnographers must tread carefully, as if on thin ethnic ice. Ossetians will refuse to speak in Georgian, as I learned after insulting several people by asking them to do so to a translator. In Priština, I innocently asked a young peer if he had siblings. “Do you have a brother or sister?” he shot back, indignantly and aggressively. Confused, I confessed I did not. “Then why the hell would you expect me to have siblings?!” he shouted back, as if to avenge an insult. In fact, I had committed one accidentally: he interpreted my question as a chauvinist Serbian prejudice about the high Albanian birthrate, which nationalists routinely ascribe to Kosovars in racist terms (they “breed like animals”). At first I thought he lost a brother in the war or the like; later we uncovered the misunderstanding. He was simply provoked because racist presuppositions are what he has come to expect from people with Serbian names. Thus even seemingly neutral, completely innocent questions can evoke ethnic polarization.
Tskhinvali is among the most hospitable cities I have ever been to. Due to low tourism in the harsh winters, when travel is difficult, and due to the occasional (seemingly arbitrary) times when entrance into the province is prohibited without express written permission from the South Ossetian authorities, residents of Tskhinvali are thrilled to see foreigners visit. RUB is the official currency in South Ossetia (just as the Serbian Dinar is in monopoly circulation in northern Kosovo, where Serbs are concentrated). On one occasion, I revealed I had no Russian money for lack of opportunity for exchange. (In fact, the Euros spent on my tour guide/translator were burdensome enough on my budget, so I tried to avoid it). Locals at an eatery immediately offered me their money as an allowance for a pleasant stay in South Ossetia. Pensioners invited me to stay at their homes. People voluntarily introduced me to friends and walked me throughout the city. Some of them felt an obligation to counter claims that violent banditry and corruption make Tskhinvali an unappealing place to visit. I myself found the ill repute unfounded; and many in Tbilisi agreed that these are exaggerations by eager Georgian propagandists.

**Indiscriminate Snowball Interviewing**

Though the bulk of this work does not reference my ethnographic observations and conversations directly, the discovery and selection of sources that led me to the evidence presented would not have been possible without the guidance of many interviewees. I heeded the advice of independent experts, journalists, NGO researchers, government officials and ordinary residents who directed me away from spurious and politicized references and towards sources I would never have considered alone.

The interviews were unsystematic and unrepresentative of broader populations. Through snowball recommendations, I came into contact with people who claimed to have expert
knowledge on mafia machinations at their firm, at their children’s hospital, in government, at football games. Conspiracy theories abounded, and would in themselves be wonderful data for a study of the folk sociology of separatist populations. Organized crime was sometimes portrayed as puppet on the string of abstracted mega-powers of “the New World Order,” “the KGB,” “America,” “Russia” and the like. At other times, invisible criminal circles and secret societies were linked to real world historical outcomes. I heard from multiple conversations that South Ossetia is Russia’s attempt to destroy Georgia because Stalin was born there, which they seek to conceal; that nuclear war will break out when Kosovo is given its own army; that nuclear facilities are hidden in mountains. Real events were routinely exaggerated and given world historical and mystical significance, as if in a wailing cry to attract attention to a small, God-forsaken land that no-one cares to even think about.

In Kosovo, interviews were often preceded by introductions from friends or trusted acquaintances, from whom I also received some basic information on why the subject might have an interesting insight related to my research. The interviews were precious sources of suggestions, intuitions, interpretations and – most importantly – recommendations for data sources that I would not have otherwise gotten anywhere. Estimating freely, I would say at least a third of the sources evaluated below in the Table of Sources would not have been consulted if someone in the field had not recommended them. Furthermore, interviewees often revealed personal experiences that lent credibility to one of several competing theses/interpretations that emerged from secondary literature. One thirty-six year old man (LH) revealed that he had served time in jail for a blood feud murder of a peer who had slept with his sister. When he noticed my startled reaction, he was encouraged to further elaborate but not before repeating the promise I had made of confidentiality. He revealed that the victim’s family had disgraced his, that his own
family (sometimes used synonymously with “clan”) had agreed that the blood vendetta was the only proper response, and that he was naturally the one to take the task on as the oldest son. He was 19 at the time of the murder. This led me to give second thought to the dimension of kanun, which I had considered an irrelevant anachronism.

In Tbilisi, I hired a total of three guides and translators who accompanied me on drives through South Ossetia, translating conversations with locals and recommending people to speak to. One guide in particular (LG) was a veteran of both the first and second South Ossetia wars, as well as a proud “businessman” who supported his family throughout the Ergneti period by selling food, electrical equipment and fuel. Like many Georgians I spoke to – and even more Ossetians – LG bemoaned the closing of Ergneti, indicating vividly through biographical examples the extent to which this criminal enterprise dominated economic and social life between the wars. The central choice, he repeatedly insisted, was between trade (symbolized by Ergneti) and war (symbolized by Saakashvili and Kokoity). Prior to sharing weeks of travel with LG, including spending many nights under the same roof and days in the same car, I had completely underappreciated the importance of the Roki Tunnel as a key site, the proximity of Ossetian and Georgian communities in South Ossetia, and the widespread dependence on smuggling for livelihood (if not survival) of a majority of the population around the disputed border. More generally, even though the market had been effectively destroyed by 2004, the “Ghost of Ergneti” haunted conversations. Many Georgians who spoke disparagingly of Ossetians and even more devastatingly of Russians were quick to endorse Ergneti, to my surprise.

