

## AN OVERALL ASSESSMENT OF TRANSNATIONAL ORGANIZED CRIME

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### I. INTRODUCTION

Some factors such as technological progress, easiness of crossing frontiers and transition of the economic policies in countries have encouraged criminal organization and added an international dimension to such crime. For instance, while an illicit drug organization uses counterfeit passport and identity cards to hide its members' identity results in fraud ; to legalize the proceeds derived from such crime (by founding screen companies), with proceedings going to banks and foreign exchanges results in the crime of money laundering. Spending money to purchase weapon leads to gun smuggling and that also engenders terrorism. This causes more familiarity and cooperation among crime groups.

#### A. Definition of Organized Crime

Organized crime is, within an organization which could be in any form, to use violence or at least put pressure to provide benefits. Therefore, the term of "organized crime" consists of some elements below:

- i) Existence of an association ( 2 or more persons)
- ii) The aim of providing benefit (money or power)
- iii) Violence or pressure.

i) *Existence of an association:* The main component that distinguishes organized crime from other crimes is that two or more people are participating in the crime and putting the desire directed towards the

same goal.

ii) *The aim of providing benefit:* Organized crime groups expect material and social benefit as a result of their illegal activities.

iii) *Violence or pressure:* An organized crime group beats, wounds and kills as a violence element and uses threat and blackmail as a pressure element, aimed at providing benefit for itself or a third person.

#### B. Differences between "Mafia" and "Organized Crime"

Is the organization which is called "Mafia" in the press and public outside of organized crime? To most people the term organized crime and Mafia are the same. This unfortunate mistake arose because so many criminals who made great reputations in the 1920's came from Italy and, in particular, Sicily. The Mafia has for centuries been a notorious Sicilian organization. But it is difficult to hold the Mafia outside of the terms organized crime. Because the Mafia also contains each of the three components mentioned above, it has some characteristics comparable to other crime organizations. For example the Mafia:

- Infiltrates economic and social structures.
- Gets the management of public services and contracts, economic activities, privileges, and authorizations; or takes control at least.
- Gets into, directly or indirectly, the management of commercial and industrial organizations, or companies.

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- Prevents the carrying out of the administration freely.
- Unbalances social and economic life as related to the aforementioned.

In addition the Mafia has;

- A hierarchical structure that performs in solid manner.
- Organization membership tied to defined rules.
- A monopoly on their activities.
- The punishment of the treachery to the organization as death.

As shown, the Mafia influences economical and administrative decision processes. As a result, the Mafia is an organized crime group which threatens public security and affects the general economy and public administration.

## **II. CURRENT SITUATION OF TRANSNATIONAL ORGANIZED CRIME**

### **A. General Situation Of Illicit Drug Trafficking**

The illicit drugs phenomenon has three elements which are different in essence, but somehow intertwined. Therefore, the illicit drugs problem may well be regarded as a tri-fold menace which could be considered under the topics of illicit production, trafficking and consumption. It is not possible however to deny the existence of some organic linkage which enables us to move from one topic onto another between these essentially separate elements. Essentially, if there was no illicit production, there would be no illicit trafficking, and if there was no trafficking then there would naturally be no demand for illicit drugs. Therefore, non-existence of the demand would not give rise to the supply.

Both supply and demand are maintaining their very presence to some great extent. The distance between the

supplier countries and the demanding ones causes illicit traffic in drugs. This feature of drug criminality necessitates that drug enforcement focus basically on the supply and demand aspect of the phenomenon. Supply control should include reducing opium poppy and cannabis quantities used to manufacture illicit narcotics; prevention of traffic in synthetic drugs and carrying out the related combat. Demand control on the other hand should include elimination of the possible means leading to drug abuse, carrying out the related combat and the treatment rehabilitation of abusers as well as addicts. Meanwhile, control of both supply and demand should be carried out at operational, political, diplomatic and socio-economic levels.

Any fight against drugs based solely on an individual nation's effort will not lead to absolute success because illicit drug criminality is linked to organized crime and terrorism. Effective international cooperation is necessary in this regard. The ever increasing work of nations on this issue and the direct actions they are taking to combat drugs are well commended. Turkey too is committed to the combat of drugs, both with national efforts and initiatives taken internationally.

