

ISSN 2785-5228



EUWEB

EU-WESTERN BALKANS

Cooperation on Justice and Home Affairs



EUWEB Legal Essays
Global & International Perspectives
Issue 1/2025

EDITORIALE
SCIENTIFICA

ES

EDITOR-IN-CHIEF

Teresa Russo, University of Salerno (Italy)

MANAGING EDITOR

Ana Nikodinovska Krstevska, University “Goce Delčev” of Štip (North Macedonia)

ASSOCIATED EDITORS

Francesco Buonomenna, University of Salerno (Italy)

Gaspere Dalia, University of Salerno (Italy)

Erjon Hitaj, University of Vlore “Ismail Qemali” (Albania)

Rossana Palladino, University of Salerno (Italy)

EDITORIAL COMMITTEE

Giuseppe Cataldi, University of Naples “L’Orientale” (Italy)

Angela Di Stasi, University of Salerno (Italy)

Elżbieta Feret, University of Rzeszów (Poland)

Pablo Antonio Fernández Sánchez, University of Sevilla (Spain)

Olga Koshevaliska, University “Goce Delčev” of Štip (North Macedonia)

Pietro Manzini, Alma Mater Studiorum University of Bologna (Italy)

Nebojsa Raicevic, University of Niš (Serbia)

Giancarlo Scalse, University of Cassino and Southern Lazio (Italy)

Anna Lucia Valvo, University of Catania (Italy)

Jan Wouters, University of KU Leuven (Belgium)

SCIENTIFIC COMMITTEE

Paolo Bargiacchi, KORE University of Enna (Italy)

Ivana Bodrožić, University of Criminal Investigation and Police Studies, Belgrade (Serbia)

Valentín Bou Franch, University of Valencia (Spain)

Elena Crespo Navarro, University Miguel Hernández Elche (Spain)

Luigi Daniele, University of Roma Tor Vergata (Italy)

Jordi Nieva Fenoll, University of Barcellona (Spain)

Luigi Kalb, University of Salerno (Italy)

Anja Matwijkiw, Indiana University Northwest (United States of America)

Massimo Panebianco, University of Salerno (Italy)

Ioannis Papageorgiou, Aristotle University of Thessaloniki (Greece)

Nicoletta Parisi, Catholic University of the Sacred Heart of Milan (Italy)

Francisco Pascual Vives, University of Alcalà, Madrid (Spain)

Dino Rinoldi, Catholic University of the Sacred Heart of Milan (Italy)

REVIEWING COMMITTEE

Ersi Bozheku, University of Tirana (Albania)

Marco Borraccetti, University of Bologna (Italy)

Federico Casolari, University of Bologna (Italy)

Francesco Cherubini, University of Luiss Guido Carli, Rome (Italy)

Fabio Coppola, University of Salerno (Italy)

Jasmina Dimitrieva, University “Goce Delčev” of Štip (North Macedonia)

Miroslav Djordjevic, Institute for Comparative Law, Belgrade (Serbia)

Angela Festa, University of Campania “L. Vanvitelli” (Italy)

Jelena Kostić, Institute for Comparative Law, Belgrade (Serbia)

Ivan Ingravallo, University of Bari “Aldo Moro” (Italy)

Elena Maksimova, University “Goce Delčev” of Štip (North Macedonia)

Daniela Marrani, University of Salerno (Italy)

Francesca Martinez, University of Pisa (Italy)
Marina Matić Bošković, Institute of Criminological and Sociological Research, Belgrade (Serbia)
Heliona Miço, EPOKA University of Tirana (Albania)
Pietro Milazzo, University of Pisa (Italy)
Stefano Montaldo, University of Turin (Italy)
Giuseppe Morgese, University of Bari “Aldo Moro” (Italy)
Niuton Mulleti, EPOKA University of Tirana (Albania)
Amandine Orsini, Université Saint-Louis, Brussels (Belgium)
Mario Panebianco, University of Salerno (Italy)
Leonardo Pasquali, University of Pisa (Italy)
Christian Ponti, University of Milano (Italy)
Valentina Ranaldi, University “Niccolò Cusano” of Rome (Italy)
Fabio Spitaleri, University of Trieste (Italy)
Ismail Tafani, University of Barleti (Albania)
Maria Torres Perez, University of Valencia (Spain)
Paolo Troisi, University of Rome Tor Vergata (Italy)