Finally, being in the field dispelled a common misconception of mine regarding religion. Textbooks unanimously classify South Ossetian religion as “Orthodox Christian,” as it is in
Georgia. Dozens of obscure, breathtaking monasteries are scattered around the mountainous terrain, many of them from the 9th Century. Orthodox Christian symbolism – particularly of the Russian variety – is certainly present in the province. But I was privileged, by fortuitous circumstances, to briefly witness both a wedding and a funeral in South Ossetia. Notable rituals during both ceremonies were paganistic and animistic, with references to magical mythological elements. This was by no stretch of the imagination Orthodox Christian custom as practiced in Georgia. The events contradicted my inherited knowledge that the religion of the Ossetians is Orthodox Christian and thus on a par with Georgian religion; this may be formally true, but is completely misleading. Similarly deceptive is the emphasis on Kosovo Albanians as Islamic. State socialist Yugoslavia did have a profoundly secularizing effect on the province. One immediately sees that practicing Muslims in Kosovo are a miniscule minority, and that Mosques are largely empty (one might compare how Mosques are full in southern towns of Serbia proper, such as Novi Pazar, with the religious scene in Priština; see Djurić 1998).

**Organized Crime Looming in the Air**

If any single finding could be salvaged from my unsystematic interviewing in both places, it is this: there is a pervasive, strongly-held belief in the existence of a shadowy, organized criminal underworld among ordinary people not only in the separatist territory, but in Serbia and Georgia proper. I am reminded of the Thomas Theorem: “If men define situations as real, they are real in their consequences” (Calhoun 2007, p.16). Part of the power that organized crime enjoys in these places is certainly the fear and notoriety they generate in public opinion. One respondent (NK), a chatty and hospitable restaurant owner in Tbilisi (only kilometers away from a police station) approached me when he heard my companion and I speaking English.
Though he did not know my topic was organized crime, he proceeded to complain about payments he had to make to a local strongman. I recorded the following exchange in my notebook:

**DM:** Do you think that there is organized crime in this area?

**NK:** Naturally there is. Naturally there is. They are everywhere. They take care of each others’ backs, and they are connected everywhere. They are only interested in helping each other, and the rest of us better stay out of the way. I don’t think there is anybody who can stop them. They have too much money. They have connections. They can make actions together without anyone stopping them. Too many people are scared or take bribes. Politicians are just actors. The real organization is the guys with connections. We just have to swim, save our heads. Politicians too.

For the sake of symmetry, I give another anecdote from Kosovo. In a downtown Priština cafe, I sat with a TV crew from UNHCR from Belgrade that had come to film a segment on refugee returnees. At the table was also a driver who knew the province well. Mid-coffee, a noticeable man walked down the stairs from the cafe’s upper platform: he was in casts, had visible bruises over his face, and descended alone with two crutches. “That guy is the owner of this place,” the driver said audibly and indiscreetly. “He was kidnapped last week.” As the youngest and greenest, I was stunned most, and asked to confirm if I had heard correctly. “Yeah,” the driver continued nonchalantly, slightly raising his voice and waving his arm: “You know, they tied him to a radiator or who knows what. It was Haradinaj’s people, they do the racket here. Maybe he owed them money, or he tried to swindle them, who knows? They do this every few months.” The substance was as intriguing as the tone: his surprise was greater than mine, because he could not believe that someone would find this unusual. Paying taxes in Priština, on the other hand, is truly a rarity.

In sum, spending time in Kosovo and South Ossetia led me to correct what had been my greatest conceptual and theoretical mistake: I had approached the question of separatism firmly
committed to a state-centered approach to separatist movement outcomes, largely ignoring organized crime. I was aware, of course, that corruption and violent criminality pervade state structures. I had heard that para-state cliques of greedy individuals engage in petty law-breaking to steal, smuggle, cut a few corners, etc. I knew that for many young people in Serbia and Georgia, going to prison is better as a rite-of-passage than going to university (the former gives better social capital, status, and job opportunities upon completion). But I hesitated to treat organized crime as an agent and phenomenon in its own right. At the very least, organized crime is pervasive in these provinces in the folk sociology of the population. For this reason alone it is worth considering.

**Ethical Issues and Safety**

Well-meaning colleagues who heard about the purpose of my travels often worried about my safety; some even congratulated me on my courage. Both thoughts are unwarranted, and somewhat ridiculous. I never once feared for my safety, nor do I believe it is appropriate to categorize Kosovo and South Ossetia as particularly risky sites for fieldwork. I think the underdevelopment and poor quality of infrastructure (electricity, plumbing, roads, etc.) offend Western sensibilities, and this mistakenly gets interpreted as insecurity or rampant violence towards visitors. In fact, neighborhoods in Boston or New York are statistically far riskier for feared crimes. If one adheres to common sense and politeness, avoiding obvious provocations along ethnic or political lines, speaking freely and audibly in public places about mafias, smuggling, crime and the like is as secure as gossiping.