### **B. Production Areas of the World**

Drugs and the various materials that are used in drug production are produced in large amounts in each continent.

Cannabis is cultivated in a significant amount of the major countries in Africa. According to Interpol reports, South Africa is becoming a main source of the illegal cultivation of more than 175,000 tons of cannabis. The enterprises founding the clandestine laboratories for the production of methaqualone or other psychotropic materials have been detected in some eastern and southern African Countries (South Africa, Mozambique).

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In 1996, as in the past, hashish was raised for domestic consumption in Middle America and the Caribbean. Jamaica continued to be an important source of hashish for consumption in Europe and Northern America. Hashish is also cultivated and produced in Mexico (Brasil and Colombia) for the USA. The illegal production of metamphethamin and LSD increased in the USA. In Colombia, poppy and opium poppy is also raised. Peru and Bolivia has remained the biggest producer of coca. The coca that is the raw material of cocaine is smuggled from Peru and Bolivia into Colombia, where it is transformed into cocaine and enters the world market <sup>3</sup>. The production of synthetic drugs and acetic anhydride that is used in the production of heroin is realized in the USA.

Cannabis grows naturally in a number of the countries in south-east Asia, such as Thailand. The illicit production of poppy and heroin and the cultivation of opium poppy have continued to increase in Burma. Acetic anhydride is produced in China, India and South Korea<sup>4</sup>. An important amount of ephedrine has been produced in the Russian Federation. In addition, cannabis has been grown in the Russian Federation, especially poppy in Khazakistan. Pakistan also has an important place in the production of resin hashish<sup>5</sup>. Opium poppy has been cultivated in legal ways in India, Japan, China and Turkey. Heroin that is significant part of drug trafficking, is produced from poppy which has been grown in the Golden Triangle (Burma, Laos, Thailand) and the Golden Crescent (Pakistan, Iran, Afghanistan) . Poppy has been grown in legal ways in France, Spain, Hungry. Holland has become a producer of cannabis

in closed areas. Amphetamine has also been produced in Holland. A major number of LSD seized in Europe was welded in the USA. In Australia and Oceania, illegal cannabis and legal poppy has been grown and methamphetamine has been produced.

As shown above, drug materials arise naturally or are grown on purpose for the reason of high profit, to finance terrorism or cold wars between countries. Drug trafficking has followed many various routes in countries throughout the World from east to west and south to north.

### **C. Illicit Drugs Problem In Turkey and Related Policies and Fight Against Drugs**

We have tried to cover drug problems and the global fight so far. In this context, Turkey is a transit point because of features such as an adjacent geographical location which is in intersection with the continents of Asia and Europe. Having those producing regions in the east while the consuming regions are in the west-coupled with the passing of the Balkan Route through her-Turkey has, as the most important problem, the illicit trade of narcotics.

Fluctuations in this region have caused, as mentioned above, the emergence of new routes. Enhanced criminal capabilities for those drug syndicates which were new to the republics which gained independence upon dissolution of the former Soviet, coupled with crises caused by such economical transition, have led to the emergence of new criminal groups with either involvement in or cooperation with drug trafficking groups.

Turkey is facing traffic from east to west with the trafficking of synthetic tablets, such as Captagon and Ecstasy (and facing west-to-east traffic) of cocaine and it's precursors, mainly acetic anhydride, which

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(3) INCB Report for Precursors 1995

(4) INCB Report for 1995

(5) INCB Report for 1995

is used in heroin production. In this context, Turkey is also an intersection for narcotics and their precursors in addition to her transit position for other drugs.

The majority of the narcotics moved into Turkey from the east and/or southeast, belong to the PKK terrorist organization. The same organization traffics some other parts of the narcotics across the border for drug trafficking organizations for a certain commission. Drug trafficking organizations, mainly the PKK, act as an intermediary for transporting their illicit 'cargoes' supplied from producing countries to consuming areas and markets.

In some other cases, as will be mentioned under the heading "Clandestine Laboratories," it has been detected that the PKK terrorist organization and other drug networks are attempting to supply morphine base at a lower cost, converting amounts of the substance into heroin in clandestine heroin laboratories, and finally moving end-products at a higher price to consumption locales in Europe. Turkey's location as an intersection plays a major role in such undesired formation.

