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BALKAN CRIMINOLOGY Crime and Criminology in the Balkans

One-Week Intensive Course, Dubrovnik, Croatia, 10-14 October 2016

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BASIC INFORMATION ABOUT MPPG AND ONE-WEEK INTENSIVE COURSE

The Max Planck Partner Group for 'Balkan Criminology' (MPPG) represents a pioneering effort to establish a centre of criminological and criminal justice research excellence focused on the Balkan region (Balkan-criminology.eu, 2016). It has been jointly established in January 2013 by the Max Planck Institute for Foreign and International Criminal Law and the Zagreb Faculty of Law, based on the decision of the President of the Max Planck Society - Germany's most successful research organization. The MPPG's scientific program is not only closely linked to several research focuses of the MPI, but also rooted in a unique overall research concept that is tailored to fit to the specific needs of criminology in Southeastern Europe – the 'Balkan Criminology' concept (Scientific Report of the Max Planck Partner Group for Balkan Criminology, 2015: 5) First and foremost MPPG's mission is conducting various research projects which can be presented in one of the MPPG's three research focuses (RF): RF I – Violence, Organised Crime and Illegal Markets; RF II – Feelings and Perceptions of (In) Security and Crime; RF III – International Sentencing. The establishment, hosting and further development of the MPPG's Balkan Criminology Network (BCNet) is the second main mission of its work (It is gathering 16 countries). The BCNet should be the basis for regional research

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endeavours, exchange of experience and knowledge, gathering of regional expertise, and should in the long run also ensure a pool of prospective junior researchers to be hired across the region (Scientific Report of the Max Planck Partner Group for Balkan Criminology, 2015: 65). Third mission is publishing MPPG's research findings through the publication series of the Max Planck Institute for Foreign and International Criminal Law, "Publications of the Max Planck Partner Group for Balkan Criminology", edited by Hans-Jörg Albrecht & Anna-Maria Getoš Kalac, and published by the Max-Planck-Gesellschaft zur Förderung der Wissenschaften e.V. & University of Zagreb – Faculty of Law. Volume BC 1 is titled "Mapping the Criminological Landscape of the Balkans. A Survey on Criminology and Crime with an Expedition into the Criminal Landscape of the Balkans". MPPG also launched its Newsletter, the Balkan Criminology News (BCNews), and it is meant as a forum for the exchange of information and ideas, and to spread latest news and point to actual developments. Fourth mission of the MPPG is to annually organise a regional scientific conference and a training courses for young researchers. In this respect, MPPG organised Balkan Criminology' One-Week Intensive Course, which was held from 10th to 14th of October 2016 at the Inter-University Centre in Dubrovnik under the title *Crime and Criminology in the Balkans*. The course provides in-depth and up-to-date knowledge about the state of art in crime research in the Balkans, while introducing its participants to the basics of criminological methodology, phenomenology and etiology. The program was held for five days and many renowned experts and students not only from Balkan region but also from Germany, Switzerland and Austria participated in the course. Max Planck Institute for Foreign and International Criminal Law in Freiburg i. Br., Germany, generously granted a scholarships for attending the BC Course to a limited number of course participants.

This year, the lecturers on the BC course were: Assist. Prof. Dr. Almir Maljević, University of Sarajevo, Bosnia and Herzegovina and director of the BC Course, Prof. Dr. Marcelo F. Aebi, University of Lausanne, School of Criminal Sciences (ESC) in Switzerland, Dr. Eszter Timár, Central European University in Hungary, Dr. Michael Kilchling, Max Planck Institute for Foreign and International Criminal Law in Freiburg, Germany, Prof. Dr. Rüdiger Wulf, honorable professor at the Tübingen University, Assist. Prof. Sunčana Roksandić Vidlička, member of the Max Planck Partner Group for "Balkan Criminology". Details of this year's BC course will be presented in the second part of this review. In this section are listed *short excerpts from papers / presentations*, which were presented by some of the participants, at this year Intensive-Course:

Sara Frančeskin, Slovenia, University of Ljubljana - European Law Faculty: the paper research is focused on legal and socio-political aspect of the issue of human trafficking and smuggling in the Balkans such as: possibilities of repatriation, which is raising a number of significant issues under International Law, in particular, human rights, refugee and Humanitarian Law. The challenge for all countries, is to target the criminals who exploit desperate people and to protect and assist victims of trafficking and smuggled migrants, many of whom endure inconceivable suffering in their attempt of the better life.