That being said, I did notice the benefits of misrepresenting my Serbian origins in Kosovo. One afternoon, I wandered with an American friend based in Priština to a downtown
a fringe movement of young people known for its radical politics and occasionally extreme tactics. Some 40-50 people stood around a large cardboard map of Kosovo displaying administrative reforms. They opposed them as national betrayal and capitulation to Serbia. I naturally spoke only English. But my phone rang. Instinctively, I answered it in Serbian. After a few sentences, I raised my eyes to see dozens of heads ominously turned towards me – away from the map around which we were all gathered. Would they attack me, now that they hear Serbian? My friend discretely pulled at my sleeve to signal that I should end the conversation. I quickly switched to English on the phone, as if to communicate “Oh, those words out of my mouth were an accident – I have no idea what language that is, I’m an American!” We left the crowd. I later consulted with my friend as to whether there was a genuine reason for fear, or whether I was simply panicking from internalized Serbian prejudice towards Albanians. She said she also felt a tad uncomfortable, but that she is absolutely certain nobody would have attacked us. For the sake of convenience, I hitherto presented myself as the more American “Dan” instead of “Danilo.”

Conversations with criminals were few, and perfectly pleasant and uneventful. I spoke to former Mkhedrioni and National Guard fighters-turned-smugglers in Tbilisi, as well as veterans of the prison system. I met Zemun Clan members in Belgrade. None of them hide in dark alleys surrounded by bodyguards. I encountered most of them through their business partners or former comrades-in-arms. All but one did not even care to accept my offer that he be guaranteed anonymity (they made me feel that my offer was silly and pretentious). We met in cafes. In one instance at a public pool in Belgrade, I identified a Zemun Clan member because of a distinctive neck tattoo (members of the “Red Berets” or Jedinica za Specijalne Operacije share it). The man knew Ulemek, the Zemun Clan boss who is now serving time for the Clan’s assassination of the
Prime Minister. Our long conversation was completely anticlimactic: he swore the whole thing was a set-up, that the JSO are a misunderstood patriotic organization, and that everything they did (including extortion-kidnappings which he explicitly admitted to) was for the greater good of the Serbian people. More generally, gangsters in my experience are much-mystified as dangerous or unusual: the ones I spoke to were charming, fiercely loyal to their superiors, disciplined – and had vivid imaginations.

My ethical dilemmas came not from talking to criminals, but to victims. Many experts I spoke to had experienced threats and coercion for their work. Through the UNHCR offices in Belgrade and Tbilisi, I crossed paths with displaced persons and refugees of both conflicts in Kosovo and South Ossetia. One of the more chilling encounters was with a middle-aged woman in Tskhinvali. I had been referred to her by a courageous journalist who had written extensively on the issue of human trafficking and had collaborated with Tbilisi-based NGOs raising awareness of the issue. After I promised to respect her anonymity, we paid her a visit in a local Soviet-era park near her workplace. We spoke for no more than 20 minutes, with the journalist translating. She had sold her baby to human traffickers for 2,000 Euros because, as was translated to me: “The best life I could give her here is worse than the worst life she can have with them in Istanbul.” I put my notebook away, humbled by the situation. What does one make of a statement like that? Was it ethical of me to wonder if she is lying? Did I want her to be lying, or would it be worse if her judgment were true? Did she expect me to do something about that testimony? What did I even expect to hear from her, and why didn’t I proceed to ask about the traffickers themselves? More generally, I found myself wondering during many conversations whether I am being invited to help, merely being informed, or being lied to. Encounters like these, if nothing else, remind one of the individual destinies behind the statistics.
On a lighter note, I learned that dark humor is a staple of well-meaning experts who seek to introduce ignorant outside observers to local conditions. A military and police expert to whom I was referred to by then-Minister of Defense Nebojša Rodić explained to me – reflecting on his career in law-enforcement in Kosovo – that his colleagues answered “How goes it?” with “Better than tomorrow.” When asked about the role of animistic spirituality in the Tskhinvali community, an NGO expert from TraCCC corrected me: the real question is not about beliefs in the afterlife, but: “Is there life before death in South Ossetia?” Thus, one is as aware of matters of life and death as of the resilient, defiant lightheartedness with which knowledgeable people discuss them.

Archives

Inspired by Goodwin’s comparative design (2001), I originally intended to compare all separatist movements in the two regions as he did revolutionary movements in three regions. Thankfully, the megalomania of the idea quickly became apparent. Not only are there too many cases for a serious analysis in a single dissertation, but the available secondary literature on most of them is modest. Having narrowed my scope, data availability began to be manageable. For a list of major sources, their scope and their credibility, see the Table of Sources beneath this Appendix.

My initial hope was to have much more criminological and census/opinion polling data, and of a much higher quality. The idea was to compare, say, the effects of a rise in certain kinds of criminal activity (arms trafficking, ethnic murders, nonviolent smuggling) with ethnic polarization or public trust in state and separatist institutions. Both components were lacking: the data is scarce, and far from fine-grained enough for causal-temporal ordering at such a brief time
scale. Furthermore, the issue was not so much lack of evidence, but time spent over *selection* of evidence. Much of the data are so politicized and disputed that one is hesitant even to cite them. Many of the secondary sources were nationally polarized and contradictory, requiring local experts to adjudicate between them. Ultimately, I combined archival digging, expert-guidance on selection of secondary data, and retrieval of documents from government sources.