Metaphorically speaking, it is impossible for Turkey to avoid the drug menace, given that she is already surrounded by such pervasive drug movement. Dangerous indications suggesting the emergence of addiction have recently begun to surface. However, more important for Turkey are the facts that drugs constitute the major financial support for the PKK terrorist organization, and that drug funding is known to benefit from this organization.

Subordinated to the Ministry of Interior, the General Directorate of Security, General Command of Gendarmerie and Coast Guard Command, General Directorate of Pharmaceuticals of the Ministry of Health, AMATEM (Treatment

Center For Alcohol and Substance Addicts), Turkish Grains Board of the Ministry of Agriculture and Village Affairs, the General Directorate of Customs and the General Directorate of Customs Guard of the Undersecretaries of Customs are on duty to combat illicit drug trafficking in Turkey.

The General Directorate of Security is the main operational body for drug enforcement in Turkey. The General Command of Gendarmerie carries out drug interception efforts through its narcotic teams employed in rural and border regions. The Coast Guard Command carries out, with assistance from the Turkish Navy when necessary, the drug fight at sea.

The General Directorate of Pharmaceuticals of the Ministry of Health defines the procedure for drugs and psychotropic substances used for medical purposes, arranges licenses for legally imported chemicals and psychotropic substances control, and provides for the procedures for treatment of addicts.

The only treatment center for drug addicts, AMATEM (Treatment Center For Alcohol and Substance Addicts) has been established within the premises of the BAKIRKÖY MENTAL STATE HOSPITAL in Istanbul. This mental hospital, under the Ministry of Health, is the largest of its kind in Turkey. Plans exist to set up similar centers in five (5) other regions.

The Turkish Grains Board of the Ministry of Agriculture and Village Affairs is charged with overseeing licit cultivation; issuing licenses; making policies for the purchase of cultivated products, operating the Afyon Alkaloid Plant, and carrying out export transactions.

Subordinated to the Undersecretaries of

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Customs, two Directorates are charged with the interception, investigation, and prosecution of any acts of smuggling, including drugs, within Turkish Customs areas.

**D. Licit and Illicit Drug Production**

i) Licit Poppy and Cannabis Growing

Turkey is a traditional licit grower of opium poppies and controlled and unlicensed poppy growing is taking place in 13 provinces. The harvested crops are being processed at the Afyon Alkaloid Plant for medical use. Checks on licit poppy cultivation from poppy cultivation till the end of harvest are being rigidly carried out. This practice which was begun in 1994, and to date, no seizures of opium derived from Turkish poppies have been sighted either at home or abroad.

ii) Precursors Used to Manufacture Heroin

Forerunning among the precursors in illicit drug production, acetic acid is not produced in Turkey but mention can be made of its licit import as it has various domestic industrial uses. Both licit import and distribution of the substance has been under rigid control through the relevant Legislation. No diversion from the legally imported products has been sighted until now.

Turkey is seeing reverse precursor traffic from west-to-east, contrary to what is seen in regard to heroin or morphine base. This means that, Turkey is also an intersection in terms of the trafficking of such substances in addition to being a transit for illicit drug trafficking.

The successful seizure of fifty-three (53) tons of acetic anhydride thanks to conscientious efforts in 1995, has been considerably influential on the 1996 seizures record. Acetic anhydride seizure (25.2 tons) for 1996 has dropped according to the previous year by 49.1% .

iii) Clandestine Heroin Laboratories

As emphasized earlier, it is no longer a secret that some trafficking organizations have turned, in an attempt to magnify their profits, to derive heroin in Turkey through utilizing primitive methods from either acetic anhydride and morphine base supplied from producing countries, thus giving up the practice of carrying the ready-to-use heroin from the production sites to consuming communities. That trend is enhanced by the strategic location of Turkey in terms of illicit drug trafficking. Four clandestine heroin laboratories were detected in Turkey in 1996.

