

# T(here) Be Dragons

By Dr.-iur. **Trygve Ben Holland LL.M., MA Sarah Holland IPMA**, Prof. Dr. **Arthur Arthur Hartmann** and Prosecutor **Gabriela Piontkowski**

In the context of a currently EU-funded ISF project (UNCHAINED: Disrupting the Human Trafficking Chain through a Follow-the-Money Approach) on human trafficking and organised crime with a focus on money laundering,<sup>1</sup> aspects were identified that are thematically relevant to the project but go beyond the permissible funding purpose; therefore, the findings below were obtained through separately conducted research as of 25.04.2022, in particular through research and interviews with law enforcement representatives on the ground in the Caribbean region.

The special relationship of associated Overseas Countries and Territories (OCTs) with the EU and its Member States also attracts the interest of highly organised criminal actors. The business model of these criminal networks includes at least all offences as defined in Annex I of the Europol Regulation and spatially involves at least the relevant South and Latin American actors.

The association serves as a gateway for economic interests based primarily on human and drug trafficking into the EU and brings corresponding market behaviour into its member states (e.g. gang wars, assassinations of investigative journalists).

## Territorial Dimension

Articles 198-204 TFEU recognise (via Art. 52(2) TEU in conjunction with Art. 355(2) TFEU and Annex II TFEU) that (following the UK's withdrawal from the EU) three EU Member States - namely Denmark, France and the Netherlands - have special links with some OCTs:

- Denmark: Greenland
- France; French Polynesia, French Southern and Antarctic Territories, New Caledonia and Dependencies, Saint Barthélemy, St. Pierre and Miquelon, Wallis and Futuna Islands
- Netherlands: Aruba, Bonaire and Curaçao (former Netherlands Antilles), Saba, Sint Eustatius, Sint Maarten.

The relations between the EU and these 13 OCTs are based on EU law and not on the constitutional law of the respective EU country; although the OCTs belong to the national territory of individual EU Member States, they are not part of the customs territory of the EU, i.e. the OCTs are not part of the internal market (Art. 26(2) TFEU) and must comply with the obligations laid down for third countries in the area of trade (in principle: Art. 199 No. 1-5 TFEU). Of particular importance is that OCT nationals are also EU citizens;<sup>2</sup> because the OCTs are regularly not part of the territory of the EU and therefore not directly subject to EU law, the currently relevant Overseas Association Decision of 2021<sup>3</sup> sets out the individual rules and

<sup>1</sup> <https://cird.eu/projects.html>

<sup>2</sup> cf. Kreuzschitz, Viktor, Vorbemerkung zu den Artikeln 45 bis 48 AEUV, in: von der Groeben, Hans, Jürgen Schwarze und Armin Hatje, Europäisches Unionsrecht, Rn. 59, 2015, C.H. Beck

<sup>3</sup> Council Decision on the Association of the Overseas Countries and Territories with the European Union including relations between the European Union on the one hand, and Greenland and the Kingdom of Denmark on the other (Decision on the Overseas Association, including Greenland), 28.09.2021; available at: <https://data.consilium.europa.eu/doc/document/ST-8988-2021-INIT/en/pdf>

procedures of the association. The OCTs formed themselves in 2003 in the civil society organisation OCTA under Belgian law.<sup>4</sup>

The OCTs are to be distinguished from the outermost regions pursuant to Art. 349 TFEU (via Art. 52 para. 2 TEU in conjunction with Art. 355 para. 1 TFEU), namely Guadeloupe, French Guiana, Réunion, Martinique, Mayotte and Saint-Martin (France), the Azores and Madeira (Portugal) as well as the Canary Islands (Spain): The outermost regions are fully part of the EU and its internal market, the *acquis communautaire* is therefore fully applicable in their territories.<sup>5</sup>

As regards the OCTs linked to France, these territories are an integral part of France; the same applies to Greenland. On the status of the OCTs associated with the Netherlands: Aruba, Curaçao and St Marteen (formerly collectively known as the *Nederlandse Antillen*) are part of the Kingdom of the Netherlands, but are each to be understood as an autonomous country (*gemeente*) within the Kingdom; the Netherlands is responsible under the Constitution for the defence and foreign affairs of the country (these three territories are therefore only observers in CARICOM).