EDITORIAL ASSISTANTS

Stefano Busillo, University of Salerno (Italy)
Elisabetta Lambiase, University of Bari “Aldo Moro” (Italy)
Miriam Schettini, University of Pisa (Italy)
Gabriele Rugani, University of Pisa (Italy)
Emanuele Vannata, University of Salerno (Italy)
Ana Zdraveva, University “Goce Delčev” of Štip (North Macedonia)

Rivista semestrale on line EUWEB Legal Essays. Global & International Perspectives

www.euweb.org

Editoriale Scientifica, Via San Biagio dei Librai, 39 – Napoli

Registrazione presso il Tribunale di Nocera Inferiore n° 5 del 23 marzo 2022

ISSN 2785-5228

Index
2025, No. 1
Special Issue

Promoting Public Awareness on the Fight Against Transnational Crimes, the Role of Police and Judicial Cooperation and Respect for Fundamental Rights in the Prospect of the EU Enlargement (EUVALWEB 2nd Edition Final Conference)

May 30, 2024

Institute of Criminological and Sociological Research
Belgrade (Serbia)

EDITORIAL

Marina Matic Bošković, Jelena Kostić

EU Police and Judicial Cooperation: Safeguarding Fundamental Rights and Advancing the EU Accession Process 7

PREFACE

Teresa Russo

The “Multifacetedness” of EU Enlargement at International, European and National Level 17

ESSAYS

Ivana P. Bodrožić

Problematic Issues in Criminalization of Transnational Crimes at EU and National Level. Terrorism Related Offences in Criminal Legislation of Serbia 24

Olga Koshevaliska, Elena Maksimova

The Efforts of the Republic of North Macedonia in Improving the Fight Against Gender-Based Violence by Harmonizing the National Legislation with International and European Standards 39

Heliona Mičo, Bojana Hajdini

Combating Corruption in the Albanian Judiciary: Promoting Due Process 57

Aleksandar Mihajlović

Discrimination Based on Sexual Orientation and the Recognition of Same-Sex Relationships in the Western Balkans. Legal and Economic Analysis 68

Darko Simović, Radomir Zekavica

The Right to an Independent and Impartial Court as a Presumption of the Rule of Law in Light of the Constitutional Changes in the Republic of Serbia 79

FOCUS

Aleksandra Ilić

Priorities in Fight Against Organized Crime in Europe 94

Miomira Kostić

Representation of Transnational Crime Victims and Their Legal Protection in the Serbian Media. Public Awareness or Indifference 107

COMMENTS

Gaetano Calcagno

Ljubljana-The Hague Convention: An Important Tool for Judicial Cooperation with Western Balkans 120

Benedetta Minucci

Toward an Expansion of EPPO's Competences? 133

Rosita Silvestre

On the Role of the European Agency for Fundamental Rights on the Measurement of the Compliance of Fundamental Rights Indicators with the Shared Values ex Art. 2 TEU 143

Elena Trajkovska

Analysis of North Macedonia's Readiness to Implement European Legal Decisions: A Review Through the Prism of ECtHR Practice 160

REPRESENTATION OF TRANSNATIONAL CRIME VICTIMS
AND THEIR LEGAL PROTECTION IN THE SERBIAN MEDIA.
PUBLIC AWARENESS OR INDIFFERENCE

by *Miomira Kostić**

SUMMARY: 1. Introduction. – 2. The Subject Matter and the Scope of Research. – 2.1 Theoretical Research. – 2.1.1 Research Background. – 2.1.2 The Significance and Impact of Mass Media on End-Users' Behaviour. – 3. Normative Framework (International and National Norms). – 4. Qualitative Research and Analysis of the Content of Selected Texts. – 4.1 Qualitative Research Background. – 5. Research Results and Discussion: Content Analysis of Selected Newspaper Articles. – 5.1 The Transnational Organized Crime. – 5.2 Illegal Arms Trade. – 5.3 Organized Prostitution. – 5.4. Trade in Radioactive Substances, Trade in Human Organs, Computer Crime, Money. –Laundering, Corruption. – 6. Concluding Remarks and Considerations.