**E. Drug Trafficking Passing through Turkey**

In this part, the trafficking dimension of the drug problem will be considered first in the context of drug routes passing through Turkey, then an evaluation of drug seizures and the offenders.

i) Routes

The presence of the Northern Black Sea Route, the Balkan Route, and the Eastern Mediterranean Route in the east-to-west, against precursor routes from west-to-east, have already been mentioned. Being a transit point in that regard, Turkey is an intersection where there is some reverse traffic in terms of drug trafficking routes. Situated in the midst of such traffic, Turkey has many drug routes passing through her. Trailing along a west-to-east line, the precursors traffic is carried out with such substances originating in their production zones (the European countries) being moved to drug producing regions, particularly the Golden Crescent region.

ii) Seizures

In general, there is an increase as to the amounts of heroin, morphine base and synthetics, as against some decrease in hashish and cocaine quantities, in drug seizures in 1996. Factors like consuming

preferences, drug prices, etc. play a major role in such changes.

iii) Heroin

Ever increasing demand is the primary element to explain the increase both in heroin cases and related seizures. Destination of the heroin trail passing through Turkey, Europe, has long had consuming masses. Growing numbers of members are being added to those masses each and everyday. During 1996, case numbers increased by 31% while seized amounts increased by 28%, which is also an indication of the priority accorded to the combat of drugs.

iv) Hashish

Hashish amounts for 1996, when compared to the year 1995, show a considerable decline. Underlying reasons for that might be less lucrative profits from hashish and promotion of the more lucrative drug types preferred by traffickers.

The leading drug production sites are in Lebanon, although there has been a major decline due to the establishment and organization of a security system which is under way in Lebanon, and the substitutive agro-policies carried out by the U.S. and I.N.C.B.. Hashish seizures also declined last year, as in 1995, due to the African production which took route in European markets; the heroin preferred by traffickers and the ecstasy preferred by consumers. The growing number of case discoveries are mostly due to the street teams set up.

v) Cocaine

Turkey is not in the mainstream of cocaine routes, which is keeping seizures low. Both the cocaine amounts and the seizures were in considerable incline during 1995, against a major decline in 1996.

Major decline in the cases and amounts of cocaine is mostly due to the increased general use of disco drugs, namely the stimulating ecstasy tablets, use of which saw in recent years a higher frequency in Turkey. It is considered that cocaine users in search of a new drug have now turned to ecstasy and that trafficking organizations are attempting to create a fresh avenue to push this drug widely abused, in almost the entire of Europe, to the Turkish market. Great amounts of ecstasy seizures in 1996 have supported such an assertion.

**TABLE 1**  
Ecstasy Seizures

Year	Case	Quantity (unit)
1995	3	9
1996	4	3473

Note: The statistics of all tables are taken from police registrations in the Ministry of Interior. The amounts include the registration of police, General Command of Gendarmerie and Coast Guard Command.

vi) Morphine Base

Morphine base seizures were generally made at the clandestine heroin laboratories discovered. Seizure ratios, compared to last year's statistics, indicate a major decline from past years cases in number but also some partial incline in confiscated amounts, which suggests there is morphine base trafficking taking place in big lots.

vii) Synthetic Drugs

The basic synthetic drug of traffic is captagon. Captagon is not consumed in Turkey but mostly in the Middle-East countries. Illicit captagon production is concentrated in certain European countries. Manufactured tablets illicitly enter Turkey in the west and are transported to the Middle-East by certain organizations in the south and southeast

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of Turkey. To that effect, land transport is utilized, making use of the existing commercial contacts with Middle-Eastern countries.

Another route in the illicit traffic is the one leading from European countries, via maritime lines, to the countries in downward location to Turkey. The relative decrease in seizures merits attention, despite a clear decrease during 1995 in Turkey.

**F. Drug Trafficking Organizations**

While illicit drug trafficking used to be run before the 1990's by people or groups, more recent times saw traffickers incredibly intensify their activity by forming large family organizations and/or establishing twopartite or threepartite family organizations to get higher profits and run their activities on a larger scale.

ASENA was initiated to make a general analysis and to further enlarge, based on information developed, the scope of existing measures by establishing matters such as general structures, modus operandi, targets, roles in the traffic of the mentioned organizations and what contacts are made with who.

With ASENA taking effect, information was established that:

- Drug trafficking organizations were running their illicit business intertwinedly.
- Activities conducted were limited to a main focus, based on shared fields of duty among them.
- Traffickers preferred to establish kinships, or reinforce existing internal relations, through marriages to unite their power and enhance trust in each other.
- Traffickers had become sectors of the production, transport, storage and distribution of illicit narcotics, and of the transfer of illicit profits derived from such criminal activities.