In contrast, the islands of Bonaire, St. Eustatius and Saba, which are grouped together under the name of *Caribisch Nederland*, are autonomous countries (*gemeente*) within the Kingdom. Eustatius and Saba are ‘special municipalities’ (*bijzondere gemeenten*): Officially, these islands are classified in Dutch law as *openbare lichamen* (literally: ‘public bodies’) and not as *gemeenten* (municipalities) – unlike ‘normal’ municipalities, they are not part of a Dutch province and the powers normally exercised by the provincial councils within the municipalities are shared between the island governments themselves and the central government through the National Bureau for the Caribbean Netherlands; hence they are referred to as ‘special’ municipalities.

With regard to law enforcement in Aruba, Curaçao and St. Marteen, the local police, e.g. the *Korps Politie Curaçao*, is responsible;<sup>6</sup> for the group Bonaire, St. Eustatius and Saba, on the other hand, the *Korps Politie Caribisch Nederland*<sup>7, 8</sup>

The geographical location of the Caribbean region, with its total of around 7,000 islands, should be emphasised in the context of the topic of this article: with states located on the North and South American continents – especially Mexico, Nicaragua, Colombia and Venezuela – the islands of the Caribbean lie on the trade and especially sea routes to Canada and the United States of America as well as Europe. It is known to some extent that these routes are used for this purpose: „Venezuela has become more important in recent years as trafficking organisations move Colombian cocaine overland across a porous border and take advantage of the busy maritime traffic between the coast and the islands of the Caribbean, where the Dominican Republic and Jamaica are considered the main hubs, although operations elsewhere

<sup>4</sup> [www.overseas-association.eu/octs/](http://www.overseas-association.eu/octs/)

<sup>5</sup> Council Decision on the Association of the Overseas Countries and Territories with the European Union including relations between the European Union on the one hand, and Greenland and the Kingdom of Denmark on the other (Decision on the Overseas Association, including Greenland), 28.09.2021; available at: <https://data.consilium.europa.eu/doc/document/ST-8988-2021-INIT/en/pdf>

<sup>6</sup> [www.polis.cw/information-in-english/](http://www.polis.cw/information-in-english/)

<sup>7</sup> [www.politiecn.com](http://www.politiecn.com)

<sup>8</sup> on the legal basis see: Rijkswet politie van Curaçao, van Sint Maarten en van Bonaire, Sint Eustatius en Saba; <https://wetten.overheid.nl/BWBR0028079/2010-10-10>

appear to have pushed some trafficking through the Eastern Caribbean”<sup>9</sup>. However, specifics (here: which islands are decisive in detail) are rather scarce.<sup>10</sup>

## Material Dimension

While the islands in the Caribbean do not feature prominently as producers of drugs on the world market, many of the states surrounding them on the mainland do. Consequently, the islands are considered hubs and trans-shipment points for illegal drugs, they take on the role of stations along the smuggling routes. The same applies to human trafficking.<sup>11</sup> The extent of drug trafficking can be illustrated by the fact that the United States Air Force also supports Curaçao in countermeasures,<sup>12</sup> but from a European point of view, the RDCCG is primarily responsible in the form of a partnership between Aruba, Sint Maarten, Curaçao and the Netherlands.<sup>13</sup>

Add to this the function of many OCTs and mainland states as jurisdictions that, if not enabling, at least facilitate money laundering to a greater extent in the absence of effective controls<sup>14, 15</sup>