**Lies, Damn Lies and Data on Separatist Territories**

Consider just one example that led me to give up hope on fine-grained statistics on ethnic mobilization and polarization of attitudes: census data. It reflects the widespread misrepresentation of census claims in international discussions of separatist issues more generally. Between 1981 and 2012, there had been no census in Kosovo. Yet I have come across literally *dozens* of disparate demographic statistics for this period, most of them extrapolations of parameters from thirty-year-old census results. Some estimates differed among themselves by factors of 10-20, particularly as related to ethnic proportions. One Kosovo Albanian hoax insisted that there are 20,000 Serbs remaining in Kosovo after the war; an equally ambitious fabrication from Belgrade claimed there were over a million left after 1999 (200,000 is the more reliable figure). These estimates appeared in major dailies, were cited in the parliaments of Serbia and Kosovo, and appeared in legislation drafts. One of them even appears in a publication by the Serbian Academy of Arts and Sciences.

Such propaganda mostly remains unexposed, though occasionally it is so blatantly fraudulent that it becomes embarrassing to propagate. In the 2011 elections, the Central Electoral Commission of Kosovo announced that the definitive number of registered voters was 1,630,636. The same institution added that the proportion of the total population under 19 years
of age was 43%. Merging those two data, one deduced that as many as 2.7 million people live in Kosovo. Yet only months later (April 2012) the actual number was found to be 1.7 million – the same as the number of registered voters!

Consider another election-related misconception. Numerous estimates insist Kokoity’s popularity remained high in 2011. Uncontroversially, it grew astronomically when Georgia attacked South Ossetia in 2008 – a familiar cohesion effect under external threat, discussed in Chapter 2. The 2011 estimates (ranging from 60-90% popularity), however, rested on polling and election results in the 2011 elections (later invalidated by the Supreme Court of South Ossetia). I later discovered through independent journalists who had published about this in Russian that leading opposition candidates had been prevented from even registering in this election cycle. Furthermore, opposition candidates had been beaten, jailed and – in the case of a senior member of a disqualified political party – murdered in North Ossetia. The “chilling effect” of these was hardly reflected in the estimates.

When I came across such fabrications, they gave me pause. I decided to rely on conservative estimates for all figures related to referendums, public opinion, ethnic distance measurements, political party popularity, population movements, casualties and refugee figures, sizes of crowds at major collective actions, numbers of troops and active militia men, and – perhaps most importantly of all – the sizes of criminal clans. I tried to follow three general steps: (1) take the most neutral and credible institution/publisher with the most methodologically sound study of the question; (2) find a second confirmation of that particular range from an independent source unrelated to that institution/publisher; (3) cross-reference the estimates with official government/separatist institution estimates; and (4) ask an independent expert in the field what
she thinks of that particular figure. In the far-right column of the Table of Sources below, I list some of these evaluations for future students of these sources.

**Expert Guidance**

A number of individuals in Belgrade and Tbilisi have been precious guides on checking figures, adjudicating between sources and discovering new data. I should highlight four in particular:

- Milivoje Mihajlović, Head of the Office for Media Affairs at the Office of the President of the Republic of Serbia, is originally from Kosovo himself, and has been a journalist for over three decades following all major developments in the province.
- Sladjana Djurić, born in Priština, is Professor at Belgrade’s University of Security Studies and author of dozens of classic sociological works on Kosovo and Serb-Albanian relations, including a landmark study of blood feuds among Kosovo Albanians (Djurić 1998).
- Louise Shelley, Professor of Public Policy at George Mason University and Director of the Terrorism, Transnational Crime and Corruption Center (TraCCC), is the author of a classic book on human trafficking (2010) and is intimately knowledgeable about Georgian organized crime in particular. The Tbilisi-based TraCCC office and their publications were formative of the bulk of my analyses in Chapters 2-3, as well as supplements to Chapter 4.
- Giorgi Sordia, Georgian by origin, is Associate Professor at the University of Georgia and Senior Research Associate at the European Centre for Minority Issues – Caucasus;
Dr. Sordia is the world’s leading specialist on Ossetians in Georgia, and minority issues in the country more broadly.

In addition, I have been fortunate to get referrals to numerous experts with whom I have spoken or corresponded, or whose work has informed my research. Ljilja Smajlovic of Belgrade’s daily Politika has directed me to Dejan Anastasijevic, Jovo Bakic, Zoran Cirjakovic, Vesna Petkovic, Sklezen Gasi, Nedzmedin Spahiu, Ilir Deda, Shpend Ahmeti and Idra Seferi. Robyn Angley of Harvard’s Davis Center for Russian and Eurasian Studies has kindly directed me to leading authorities on Georgia-South Ossetia relations and the Ergneti Market in particular, including Jonathan Wheatly, Julie George, Celine Francis, Stephen Jones, Archil Gegeshidze, Donnacha O Beachain, Chritoph Stefes, George Hewitt, Kornely Kakachia, Ghia Nodia, Revaz Gachechiladze, Peter Kabachnik, Mark Mullen, Tim Blauvelt, David J. Smith, Lili di Puppo, and Lara Sigwart. Their published works and/or personal correspondences led me to credible data sources and secondary literature on South Ossetian separatism and organized crime. Without Ms. Smajlovic’s and Dr. Angley’s guidance, I would not have benefited from the remarkable work and advice of these experts.