It is clear from the above the inter-organizational division of duties. Below are a few examples of the above mentioned points:

- The HAN organization was meeting the morphine base needs of such organizations. Hurshit HAN, leader of the organization was arrested in Istanbul on 9<sup>th</sup>, September 1996 in connection with some 750 kgs of morphine

**TABLE 2**  
**Drug Seizure Figures for Turkey in 1996 by Drug Type**

TYPE	CASES	ACCUSED	QUANTITY(kg)
Hashish	1618	3287	12294
Heroin	519	1650	4422
Morphine base	5	24	1157
Opium	26	58	233
Cocaine	40	122	13
Acetic anhydride	7	29	42450
Synthetic drugs*	74	160	259097
<b>TOTAL</b>	<b>2289</b>	<b>5330</b>	<b>319666</b>

\* Per unit

base seizure.

- Suppliers of morphine base, the AY and KONUKLU organizations were converting, in their own clandestine laboratories, volumes of morphine base into heroin. Located in Saray town, Tekirdag, the laboratories owned by these organizations were seized on 8<sup>th</sup>, March 1995.
- Heroin quantities produced were being transported by the KUYUCU and KASAR organizations, into Europe. Mehmet KASAR, leader of the organization, was arrested during an operation in Istanbul on 7<sup>th</sup>, April 1996 where some 158 kgs of heroin was confiscated.
- Illicit drug quantities moved into Europe are being stashed in Romania by the SITOCHI Organization, and pushed in various European local markets by the SITOCHI, POLAT and other organizations.
- With ASENA, twenty-five (25) illicit organizations have been schematized to present time. Of these, four (4) were smashed and finally disrupted through determined action taken.

**G. Drug Trafficking and Related Criminality**

While numerous drug trafficking organizations and cartels initially used to be small and established with individual leadings, drug trafficking organizations have increasingly sought partners in crime for individually conducted activities. These were easily found due to impressing people with the belief of becoming rich; and it is within such turn that they become

organizations with rules, penalties, techniques and intimacies.

Many other forms of criminality follow the organization of drug related crimes. While illicit drug crimes are considered at early level stages such as illicit narcotics planting, dealings and abuse, many other crimes like the smuggling of precursors (including the smuggling of controlled precursors placed under international treaties), laundering drug money, violence, murder, fraud, theft, human trafficking, arms smuggling, and terrorism are gaining increased momentum largely due to illicit gains being shifted into other criminal channels.

**III. CURRENT SITUATION OF TRANSNATIONAL ORGANIZED CRIME EXCEPT ILLICIT DRUG TRAFFICKING**

The general situation of illicit drug trafficking has been clarified. The following will try to briefly explain other transnational organized crime, with statistics.

**A. Illicit Firearms Trafficking**

In 1995 and 1996, illicit firearms trafficking occurred in Turkey. The statistics of individual and organized illicit firearms trafficking are given below.

**TABLE 3  
Recent Firearms Trafficking**

Year	Incident	Arrested Offenders	Fugitives
1995	145	603	46
1996	171	918	73
1997*	145	683	56

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**Confiscated Firearms and Other  
Materials**

Year	Firearms	Bombs	Bullets
1995	1.006	132	37.479
1996	1.054	1	91.275
1997	1.316	-	61.571

The PKK play an important role in illicit fire arms trafficking in addition to drug trafficking.

**B. Smuggling of Illegal Migrants**

Because of the political instability in Northern Iraq, Turkey is having some problems in this regard. This problem has emerged recently and no certain statistics are available. Some organized groups are transferring the people of north Iraq via Turkey, Greece, Bulgaria to European Countries. These organized groups are providing false passports to Iraqi people and are manipulating them to apply as political refugees in European Countries. Besides this, some people who are unemployed are cheated by organized crime groups with the promise of work. The table below indicates the situation of illegal migrants cases by year.

**TABLE 4  
Illegal Migrant Cases**

Year	Incident	Accused
1994	35	122
1995	49	173
1996	47	188
1997	35	171

**C. Illicit Trafficking in Women and Children**

In Turkey there may be illicit trafficking in women, but there is no such problem for children. This might stem from the cultural

structure of Turkish society. After the collapse of the Soviet Union, considerable amounts of women, who are engaged in prostitution, entered Turkey from Russia and some Balkan countries. This incident is not generally a result of the activities of organized groups, but the individual preferences of the women from the above mentioned countries in which poverty has become one of the major problems.