Despite the OCTs' association with the EU and special relations with some of its member states and the European market as a destination country for illegally transported drugs, Europol does not maintain an analysis project on the spatial sphere of action in question, nor any other thematic focus group;<sup>16</sup> this is surprising, since such analysis projects have been set up with a specific regional focus on other criminal networks (e.g. the Italian Mafia<sup>17</sup> and ethnic Albanian groups<sup>18</sup>) as well as on heroin<sup>19</sup>. The cocaine-related field of action, which is intrinsically linked to South/Latin America, is thus not sufficiently (visibly) made the subject of analysis; this is in obvious contrast to the relevance of the topic in Europe<sup>20</sup> and especially in Germany<sup>21</sup>, which

<sup>9</sup> Eventon, Ross and Dave Bewley-Taylor, An Overview of Recent Changes in Cocaine Trafficking Routes into Europe, EMCDDA, 2016; [www.emcdda.europa.eu/system/files/publications/2373/downloads/EDMR2016%20Background%20paper\\_Eventon%20and%20Bewley-Taylor\\_Cocaine%20trafficking%20to%20Europe.pdf\\_mk](http://www.emcdda.europa.eu/system/files/publications/2373/downloads/EDMR2016%20Background%20paper_Eventon%20and%20Bewley-Taylor_Cocaine%20trafficking%20to%20Europe.pdf_mk)

<sup>10</sup> cf. EMCDDA, Cocaine trafficking to Europe, [www.emcdda.europa.eu/cocaine-trafficking-europe\\_en](http://www.emcdda.europa.eu/cocaine-trafficking-europe_en); EMCDDA and Europol, EU Drug Markets Report, 2019, [www.emcdda.europa.eu/system/files/publications/12078/20192630\\_TD0319332ENN\\_PDF.pdf](http://www.emcdda.europa.eu/system/files/publications/12078/20192630_TD0319332ENN_PDF.pdf)

<sup>11</sup> cf. U.S. Department of State, Trafficking in Persons Report: Curacao, 2021; [www.state.gov/reports/2021-trafficking-in-persons-report/curacao/](http://www.state.gov/reports/2021-trafficking-in-persons-report/curacao/)

<sup>12</sup> cf. Adamczyk, Ed, U.S. Air Force to support anti-narcotics effort in Curacao, UPI, 19.06.2020; [www.upi.com/Defense-News/2020/06/19/US-Air-Force-to-support-anti-narcotics-effort-in-Curacao/4041592581991/](http://www.upi.com/Defense-News/2020/06/19/US-Air-Force-to-support-anti-narcotics-effort-in-Curacao/4041592581991/)

<sup>13</sup> [www.defensie.nl/onderwerpen/taken-in-nederland/kustwacht](http://www.defensie.nl/onderwerpen/taken-in-nederland/kustwacht)

<sup>14</sup> cf. Statista, Risk index score of money laundering and terrorist financing in Latin America and the Caribbean in 2021, by country; [www.statista.com/statistics/817990/risk-index-money-laundering-terrorist-financing-latin-america/](http://www.statista.com/statistics/817990/risk-index-money-laundering-terrorist-financing-latin-america/)

<sup>15</sup> cf. Fusi, Paolo, Curaçao: Geburt und Tod eines Steuerparadieses, IBI World Sweden, 02.01.2022; <https://ibiworld.eu/de/curacao-geburt-und-tod-eines-steuerparadieses/>

<sup>16</sup> cf. Europol, Analysis Projects, 06.12.2021; [www.europol.europa.eu/operations-services-and-innovation/europol-analysis-projects](http://www.europol.europa.eu/operations-services-and-innovation/europol-analysis-projects)

<sup>17</sup> AP ITOC

<sup>18</sup> AP Copper

<sup>19</sup> AP Heroin

<sup>20</sup> cf. Statista, Top 15 Städte in Europa nach Kokainrückständen im Abwasser im Jahr 2020; <https://de.statista.com/statistik/daten/studie/1074063/umfrage/top-15-staedte-in-europa-nach-kokainrueckstaenden-im-abwasser/>

<sup>21</sup> cf. Tagesschau, Mehr Kokain im Abwasser, 03.06.2021; [www.tagesschau.de/investigativ/kontraste/kokain-abwasser-101.html](http://www.tagesschau.de/investigativ/kontraste/kokain-abwasser-101.html)

is well recognised by UNODC and Europol themselves<sup>22</sup> as well as by individual EU member states' law enforcement agencies<sup>23</sup>.