Freedom of Information Act Requests

I filed for Freedom of Information Act requests in both Belgrade and Tbilisi, broadly requesting all documents that are “of public interest” on organized crime, corruption, smuggling, etc. during the period 1989-2012. I formulated both requests rather open-endedly, at the suggestion of experts. I appealed to my Harvard affiliation, but neglected to mention that the research was for a dissertation. Rather, I said it was an independent research project and that I was a concerned but informed citizen who plans to publish widely. I took the liberty to insinuate
that the heroic efforts of the government in question to fight organized crime were a centerpiece of my work. Otherwise, the key was to meticulously state in the application form/letter details of the Freedom of Information Act procedure (“appealing to subsection so-and-so of so-and-so sub-law of the FIA, adopted by the Parliament of so-and-so on such-and-such date…”). Even the most trivial omission or departure from (anachronistic) paperwork could add months to the process.

In Belgrade, my Serbian citizenship allowed me to file a request directly (the form was processed online). It took some time: I filed in August 2013, and the documents were not available for pickup in hard copy until mid-December. At that time, I went to the Bureau for Information of Public Significance and signed a confirmation form that my request had been honored and that I was to use the documents for “scientific purposes alone.” I did have to act as a nuisance every two weeks in the nearly four-month interval, calling and writing repeatedly to follow up and inquire why it was taking so long. I gained the trust of archival worker Mr. Ljubisa Kosutanae, who allegedly helped to speed things up and ensured that I was duly informed of missing application documents. He recommended that I rewrite my original request to frame my research as being focused on “the area of separatism and organized crime in the Republic of Serbia and the Autonomous Province of Kosovo and Metohija,” presumably because my earlier omission of “Autonomous Province” implied that Kosovo was an independent nation. I ultimately picked up hundreds of pages of documents, the most valuable of which was Public Safety Bureau (1999) on KLA organized crime, which formed the basis of much of Chapter 2 and parts of Chapter 3. I was also given the 2001 “White Book” with extensive details about organized criminal clans (the Zemun Clan foremost among them) on a CD. Though segments of this document were available publicly, it was helpful to receive the complete 42-page version.
In Tbilisi, law required that a Georgian citizen file the application, which precluded me. I was fortunate to know a Georgian (a Yale alumnus at that), Levan Nadibaidze, as he worked at the Finance Ministry in Belgrade for a mutual friend from Princeton. He filed a Freedom of Information Act request in his name, on my behalf. The procedure was free and generally painless. We received a fair assortment of documents electronically within two months of filing in October 2013, with some follow-up contacts but no secondary insider connections. Major useful documents included statistics and excerpts from the “thieves-in-law” database from the Anti-Organized Crime Unit of the Georgian Ministry of Internal Affairs (1989-2012), as well as an internal report (Ministry of Internal Affairs of Georgia 2005) on the first few years of the anti-corruption revolution begun under Saakashvili in 2003. Media watchdogs and NGOs in Tbilisi routinely blast their government agencies for being slow and hesitant in providing information. But I must say I found the procedure fair and reasonably quick compared to Serbia’s. Most importantly, I was glad to receive documents in electronic form – including some that were word-searchable.

The bulk of the data for Chapter 3 comes from drug, human and arms trafficking figures given through these requests and supplemented with the national Statistics Bureaus of both states. The Ministries of Internal Affairs of both countries have, on the whole, been very cooperative (if slow). My good fortune was due in part to the fact that both institutions have much to prove in terms of their reputations: they do indeed want to present themselves as efficient and transparent, willing to help citizen researchers in acquiring criminological data. Interestingly, while the police bureaucracies aided my research, the request for documents or interviewees from military information bureaus under the two Ministries of Defense were entirely futile. Though military archivists formally-legally also have to respond to Freedom of
Information Act requests, in practice they do not. One official at the Belgrade MUP office remarked “You can forget about that,” with a condescending laugh.

If I may, I would offer a piece of advice for investigators planning similar applications. Nepotism in research sites like Belgrade and Tbilisi is a fact of life that researchers must pragmatically adapt to. Following formal procedures alone is a sure way to deny oneself access and prolong the agony. These bureaucracies are themselves often conflicted about what the proper rules and procedures are. They are bombarded with quasi-formal requests from cousins of the Minister and the like. They are forced to prioritize applications with some hint of endorsement from their higher-ups, and to postpone most requests for fear of political pressure. They are understaffed and underpaid. In Belgrade, in particular (and my accomplice Nadibaidze in Tbilisi reported similar experiences), getting at least superficially acquainted with office workers, secretaries or whoever picks up the phone in the relevant bureaus was what did the trick. If one can “name-drop” someone higher up the ladder, all the better.

Other Archives

I oriented my travels around NGOs, media outlets, university offices and other archival sites that opened their doors to me after email correspondences. In Belgrade, I was welcomed to the archives of the Humanitarian Law Centre, the Helsinki Committee on Human Rights, the daily Politika, the UNHCR Belgrade office, and the Bureau for Coordination of Protection of Human Trafficking Victims. In Tbilisi, the Caucasus Research Resource Center, the Terrorism, Transnational Crime and Corruption Center (TraCCC), the USAID branch office, the UNHCR Tbilisi office, and the International Crisis Group office. Most of these visits were disappointments: whether because of irrelevant/insufficient data, inaccessible archives, or
language barriers, I did not extract what I naively thought was possible in terms of statistics, surveys, maps, and reliable data generally. But the conversations and sources I picked up were formative in my selection of evidence and my thinking about the relation of organized crime to the state and civil society. I would like to single out UNHCR Belgrade (particularly Mrs. Vesna Petkovic) and TraCCC (particularly Dr. Louise Shelley) as outstanding organization heads whose efforts have left historic marks nationally as well as regionally.