**D. Stealing Motor Vehicles and their Illicit Trafficking**

The number of foreign stolen motor vehicles sold in Turkey is so limited that it is not worth mentioning. However, Turkish workers employed in various European countries are bringing their own cars of a high quality, which are comparatively cheap in Europe but expensive in Turkey, and selling them through various methods without paying customs tax.

**TABLE 5  
Stolen Motor Vehicles**

Year	Confiscated Cars	Cars Searched
1994	275	413
1995	197	200
1996	171	165

**E. Money Laundering**

Predominantly, money laundering activities are performed at casinos. The owners of casinos are receiving a certain percentage of the illicit money from owners of this money for money laundering. Besides casinos, money laundering activities have been found in paravane companies, travel agencies, hotels and banks. These types of activities are performed both by organized groups and individuals. In order to camouflage these illicit activities, some fictitious companies have been established and employed.

\*The numbers of 1997 in the whole tables are taken from police registrations and do not include other security forces registrations.

**F. Transnational Economic Crimes (Others)**

In regard to transnational economic crimes, counterfeiting can be mentioned in Turkey. Counterfeiting is committed by organized groups or persons who have international relations. These groups or persons have the technical capability of imitating foreign or national currency by using press equipment or photocopy machines.

**TABLE 6  
False Banknotes Obtained**

Year	\$	DM	TL
1994	10482510-	717000-	24522500-
1995	873470-	607400-	35960000-
1996	1122020-	417850-	21904000-

**IV. LEGAL FRAMEWORK AGAINST TRANSNATIONAL ORGANIZED CRIME BY THE CRIMINAL JUSTICE SYSTEM IN TURKEY**

There is no specific act to penalize crimes committed by transnational organized crime groups. However, there are many provisions in the *Turkish Penal Code* to countermeasure such crimes. Also if the crime is committed by a group of people, the penalty is increased proportionally. Yet the *Turkish Penal Code* defined organized crime as below:

*“ They who become organized to commit crime ”. Article 313- “They who form an organization to commit crime in any form, are punished with prison sentence from 1 to 2 years.”*

According to *Turkish Penal Code* Article 36:

*“ a-If some special tools are prepared for the purpose of community crime, these tools and equipment are confiscated by the state.*

*b-If some materials which are*

*prohibited of using, selling or owning by law, are produced, these materials are also confiscated.*

*c-If firearms are carried without the permission of the authorities, these firearms are confiscated.”*

Beside this, *The Prevention and Controlling of Smuggling Act* also has articles to confiscate goods, tools and proceeds derived from crime. These articles are applicable to specific transnational organized crimes. Additionally *The Drug Control Act* contains provisions for the confiscation and destroying of drugs. Finally, firearms either obtained by security forces or confiscated by the courts are submitted to the defense secretary (the *Act About Firearms and Other Crime Tools*).

Moreover, *the Prevention of Money Laundering Act* has adjusted for the confiscation of ‘black’ money. According to the Act, offenders who money launder can be punished with imprisonment. The, ‘black’ money is confiscated and the offender has to pay twice that quantity of money back as a penalty. If the offender does not have enough money, their property is correspondingly distrained.

There are not any specific laws to criminalize organized crime groups in Turkey at present. However both the Ministry of Justice and the Ministry of Interior have prepared a Bill to regulate organized crimes which is expected to pass in Turkish Parliament in 1998.

Controlled delivery is regulated by an Act to prevent money laundering. There are some regulations about immunity in the *Police Duty and Authority Act*. Security forces can search private places with a warrant issued by a judge. Yet with the judgment of a court, the police can wiretap according to *The Criminal Judicial*

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*Procedure Act.* The members of parliament have immunity in the sense that they can not be taken to court without the permission of the parliament.

There are provisions for the protection of witnesses for terror related crimes in Turkish legislation. We have a special Act with regard to criminal punishment in sentencing policy. The *Turkish Penal Code* and *The Criminal Judicial Procedure Act* regulates criminal law. As known, there are international treaties to facilitate international cooperation such as extradition and mutual legal assistance in criminal matters. All of these treaties have been accepted by parliament.