In the region, Europol only has agreements on strategic and operational cooperation with Brazil and Colombia.<sup>24</sup> For EU member states such as Germany, institutionalised and thus bilaterally consolidated cooperation is also not evident.<sup>25</sup> However, the attribute 'occasional' should not be interpreted to mean that at the time of writing (not during the period of time, as there was not enough time available for this for the given reasons), no relevant measures were carried out in relation to the geographical area or that they were not effective: Operations BRUTIUM and TURFE were carried out in mid-February 2022, involving in particular the thematically relevant authority of the United States of America DEA, the institutions of Brazil as well as Europol; the fact that essential actors of organised crime were nevertheless not consistently named<sup>26</sup> is obvious – see below on the personal dimension.

The factual dimension of these operations addresses, in addition to the offence of illegal drug trafficking, primarily money laundering (at the same time also in connection with the 'racing' horse trade);<sup>27</sup> however, it is precisely the personal dimension of this factual connection that is not insignificant for justifying the relevance of the topic of this contribution on several levels.

The current Overseas Association Decision of 2021 addresses cooperation in the field of security in Art. 42 (on the fight against organised crime): this provides as an 'optional provision' that cooperation in the field of the fight against organised crime within the framework of the Association shall include, inter alia the “development of innovative and effective means of police and judicial cooperation, including cooperation with other actors, such as civil society and national human rights institutions, in the prevention and control of organised crime”, including the “production, distribution and trafficking of all types of drugs, narcotics and psychotropic substances”. A link to the area of freedom, security and justice (Art. 67 et seq. TFEU), including its police, judicial and border management dimensions, is not evident and not provided for elsewhere.<sup>28</sup>

## Personal Dimension

Criminal networks from South and Latin America (e.g. Clan del Golfo/Colombia and Cártel de Sinaloa/Mexico) are well known, as are the armed conflicts between the gangs themselves and

<sup>22</sup> cf. UNODC and Europol, Cocaine Insights 1: The illicit trade of cocaine from Latin America to Europe –from oligopolies to free-for-all?, 2021; [www.unodc.org/documents/data-and-analysis/cocaine/Cocaine\\_Insights\\_2021.pdf](http://www.unodc.org/documents/data-and-analysis/cocaine/Cocaine_Insights_2021.pdf)

<sup>23</sup> cf. BKA, Rauschgiftkriminalität: Bundeslagebild 2020, S. 17; [www.bka.de/SharedDocs/Downloads/DE/Publikationen/JahresberichteUndLagebilder/Rauschgiftkriminalitaet/2020RauschgiftBundeslagebild.html;jsessionid=FF222C4FCC1A0D33FC0ECA1BC415D4AA.live602?nn=27972](http://www.bka.de/SharedDocs/Downloads/DE/Publikationen/JahresberichteUndLagebilder/Rauschgiftkriminalitaet/2020RauschgiftBundeslagebild.html;jsessionid=FF222C4FCC1A0D33FC0ECA1BC415D4AA.live602?nn=27972)

<sup>24</sup> cf. [www.europol.europa.eu/partners-collaboration](http://www.europol.europa.eu/partners-collaboration)

<sup>25</sup> cf. BMI, Zusammenarbeit über Grenzen hinweg, 2021; [www.bmi.bund.de/DE/themen/sicherheit/nationale-und-internationale-zusammenarbeit/grenzueberschreitende-polizeiliche-zusammenarbeit/grenzueberschreitende-polizeiliche-zusammenarbeit-node.html](http://www.bmi.bund.de/DE/themen/sicherheit/nationale-und-internationale-zusammenarbeit/grenzueberschreitende-polizeiliche-zusammenarbeit/grenzueberschreitende-polizeiliche-zusammenarbeit-node.html)