Ironically enough, my research into organized crime led me to several archivists who asked (in no uncertain terms) for bribes and informal “service fees” for opening up boxes of documents or checking if something is available or not. In both Serbia and Georgia, I was often perceived as a wealthy Westerner on a self-indulgent intellectual safari – one that should properly be charged as such. Two separate archivists working for Tbilisi-based newspapers requested unreasonable amounts in cash for access to un-digitized articles. One of them, after I secured an email from his editor that stated there is no policy of charging for materials in that media establishment, simply lowered the asking price. In Belgrade, government offices abounded with employees discretely insinuating that things could be sped up with counter-favors.

What I found to be remarkable – and similar – in Belgrade and Tbilisi bureaucracies was that requests for information and service can be equally difficult from both “ends” of the bureaucratic hierarchy: from the bottom and from the top. One fully expects that a request from the bottom is doomed to failure: one diligently prepares all the documents required for a particular inquiry, stands in line at an obscure bureau or office waiting room, and is at the mercy of a suspicious and overworked inquiry-desk employee with no incentive whatever to be efficient. There are always enough contradictory rules for your request to be denied regardless of
how well-prepared and legitimate it is. This is presumably normal: one is sending a “message in a bottle” from the very bottom of the hierarchy, praying that the information desk will forward your request on to decision-makers up the ladder. If it gets to higher-ups, it might work.

Amazingly, however, I have witnessed that those at the very top of the relevant hierarchies often have equally difficult times pushing through an order or request downward. In other words, the supposed superiors at the peaks of the pyramids are often incapable of executing decisions they command to their subordinates. For instance, I managed to schedule a meeting with the Serbian Minister of Defense in August 2013 (who met me at 5:00am sharp for 40 minutes). He guaranteed – with full enthusiasm, it seemed to me – that my request for non-classified, non-sensitive Kosovo-related documents from military archives would be fulfilled. He gave me the name of an under-Colonel who was ordered to help me, and an endorsement of my research. The request was never honored. His personal assistant later lamented that the Minister tried his best but that, alas, the workers in the archival department are eccentric and cannot be fired. The “middles” of these bureaucracies, she said, “are conservative black holes – whichever direction one tries to poke at them, they are unresponsive.”

Thus the perception of these institutions as well-oiled command structures should not mislead investigators. Decades of inefficient state socialism and another decade of failed reforms have given much undeserved institutional autonomy for mid-level technocrats. Many bureaucratic organs have lost all functionality or purpose, but persevere as employment opportunities. Many of these bureaus are remnants of communist apparatuses that have no proper legal underpinning in contemporary laws, but continue to exist. This curiosity, in part, made me appreciate the comparative advantage of organized criminal hierarchies and remnants of militias:
they are more perfectly hierarchical, and less tolerant of insubordination. Little wonder that they are able to dominate civil society to the extent that they do.
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<tr>
<td>Law Faculty of the University of Split Croatia</td>
<td>Collected papers, reports (2003)</td>
<td>Various authors present their understanding of how organized crime in Serbia came about. They emphasize how slowly public awareness developed of the great danger this type of crime presents. The authors hold that organized crime is a more recent occurrence in the former Yugoslav republics and that it was not present as such in the former authoritarian and partly police state of Yugoslavia.</td>
<td>2000 - 2003</td>
<td>9 pages.</td>
<td>Public, online.</td>
<td>Moderate (harsher towards Serbia compared to other ex-Yugoslav republics)</td>
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<td>Institution/Publisher</td>
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<tr>
<td>The Humanitarian Law Center (HLC)</td>
<td>Log Book (2012)</td>
<td>Over two thousand data recordings of all registered victims of violence in Kosovo and related to Kosovo war; includes best available methodology on civilians, the wounded, prisoners of war, persons killed in battle (soldiers). Includes known locations, circumstances of death, photographic evidence, sources of confirmation.</td>
<td>1998 - 2000</td>
<td>100s of pages (unpaginated).</td>
<td>Public.</td>
<td>High.</td>
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<td>Institution/ Publisher</td>
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<td>Thomas Jefferson School of Law</td>
<td>Research Paper (No.1472487), legal and political analysis (September 12, 2009)</td>
<td>Discussion of how the 2008 secession of Kosovo from Serbia became the lightning rod for questioning whether these South Ossetia, Abkhazia and other post-Soviet and post-Yugoslav secessions are legitimate under international law.</td>
<td>1990 - 2008</td>
<td>29 pages.</td>
<td>Public, online.</td>
<td>Moderate (excessiv. legalistic)</td>
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<td>Institution/ Publisher</td>
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<td>Organizers of “Policing in Central and Eastern Europe: Dilemmas of Contemporary Criminal Justice” Conference; Faculty of Criminal Justice, Zagreb Croatia</td>
<td>Edited volume; collection of reports (December 2004)</td>
<td>How organized crime is represented in Serbian print media during the year 2003 and how this representation is connected to broader social and political processes. The paper is based on the analyses of papers published in daily newspapers, Blic and Politika, and in the magazine Vreme, in the period between January, 1 and September, 30 2003.</td>
<td>2003</td>
<td>11 pages.</td>
<td>Public, online.</td>
<td>Moderate (biased against Djindjic govnt.)</td>
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<tr>
<td>Helsinki Committee on Human Rights in Serbia</td>
<td>Book-length report (2007)</td>
<td>Book consists of documents on Yugoslav state repression of Kosovo Albanians through show trials and framed judicial processes aimed at ethnic and political repression. Court documents are primarily from the accused and sentenced, their lawyers and public defenders; journalistic and NGO documents are included that support the accused.</td>
<td>1999 - 2001</td>
<td>518 pages.</td>
<td>By permission.</td>
<td>High.</td>
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### Table of Sources (Continued)