**V. CURRENT SITUATION OF  
DETECTION AND INVESTIGATION  
IN TURKEY**

In the Constitution of the General Directorate of Security, the Department of Anti-Smuggling and Organized Crime is established. In the structure of that department, seven (7) branch offices are formed as follows:

- i) The section of economic crimes.
- ii) The section of narcotic crimes.
- iii) The section of illicit firearms.
- iv) The section of organized crimes.
- v) The search section.
- vi) Technical services section.
- vii) The bureau of official documents, statistics and computer systems.

Besides, the specific section, each respective section engages organized crime which is related to their own matters. The Department of Anti-Smuggling and Organized Crime is sufficiently organized and equipped to deal with crime all over the country.

In every province (there are eighty (80) provinces in Turkey) that anti-smuggling and organized crime units are constituted,

they are subordinated to The General Directorate of Security via the Directorates of Security. In addition, Anti-smuggling Bureaus have been established and made operational in some fourteen (14) cities with strategic importance in terms of drug trafficking (such as Yüksekova, Hopa, Çesme and Iskenderun).

The Department is responsible for the collection, analyzing and dissemination of all information related to drug smuggling and organized crime, as well as the provision of instruction and guidance to local units. It also carries out the allocation of personnel, financial and logistical resources to local units. They also use a tele-drug system which provides computerized information exchange between other countries and Turkey.

The equipment which is called "Smuggling Network Project" has been recently procured for a more efficient combat of smuggling and organized crime nation wide; providing audio-visual communication between the center and its units. In this way it is possible to transfer suspect's pictures and crime evidence to form archives. This project will be operational in 1998.

During wiretapping (possible with a court order) tape recorders of out dated technology are used. Therefore it becomes impossible to transfer records into a digital environment and so cross-examine. But a digital record system was purchased for the Center and fifteen (15) provinces in 1997, thus the above-mentioned problem will cease. Turkey does not have any important problems regarding equipment and devices due to progress made.

In Turkey, as city-based investigators of organized crimes have sufficient ability and expertise, regional seminars have been arranged on the current legal and

administrative situation of smuggling and organized crime, new methods, technical and personnel possibilities, problems encountered for the managers of smuggling and organized crime units. The first of these seminars has been held in Diyarbak, the second in G. Antep, the third in Erzurum, the fourth in Samsun and the fifth in Ankara. Furthermore the specialized training program (for investigators in regional bases) has been carried out with the aim of more effective combat of such crimes that have increased lately.

In detection and investigation, gathering information is very important. In Turkey, the measures written below are taken to gather information;

- Wiretapping of conversations of suspects (people known to be related to such crimes), paravane companies and paravane financial constitutions.
- The accounts of suspects and companies, banks mentioned above are taken under control.
- The connection between ordinary crime groups and political crime groups such as the P.K.K. is watched closely.
- Suspected hotels and travel agencies are kept under surveillance.

There are a lot of difficulties in identifying transnational organized crime groups and gathering information about them. Some of those are;

- Such crime groups obtain and use some politicians, public administrators, journalists.
- Such groups look out for any weakness of police chiefs, judges, public prosecutors, politicians and public administrators and then blackmail them.

(Note : The two issues mentioned above are speculative, as no such cases have been detected yet in Turkey.)

- Sufficient information is not given by opponent countries and international investigation organizations, such as INTERPOL. The intelligence services of some foreign countries are behind such crime groups.

Yet the detection of such crimes has been quite successful so far. Besides, the persons who play major roles or who are in the highest position in such organized crime groups have been successfully arrested. (For instance the chief of crime group of SÖYLEMEZLER, Sena SÖYLEMEZ ; the chief of Hursit Han's group, Hursit Han; the chief of Havar Family, Halil Havar have all been arrested and jailed).

Some difficulties, encountered with regard to international cooperation, such as extradition and mutual legal assistance in criminal matters, are listed below:

- Opponent countries do not assist in the matters above mentioned.
- Controlled delivery can not be performed as required.
- There is no international databank concerning such crimes.