<sup>26</sup> insofern als löbliches Beispiel: ,Redação Diário do Rio', Operações da PF prendem 25 pessoas acusadas de tráfico internacional no Rio Quatro pessoas também foram presas na Espanha, 15.02.2022; <https://diariodorio.com/operacoes-da-pf-prendem-25-pessoas-acusadas-de-traffic-internacional-no-rio/>

<sup>27</sup> cf. e.g. ANBA, Brazil held operation against traffic with Morocco, UAE, 15.02.2022; <https://anba.com.br/en/brazil-held-operation-against-traffic-with-morocco-uae/>

<sup>28</sup> cf. e.g. Rec. 37 der Regulation (EU) 2016/399 of the European Parliament and the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), OJ L 77 of 23.3.2016, p. 1-52

with the state and state authorities.<sup>29</sup> The fact that the Hells Angels are active in the Caribbean region is also known and visible on the ground.<sup>30</sup> However, at least from a European (more precisely: EU) point of view, it is not known (sufficiently communicated) that considerable gang-related crime also emanates from the islands in the Caribbean; this, however, not as producers of illegal drugs, but along the supply and distribution chains as well as in relation to factually related services: Contract killings.

On 6 July 2021, the Dutch journalist Peter Rudolf de Vries was seriously injured by several shots in the centre of Amsterdam and died as a result of this planned murder on 15 June 2021. It is widely known that the murder of disagreeable journalists – and especially those dedicated to organised crime – is a not uncommon procedure for intimidation as well as for suppressing the investigation of crimes. In the context of the present topic, it is now of great importance that the alleged perpetrator is a Dutchman living in Rotterdam – with a criminal record and inclined towards the 'gang culture' – with ethnic origins in Aruba, and his accomplice is a Polish citizen.

With reference to Dutch colonial history and the public discussion on racism,<sup>31</sup> it should be emphasised that this article is not intended to promote any nationalist, racially motivated and therefore xenophobic resentment – rather, it is intended to explain what seems to be behind this not unusual connection between events in the Netherlands and elsewhere: The rise of individual actors of social subcultures from local poverty to international organised crime. For this purpose, we will focus on a criminal organisation that is currently gaining notoriety – the *No Limit Soldiers* (NLS).<sup>32</sup>

According to the Dutch press, 'the Haarlem public prosecutor considers the youth gang No Limit Soldiers from Curaçao to be a criminal organisation that organises cocaine transports from Curaçao, Bonaire, Sint Maarten, Jamaica and the Dominican Republic to the Netherlands'<sup>33</sup>; however, it is a abnegating if not diminutive approach to call the NLS a 'youth gang', as the organisation has been active for at least a decade<sup>34</sup> and is the proud subject of a well-documented Wikipedia entry<sup>35</sup> which initially makes it quite clear that it is a highly organised group that transports drug trafficking to Europe – this is well supported by other sources.<sup>36</sup>

The name NLS also explicitly refers to the 'gang culture' and the (pseudo) gangsta rap music culture of the 1990s.<sup>37</sup> Research on the ground has also shown that it is assumed that the main members of the NLS came from the United States of America (without this ruling out a previous migration background) and that the NLS on Curaçao then developed independently (there is no unanimous opinion on this, however). Now, according to the local law enforcement interlocutor, 'the NLS is available for criminal actions of all kinds' and is one of the 'most

<sup>29</sup> cf. Sullivan, John P. and Robert J. Bunker, *The Rise of the Narcostate*, Xlibris, 2018

<sup>30</sup> another 'motorbike association' in Curaçao is the Wild Hogs, who apparently named themselves after the film of the same name

<sup>31</sup> cf. e.g. Gutschker, Thomas, Auch der König sucht Antworten, FAZ, 07.08.2021; [www.faz.net/aktuell/politik/ausland/wie-die-niederlande-ueber-rassismus-debattieren-17469840.html](http://www.faz.net/aktuell/politik/ausland/wie-die-niederlande-ueber-rassismus-debattieren-17469840.html)

<sup>32</sup> another 'street gang' – of more local relevance – is 'Buena Vista City'.