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<tr>
<td>Transnational Crime and Corruption Center, in association with American University, Washington, D.C.</td>
<td>Investigative reports, tables, timelines, statistics, analyses (2007)</td>
<td>Comprehensive examination of organized crime in Georgia before and after the Rose Revolution. With leading experts in the field, this is the most authoritative volume on anti-corruption reforms, public service crime, mafias, smuggling in separatist regions, police corruption and reform, and the societal and political dimensions of the ascension of Saakashvili.</td>
<td>1989 - 2006</td>
<td>144 pages.</td>
<td>Public online.</td>
<td>High.</td>
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<td>Institution/Publisher</td>
<td>Document Type and Date</td>
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<tr>
<td>World Bank</td>
<td>Report, tables, statistics (2012)</td>
<td>Chronicles Georgia’s post-2003 reforms, particularly government efforts to eliminate corruption in public services. Ten factors, or tenets, are said to account for the success of the reforms in Georgia – each is discussed extensively.</td>
<td>2001 - 2011</td>
<td>126 pages.</td>
<td>Public online.</td>
<td>High.</td>
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<tr>
<td>Eurasian Geography and Economics</td>
<td>Article with statistics, maps, timeline (2011)</td>
<td>Examination of the results of surveys in Abkhazia and South Ossetia conducted in 2010. The authors assess the migration intentions of the residents, the likely destinations and motivations for planned departures, as well as the dramatic population decline due to emigration and expulsion of Georgian residents after wars in the early 1990s. This is one of the very few reliable survey-based studies of South Ossetia.</td>
<td>2010</td>
<td>24 pages.</td>
<td>Public, online.</td>
<td>High.</td>
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<td>Institution/Publisher</td>
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<td>Trends in Organized Crime (Vol.9, No.2)</td>
<td>Article (2005)</td>
<td>The causes of organized crime in the (former Soviet) Republic of Georgia, the different crime groups and types of crime associated with these groups, the connections to the bureaucratic structure, and the specialized organized criminal activities in select areas of Georgia.</td>
<td>1990 - 2004</td>
<td>10 pages.</td>
<td>Public, online.</td>
<td>High.</td>
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<tr>
<td>Council of the European Union</td>
<td>Report, statistics, maps, analysis from investigators of the Fact-Finding Mission on the Conflict in Georgia (2009)</td>
<td>Council of the European Union established this Independent International Fact-Finding Mission on the Conflict in Georgia (IIFFMCG), which produced the most comprehensive and balanced account of the South Ossetia separatist dispute.</td>
<td>2008</td>
<td>1,129 pages (two volumes)</td>
<td>Public, online.</td>
<td>High.</td>
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<td>Institution/Publisher</td>
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<td>Post-Soviet Affairs (Vol.29, No.2)</td>
<td>Article (2013)</td>
<td>Reviews the contending scripts used to understand South Ossetia and the basis of its claim to be a state. Presents results of a public opinion survey of Ossetians living in the territory in late 2010, focusing on trust in local institutions and leadership, ethnic Ossetian attitudes toward other groups, return and property, as well as relations with Russia and Georgia.</td>
<td>2004-2010</td>
<td>56 pages.</td>
<td>Public, online.</td>
<td>High.</td>
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<tr>
<td>Eurasia.net, operated by the Eurasia Program of the Open Society Foundation, New York</td>
<td>Article (Feb18th, 2002)</td>
<td>Islamic radicalism in Georgia, Russian responses to it, Georgia's opposition to Russian intervention in the Pankisi Gorge, and the possibilities for a Georgian-US joint operation.</td>
<td>2001-2002</td>
<td>n/a</td>
<td>Public online.</td>
<td>Moderate (bias against Russia).</td>
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<td>Caucasus Research Resource Center (CRRS)</td>
<td>Survey Datasets (2004-2012)</td>
<td>Survey data on a variety of areas; limited data on corruption, organized crime, bribery and related topics.</td>
<td>1989 - 1999</td>
<td>n/a</td>
<td>Public online.</td>
<td>High.</td>
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<td>n/a (self-published)</td>
<td>Timelines, population figures, historical narrative (2009)</td>
<td>Roland Topchishvili published this useful ethno-historical overview of Ossetians in Georgia, including ethnic processes in Shida Karthli.</td>
<td>Late 20th Century</td>
<td>33 pages.</td>
<td>Public, online.</td>
<td>Moderate (biased against Ossetians)</td>
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<tr>
<td>Russian private producers</td>
<td>Documentary film (2010)</td>
<td>Documenting the rise of Russian organized crime in the wake of the fall of the Soviet Union, including extensive references to Georgia.</td>
<td>1989-2010</td>
<td>90 min</td>
<td>Public, online (YouTube)</td>
<td>High</td>
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<tr>
<td>Eurasian Geography and Economics (Vol.49, No.6)</td>
<td>Maps, timelines, analyses (November 2008)</td>