## **VI. CURRENT PROBLEMS IN THE COMBAT OF TRANSNATIONAL ORGANIZED CRIME AND SOME PROPOSALS**

i) Some governments, intelligence services, companies and banks are at the bottom of such crime groups world wide and therefore an International Criminal Court must be founded.

ii) There are some deficiencies and conflicts in the law related to such crimes in some countries. For this reason, the laws

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of countries must be united and an International Penal Code should be prepared to deal with such crimes.

iii) Cooperation among transnational organized crime groups is more intensive than international cooperation. International cooperation should be facilitated including extradition and mutual legal assistance in criminal matters.

iv) Gathering information is the most important factor in the combat of such crimes. So cooperation among intelligence services and national polices must be provided.

v) Special programs should be prepared to protect witnesses in the course of investigations and trial proceedings.

vi) Confiscated illicit proceeds derived from specific transnational organized crimes must be expended for the combat of such crimes.

vii) Controlled delivery is very important to detect such crime groups. National police forces should be operative in foreign countries or international police authorized to operate in each country.

viii) International databank connected with all countries should be established.

## VII. CONCLUSION

Organized transnational crime is one of the worst problems for all countries. Organized crime first disturbs public security and the balance of economy. It menaces public health because of drug addiction, reduces reliance on government and in this manner causes anarchy, and results in the judicial system becoming out of order.

It may be impossible to eliminate organized crime, but it can be reduced to a minimum level. It is impossible to prevent such crime with measures based solely on nation wide efforts. In this regard, it is necessary to combat crime on an international level. Therefore international cooperation is inevitable. Importance must be attached to international cooperation and organized crime must be taken seriously by governments. They must do everything they can to combat crime on a national and an international scope.

## APPENDIX A

### THE MODUS OPERANDI BEHIND THE SEIZURE OF SOME 22,440 KILOGRAMS OF ACETIC ANHYDRIDE

On 13<sup>th</sup> February, 1996 a joint operation at the Alsancak Marine Bordergate was undertaken by the Izmir Narcotic Police and the Custom Directorate's officers and some 22,440 kg's of acetic anhydride, concealed in 379 barrels on TIR truck driven by a Belgian national, Willy DE DECKER, were confiscated aboard the ferry 'SAMSUN' on a cruise from Italy. The offenders, Ayhan YUMRUTAS, Ali KAZAKOGLU, Ridvan SERINKAN, Tolga TASDEMIR and Kemal ÖZ were arrested in connection with the case. The truck driver said, during the interrogation, that he had taken the 'cargo' from Belgium's Michelin city at the 'S.T.O.P.' hangar in the industry zone of Dender MONDA city, by means of the owner of 'GP CARGO', a Belgian, Paul GIDIER.

On 14<sup>th</sup> March, 1996 some 20kg's of heroin was seized in Izmir. The offender, Abu Bekir SIDDIK OKTAY, said during the interrogation that 11 tons of the 22,440 kg's of the acetic anhydride were going to Yüksekova; and 5 tons of the substance would be moved by the traffickers to the PKK camps in the village Ceremi, Urumiye

of Iran. He also said that the PKK had the Tebriz of Iran as its illicit drug center.

## **APPENDIX B**

### **THE MODUS OPERANDI OF THE 'HURSIT HAN' CASE**

Acting on a tip, Istanbul Narcotic Police stopped and searched a TIR truck with entry from Iran to Turkey through the Gurbulak border crossing. The search led to discovery of some 750 kg's of morphine base - each in 1 kg packets - and concealed in a secreted parasitic attachment to the dorse of the vehicle. The offenders, Hursit HAN, his brother Sükrü HAN, Sevket ÇAGIRTEKEN, Hasan YILMAZ, Muhittin ARSLAN, Mustafa HANIFIOGLU, Mehmet Sait TURGUT, Halil GÜNES, Nusrettin HAN, Osman ABDULLAH, Mehmet ALAKEL, Mehmet KARABAG, Sükrü ÇAGIRTEKIN, Idris ÇAGIRTEKIN and the Iranian nationals, Süleyman Ferhadi GHOLANJI, Fardin AMJAD, Ramin GANIZADE, Mohammed Ali MAGHSOUDI, Hokmali Ghanizadeh DIZAH and Ahmet REGIKALES were apprehended in connection with the case. During the interrogation Hursit HAN said he had some acetic anhydride stashed on a farm in nearby Sapanca, Sakarya. The farm was stormed on that information and searched, which resulted in discoveries of some 6831 of acetic anhydride along with lab equipment used in heroin production and a tabulating machine to press the manufactured heroin.