<sup>33</sup> van de Pol, Wim, 'We beheersen Sint' (Maarten), 14.02.2022; [www.crimesite.nl/no-limit-soldiers/](http://www.crimesite.nl/no-limit-soldiers/)

<sup>34</sup> cf. [www.versgeperst.com/nieuws/223528/no-limit-soldiers-leden-opgepakt-na-lang-onderzoek.html](http://www.versgeperst.com/nieuws/223528/no-limit-soldiers-leden-opgepakt-na-lang-onderzoek.html)

<sup>35</sup> cf. [https://en.wikipedia.org/wiki/No\\_Limit\\_Soldiers\\_%28organized\\_crime\\_group%29#cite\\_note-4](https://en.wikipedia.org/wiki/No_Limit_Soldiers_%28organized_crime_group%29#cite_note-4)

<sup>36</sup> cf. Bomers, Loes and Bram de Waal, *Wie zijn de No Limit Soldiers?*, 14.05.2016, <https://eenvandaag.avrotros.nl/item/wie-zijn-de-no-limit-soldiers/>; van de Pool, Wim, 'We beheersen Sint' (Maarten), 09.01.2014, [www.crimesite.nl/no-limit-soldiers/](http://www.crimesite.nl/no-limit-soldiers/)

<sup>37</sup> cf. <https://genius.com/Tru-no-limit-soldiers-lyrics>; [www.youtube.com/watch?v=g\\_sQKNf1mJE](http://www.youtube.com/watch?v=g_sQKNf1mJE)

dangerous international gangs', as a representative of the public prosecutor's office in Willemstad put it.

Even if the assessment of this representative of the public prosecutor's office may not necessarily be agreed with so absolutely: The arrest of an NLS member in London shows that this grouping is not only not a 'youth gang', but a solid criminal network – committing murders – which is also currently operating within the EU.<sup>38</sup> This international dimension is not an isolated case.<sup>39</sup> It is significant that the NLS originated in Curaçao, in the capital Willemstad, which ran the most important slave market in the Caribbean of its time in Otrabanda; more precisely: in the Koraal Specht district (which is also home to the prison today). And so it is the shadows from that time that fall on the Netherlands and the other member states of the EU.

### **Conclusive Scenario**

With the production of illegal drugs in South and Latin American (narco-)states via the primarily maritime trade route through the Caribbean, helping hands of locally organised criminal networks are extended into the EU and especially into the (approximately common) area of freedom, security and justice. In the light of the desired creation of a security union, this is of real common importance.<sup>40</sup> The role of Dutch OCTs in particular should be emphasised here, since citizenship facilitates entry into the EU. At the same time, the area of freedom, security and justice is – to all appearances – not sufficiently prepared for analysis, prevention and prosecution with regard to the OCTs.

Insofar as South and Latin American states are able to produce the illegal drugs that are in demand in (also) Europe and bring them into the EU with the help of the established duty-free trade routes and through locally resident citizens of the Netherlands together with their hit squads, neither the internal market is sufficiently protected, nor are the efforts according to Art. 67 et seq. TFEU are sufficient.

Therefore, it cannot be denied that the transfer of criminal structures from the aforementioned geographical area into the EU could lead to the creation of new narco-states – within the EU – also due to the inappropriate implementation of well-intentioned but more poorly implemented drug policies of the at least partially liberal Netherlands.<sup>41</sup>

### **Expectable Developments...**

First of all, reference should be made to elements that emerged from a project (via the BKA from the funds of the decentrally managed EU-ISF) in 2017:<sup>42</sup> That Albanian criminal networks are increasingly cooperating with South and Latin American cartels in order to jointly ensure the supply of the demand-based market within the EU;<sup>43</sup> that this picture of the situation has