<td>Political geographer analyzes August 2008 South Ossetia war. Sensitive to the importance of localized context and agency and to the limitations of state-centric logics in capturing the connectivities, flows, and attachments that transcend state borders and characterize specific locations.</td>
<td>2008</td>
<td>36 pages.</td>
<td>Public online.</td>
<td>High</td>
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<td>Institution/Publisher</td>
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<td>Süddeutsche Zeitung</td>
<td>Article (March 2012)</td>
<td>Argues that war crimes cannot be fully understood without studying their relationship to organized criminal conduct. Explores role of security services in Yugoslavia’s last decades and how criminal elements of the state related to the destruction of the country.</td>
<td>1990 - 1995</td>
<td>11 pages.</td>
<td>Public, online.</td>
<td>High.</td>
</tr>
<tr>
<td>European Training and Research Centre for Human Rights and Democracy (ETC), Graz, Austria</td>
<td>Article (April 2008)</td>
<td>This article forecasts the impact of blood feuds on political and social life in Kosovo after independence. The author argues that clan-based divisions are likely to serve as a basis for the political mobilization of elites competing for wealth, power and status; she expected independent Kosovo to witness increased inter-clan conflict.</td>
<td>1999 - 2007</td>
<td>12 pages.</td>
<td>Public, online.</td>
<td>High.</td>
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<td>Institution/Publisher</td>
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<td><strong>Progress in Human Geography (Vol.n/a)</strong></td>
<td>Article (2012)</td>
<td>Geographic analysis of organized crime; argues that the development of a geographical perspective on organized crime is timely and seeks to map out connections with both the extant literatures of organized crime and those of human geography.</td>
<td>1999 - 2012</td>
<td>21 pages.</td>
<td>Public, online.</td>
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<td><strong>United Nations Office on Drugs and Crime</strong></td>
<td>Reports, statistics, maps, timelines, figures, analyses (2010)</td>
<td>Annual Transnational Organized Crime Threat Assessment reports analyze a range of criminal threats posed by transnational organized crime, including human trafficking; migrant smuggling; the illicit heroin and cocaine trades; cybercrime; maritime piracy; and trafficking in environmental resources, firearms, and counterfeit goods.</td>
<td>2006 - 2009</td>
<td>314 pages.</td>
<td>Public, online.</td>
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<tr>
<td><strong>Department of Government and International Relations, University of Sydney</strong></td>
<td>Dataset (December 2013)</td>
<td>Presents the Human Trafficking Indicators (HTI), a new dataset on human trafficking patterns and government anti-trafficking efforts in 179 countries from 2000 to 2011. This is the first dataset to broadly capture different trafficking types and disaggregated measures of government responses.</td>
<td>2000 - 2011</td>
<td>19 pages.</td>
<td>Public, online.</td>
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<td>United Nations Office on Drugs and Crime</td>
<td>Research report (October 2011)</td>
<td>UNODC estimating illicit financial flows resulting from drug trafficking and other transnational organized crimes, including total amounts likely to be laundered across the globe, as well as the potential attractiveness of various locations.</td>
<td>2004 - 2009</td>
<td>140 pages.</td>
<td>Public, online.</td>
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<tr>
<td>Federal Research Division Library of Congress</td>
<td>A Report Prepared by the Federal Research Division, Library of Congress under an Interagency Agreement with the United States Government (October 2003)</td>
<td>This report assesses conditions that contribute to or are potentially hospitable to transnational criminal activity and terrorist activity in selected regions of the world during the period 1999-2002. Although the focus of the report is on transnational activity, domestic criminal activity is recognized as a key foundation for transnational crime, especially as the forces of globalization intensify.</td>
<td>1999 - 2002</td>
<td>259 pages.</td>
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<td>International Criminal Police Organization, Interpol General Secretariat Committee on the Judiciary Subcommittee on Crime</td>
<td>Transcript of testimony (Dec. 13. 2000)</td>
<td>Links between organized crime, political terrorism and traditional criminal activity, such as drugs trafficking, armed robbery or extortion. Describes overall trend by which direct state sponsorship has declined, therefore terrorists increasingly have to resort to other means of financing, including criminal activities. These activities have traditionally been drug trafficking, extortion/collection of &quot;revolutionary taxes&quot;, armed robbery, and kidnappings.</td>
<td>1986 - 2000</td>
<td>17 pages.</td>
<td>Public online.</td>
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<td>Prosecution Service of Georgia</td>
<td>Criminological Report (2006)</td>
<td>Overview of criminological trends, for internal use.</td>
<td>2005</td>
<td>n/a</td>
<td>By permission.</td>
<td>Moderate (unsystematic; self-laudatory)</td>
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