Arbora Aliaj, Albania, University of Tirana - Faculty of Law: her presentation analyzed the approximation and harmonization of Human Trafficking Directive 2011/36/ EU in Balkan, with main focus in the criminal codes and criminal policies. The research is based upon legal framework, comparative analyses and on a review of what the Balkan's country have done for the implementation of European legislation and what they have not done yet. Its seeks to give a clear image of the legislative situation in Southeastern Balkan countries.

Tanja Legović Pisačić, Croatia, University of Zagreb - Faculty of Law: her presentation was about criminological aspects of road trafficking (more precisely: about criminal offence of wanton driving). The criminal offence of wanton driving is implemented in Croatian Criminal Code in 2011 year, but there is a lot of problems in praxis, of which is the highest in relation to the elements of this offense.

Miruna-Mihaela Popescu, Romania, University of Bucharest - Faculty of Law: her paper analyzed problems of organized crime in Romania. In Romania, one can identify a complex of socio-economic factors which stimulate the increase of organized crime, such as: the persistence of economic, financial and social problems generated by the delay in the enforcement of the structural reforms; the downfall of morality and public solidarity, the increase of permissiveness after a long time of communist indoctrination; Romania's geopolitical position between East and West and the implications of Balkan crisis.

Nadja Mičić, Slovenia, University of Ljubljana - Faculty of Law: in this paper, author first introduce about the psychological aspects of battered person syndrome and manifestation of the phenomenon to the posttraumatic stress disorder. She shows the historical and contemporary aspects of battered spouse defences, with an emphasis on the claim of self - defences and the claim of insanity. The conclusion is that there is no consistency in sentencing battered persons who kill their abusers. Woman are usually sentenced with shorter sentences than men. On the other hand, in some cases penalties were high despite the fact that some situations were close to self-defense, which only confirms the tendency of tightening policy of punishment in general.

INTENZIVNI KURS IZ METODOLOGIJE

U periodu od 10. do 14. oktobra 2016. godine, u Dubrovniku je održan intenzivni kurs o osnovnim metodama koje se koriste pri pisanju naučnih i istraživačkih radova u oblasti Kriminologije. Ovaj kurs, koji sa pravom nosi naziv intenzivni, imajuću u vidu da je svaki radni dan bio dobro isplaniran, treću godinu za redom je organizovan u saradnji Max Planck grupe - "Balkan Criminology" i IUC Dubrovnik (Međunarodni univerzitetski centar u Dubrovniku). Na ovogodišnjem kursu, pored Albanije, Bosne i Hercegovine, Crne Gore, Hrvatske, Makedonije, Rumunije, Slovenije, Turske, koje su imale po nekoliko predstavnika, po prvi put je učestvovala i Republike Srbija, koju je predstavljao Nikola Vujičić, doktorand Pravnog fakulteta Univerziteta u Beogradu i istraživač pripravnik Instituta (*koautor ovog teksta*). Ono što ovaj kurs čini posebnim, jeste činjenica da je on pre svega interaktivan i da

podrazumeva da svako od učesnika izlaže svoj rad / prezentaciju, koji podležu stručnoj recenziji. Ali, krenimo redom.

Prvi radni dan, otpočeo je izlaganjem prof. dr Almira Maljevića (Bosna i Hercegovina, Univerzitet u Sarajevu) koji je predstavio ciljeve ovog projekta, predavače i teme koje će biti razrađene u toku kursa. Nakon uvodnog izlaganja, predstavio je svoj rad na temu *Međunarodni teroristi - pravni okvir i izazovi za efikasnu istragu* (eng. Foreign terrorist fighters - legal framework and challenges for effective investigation in the Balkans) čime je otvorena interesantna rasprava u pogledu najboljih načina reagovanja društva na ovaj oblik kriminaliteta. U drugom delu, prof. dr Marcelo F. Aebi (Švajcarska, Univerzitet u Lozani) održao je predavanje o osnovama kriminoloških istraživanja i metoda, sa posebnim naglaskom o važnosti statistike i komparativnog pristupa u kriminologiji. Poslednja sesija, koju je održala dr Eszter Timár (Mađarska, Centralno-evropski univerzitet) bila je posvećena praktičnoj obuci učesnika, koja se sastojala u čitanju radova i ispravljanju najčešćih grešaka koje početnici (ponekad i oni sa iskustvom) čine u praksi.