<sup>38</sup> Curaçao Chronicle, Curaçao member No Limit Soldiers arrested in London, 23.03.2021; [www.curacaochronicle.com/post/local/curacao-member-no-limit-soldiers-arrested-in-london/](http://www.curacaochronicle.com/post/local/curacao-member-no-limit-soldiers-arrested-in-london/)

<sup>39</sup> Curaçao Chronicle, Arrest head of dangerous gang S. Quant in Dubai, 26.11.2021; [www.curacaochronicle.com/post/main/arrest-head-of-dangerous-gang-s-quant-in-dubai/](http://www.curacaochronicle.com/post/main/arrest-head-of-dangerous-gang-s-quant-in-dubai/)

<sup>40</sup> cf. Holland, Trygve Ben and Sarah Holland-Kunkel, André Röhl, Carina Zachau, European Security Union – On the Dichotomy of Liberty and Security in the Area of Freedom, Security and Justice, Verlag für Polizeiwissenschaften, 2022

<sup>41</sup> cf. Schneider, Michael, Werden die Niederlande zum Narco-Staat?, Tagesschau, 12.07.2021; [www.tagesschau.de/ausland/europa/anschlag-kriminalreporter-niederlande-105.html](http://www.tagesschau.de/ausland/europa/anschlag-kriminalreporter-niederlande-105.html)

<sup>42</sup> <https://ipos-research.eu/isf-bka-western-balkan>

<sup>43</sup> cf. Hartmann, Arthur, Trygve Ben Holland und Sarah Kunkel, Geldwäsche in Europa: Terrorismus und Organisierte Kriminalität, Verlag für Polizeiwissenschaften, 2018

since been perpetuated.<sup>44</sup> And: That while money laundering is being increasingly combated, it is becoming apparent that weak state structures in (parts of) the EU and in its neighbouring states also allow black sheep to have a clean slate.<sup>45</sup>

While the Albanian groups<sup>46</sup> organise logistics not only in Germany and use their knowledge of the facilities as employees of port facilities (especially Bremerhaven and Hamburg)<sup>47</sup> and logistics companies,<sup>48</sup> the export in South America is carried out by the relevant local South American groups.

### **...and measures to be initiated**

These foreseeable developments, however, would be a possible starting point, at least for Europol with its Analysis Project Copper,<sup>49</sup> in order to specifically deal with the aspects described in the given official working structures – in this respect, Europol's quite new liaison office for the Western Balkans in Albania (established in 2019) could play a not insignificant role.<sup>50</sup>

In this context, especially with regard to the BKA – without excluding the Federal Police or deliberately limiting its possibilities –<sup>51</sup> it could also be achieved that German liaison officers on the ground<sup>52</sup> increasingly contribute their knowledge, capabilities as well as their contacts and share them at specific expert conferences<sup>53</sup> in the EU, so that a more concerted treatment of the fact-based scenario presented in this article is made possible.

<sup>44</sup> bspw. BKA, Über 600 Kilogramm Kokain geschmuggelt?, 04.05.2018, [www.bka.de/DE/Presse/Listenseite\\_Pressemitteilungen/2018/Presse2018/180504\\_FestnahmeRauschgiftaendler.html](http://www.bka.de/DE/Presse/Listenseite_Pressemitteilungen/2018/Presse2018/180504_FestnahmeRauschgiftaendler.html); zuletzt: DW, Drogenprozess: Kokain in der Bananenkiste, 12.02.2019; [www.dw.com/de/drogenprozess-kokain-in-der-bananenkiste/a-47468338](http://www.dw.com/de/drogenprozess-kokain-in-der-bananenkiste/a-47468338); Albanische Kartelle breiten sich aus, Die Spur der Drogen, 04.02.2018, [www.stern.de/panorama/stern-crime/die-spur-der-drogen--iv---der-dealer-7836016.html](http://www.stern.de/panorama/stern-crime/die-spur-der-drogen--iv---der-dealer-7836016.html)

<sup>45</sup> insofern mit Referenz seitens der beteiligten Autoren zu dem auch vom IPoS für die HfÖV Bremen durchgeführten EU Twinning-Projekt zur Bekämpfung der Geldwäsche; [www.ncp-twinning.de/project/enhancing-the-system-of-prevention-and-combating-money-laundering-and-terrorism-financing-in-the-republic-of-moldova/](http://www.ncp-twinning.de/project/enhancing-the-system-of-prevention-and-combating-money-laundering-and-terrorism-financing-in-the-republic-of-moldova/)

<sup>46</sup> vgl. bspw. Europol, 45 arrests in crackdown on Albanian-speaking criminals flooding Europe with cocaine, 15.2.2022, [www.eurojust.europa.eu/arrests-crackdown-albanian-speaking-criminals-flooding-europe-cocaine](http://www.eurojust.europa.eu/arrests-crackdown-albanian-speaking-criminals-flooding-europe-cocaine)

<sup>47</sup> vgl. bspw. Welt, Kokain für 14,3 Millionen Euro eingeschmuggelt: Prozess, 22.03.2021, [www.welt.de/regionales/niedersachsen/article228866429/Kokain-fuer-14-3-Millionen-Euro-eingeschmuggelt-Prozess.html](http://www.welt.de/regionales/niedersachsen/article228866429/Kokain-fuer-14-3-Millionen-Euro-eingeschmuggelt-Prozess.html)

<sup>48</sup> vgl. bspw. Heute Journal, Großer Prozess um Kokain-Schmuggel startet in Hamburg, 16.10.2021, [www.ndr.de/fernsehen/sendungen/hamburg\\_journal/Grosser-Prozess-um-Kokain-Schmuggel-startet-in-Hamburg,hamj115176.html](http://www.ndr.de/fernsehen/sendungen/hamburg_journal/Grosser-Prozess-um-Kokain-Schmuggel-startet-in-Hamburg,hamj115176.html)

<sup>49</sup> s.h. Europol Analysis Projects, 06.12.2021; [www.europol.europa.eu/operations-services-and-innovation/europol-analysis-projects](http://www.europol.europa.eu/operations-services-and-innovation/europol-analysis-projects)

<sup>50</sup> Europol, Tirana hosts Europol's first liaison office in the Western Balkans, 01.08.2019, [www.europol.europa.eu/media-press/newsroom/news/tirana-hosts-europol-s-first-liaison-office-in-western-balkans](http://www.europol.europa.eu/media-press/newsroom/news/tirana-hosts-europol-s-first-liaison-office-in-western-balkans)

<sup>51</sup> vgl. § 8ff. Bundespolizeigesetz vom 19. Oktober 1994 (BGBl. I S. 2978, 2979), zuletzt geändert durch Artikel 8 des Gesetzes vom 23. Juni 2021 (BGBl. I S. 1982)

<sup>52</sup> vgl. insb. für das BKA bspw. Abkommen vom 31. Mai 2013 zwischen der Regierung der Bundesrepublik Deutschland und dem Ministerrat der Republik Albanien über die Zusammenarbeit im Sicherheitsbereich; abrufbar unter: <https://dserver.bundestag.de/btd/18/097/1809755.pdf>. Andere EU Mitgliedstaaten verfügen über vergleichbare Vereinbarungen (bspw. für Österreich: [www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20005586&ShowPrintPreview=True](http://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20005586&ShowPrintPreview=True))

<sup>53</sup> vgl. BMI, Konferenz der Verbindungsbeamten von BKA und Bundespolizei, 12.09.2014, [www.bmi.bund.de/SharedDocs/kurzmeldungen/DE/2014/09/konferenz-verbindungsbeamte-bka-und-bundespolizei.html](http://www.bmi.bund.de/SharedDocs/kurzmeldungen/DE/2014/09/konferenz-verbindungsbeamte-bka-und-bundespolizei.html)