Drugog radnog dana, prof. dr Marcelo F. Aebi održao je predavanje o statističkim podacima, sa ukazivanjem na dve osnove činjenice: prvo, koji podaci su pouzdani i na koji način ih je moguće prikupiti; drugo, načini obrade i tumačenja statističkih podataka (SPSS baza). Viktimološkoj dimenziji kriminalne pojave, koju je detaljno izložio dr Michael Kilchling (Nemačka, Max Planck Institut za strano i međunarodno krivično pravo) bio je posvećen drugi deo radnog dana. Ovo je bio dan i kada je jedan deo učesnika prezentovao svoje radove koji su, pored stručne ocene i komentara predavača, u nekim slučajevima doveli do oštire rasprave među učesnicima kursa.

Sredina radne nedelje bila je posvećena isključivo praktičnoj obuci učesnika, koju je držala dr Eszter Timár, dok je prof. dr Rüdiger Wulf (Nemačka, Univerzitet u Tubingenu) govorio o vrlo važnoj temi za svakog mladog istraživača, koji obično ima problem sa rasplinjavanjem prilikom pisanja radova, nakon čega se gubi nit o suštini. Na osnovna pravila u pogledu opredeljivanja za temu i kreiranja naslova rada, ukazao je u svojoj prezentaciji - "*Kako stvoriti tezu: od ideje do finalnog proizvoda*".

Početak četvrtog radnog dana, bio je posvećen viktimologiji, a dr Michael Kilchling je ovog puta predstavio komparativno istraživanje o učešću žrtava u krivičnom i građanskom postupku, kao i postupcima pred međunarodnim krivičnim tribunalima. Jasno je ukazano i na razliku u polažaju žrtve u anglosaksonskom i kontinentalnom pravu. Prof. dr Sunčana Roksandić Vidlička (članica Max Planck grupe - "Balkan Criminology") održala je predavanje o zločinima protiv čovečnosti (konkretno, o medicinskim eksperimentima i trgovini ljudskim organima) gde je ukazano i na primere koji su se dešavali na Balkanu, a koji nisu još uvek razrešeni. Po završetku prezentovanja i ocenjivanja radova učesnika, kasni poslepodnevni časovi i zalazak sunca na Jadranskom moru, iskorišćeni su za razgledanje znamenitosti grada Dubrovnika.

Poslednjeg dana, predavači i ostali učesnici, izneli su osnovne zaključke o ovogodišnjem kursu, nakon čega su dodeljeni sertifikati polaznicima. Kao što je

uobičajeno, i ove godine je dodeljena nagrada za najbolji rad, koji će biti publikovan u *Evropskom zborniku za kriminologiju* (eng. European Journal of Criminology), a koja je pripala Nikoli Vujičiću, koji je izlagao rad na temu *Fenomenološke i etiološke karakteristike kriminaliteta maloletnika u Srbiji - komparativna analiza* (eng. Phenomenological and Etiological Characteristics of Juvenile Crime in Serbia - comparative analyses) a kojom analizom je sagledan ovaj oblik kriminaliteta u poslednjih deset godina. Posebna nagrada, dodeljena je Sari Frančeškin iz Slovenije, koja je izlagala rad na temu *Trgovina ljudima i krijumčarenje na Balkanu* (eng. Human trafficking and smuggling in the Balkans: What are the possibilities of repatriation of the victims according to the International law?) i koji će biti objavljen u Biltenu "Balkan criminology" grupe.

Ovaj metodološki kurs se od ostalih izdvaja po sledećem: prvo - namenjen je, pre svega, onim polaznicima koji se interesuju za Kriminologiju kao naučnu disciplinu; drugo - kao što je već pomenuto, intenzivan je (što, treba priznati, u nekim momentima zahteva i odgovarajuće predznanje učesnika, poput poznavanja osnovnih metoda koji se u koriste u Kriminologiji); treće - posmatrajući ovu, ali i prethodne godine, primetno je da predavači na kursu, uglavnom dolaze sa najprestižnijih univerziteta i instituta u Evropi); četvrto - mogućnost dobijanja stipendije koju dodeljuje Max Planck Institut iz Frajburga, svakako je činjenica koju treba imati u vidu prilikom apliciranja i najzad, peto - intenzivni kurs, sasvim primetno, dovodi i do stvaranja mreže mladih ljudi koji, po povratku u svoje matične zemlje, nastavljaju dalju saradnju, što je slučaj i sa autorima ovog prikaza.