1. Introduction

In the first quarter of the 21st century, there are still many who will receive the news, even on a mobile phone: “*I saw a lot of people dying on the road*”¹, along with a picture, and the interest in that will last a short time. Most of us will forget the received information very quickly, or remember it, if news of similar content is repeated, on the same or another media carrier. The smallest coverage of the citizenry, received information of similar content, will not lead to a connection with organized crime, but with war. It is similar to the issues of migrant smuggling by land, sea and air, trafficking in human beings, especially women and children, as well as other forms of organized crime (OC) in the criminological and criminal law sense (illegal arms trade, prostitution, trade in radioactive materials, trade in human organs, computer crime, money laundering, corruption).

Since the ‘20s of the last century, the term “organized crime” has been an important part of the discourse of American politicians, but also of the film industry. Since the 70s of the last century, the European approach to those “international relations” that were popularized by Hollywood through the films *The Godfather* or *The French Connection* also get their national versions in British films, for example, but with the depiction of more banal or local events, related to local gangs. This is not accidental, in criminology such film reality actually refers to differentiating the understanding of the nature of criminal organizations in relation to prohibition in the USA and the UK. From time to time, the population is exposed to frequent showings of those cult films that magically direct and star the protagonists, only for a moment remind us of the glamor and attractiveness of doing this profession that easily brings the benefits of consumer culture. However, apart from Italy, in criminology there is an understanding that the issue of OC was less prevalent in Western culture, and the former communist countries, behind the iron curtain, were not even visible, so the term “organized” implies a different component of danger compared to conventional crime, in terms of the collapse of the economic and political benefits of states and individuals.

* Full Professor, Faculty of Law – University of Niš (Serbia). E-mail: kosticm@prafak.ni.ac.rs.

¹ A. BAJRIĆ, D. ČATIĆ, *Vidio sam kako mnogo ljudi umire na putu: Migranti i dalje rizikuju ka Zapadu*, in *Radio Slobodna Evropa*, 31 January 2024, available at <https://www.slobodnaevropa.org/a/migranti-kamp-lipa-bihac-bih-afganistanci-pakistanci-granice-migrantska-ruta/32650175.html>.

In modern societies, responses to OC include retributive and preventive forms of response. The usual forms of retribution are proceedings of international and domestic courts, adoption of international documents and their ratification, training of professionals in the retributive system in order to fight against OC. Prevention measures would also refer to the way the media reports on victims of transnational organized crime (TOC), their position in society, and the norms of their legal protection.

Therefore, this will be a work on TOC, through media reporting on the experiences of victims of illegal arms trade, organized prostitution, trade in radioactive substances, trade in human organs, computer crime, money laundering, corruption. The issue of victim's role and experiences in times of the new wars has been reinvigorated in the Post-modernist fashion by the grave irony of objective developments in the present-day world, including not only that the World Health Organisation officially declared the COVID-19 pandemic, than officially announced the end of the emergency phase of COVID-19 in May 2023², but also the outbreak of the war in Ukraine³ and in Israel⁴.

2. The Subject Matter and the Scope of Research

The research would include the collection of data on the way of reporting in the written and electronic media about the experiences of victims, since 2001, when the Republic of Serbia passed the *Law on the Ratification of the United Nations Convention against Transnational Organized Crime and its supplementary protocols*⁵.

As a pilot research on this subject matter, this paper aims to set the initial structural framework for future research on this phenomenon by providing a comprehensive coverage and analysis of the available research sample. The research was structurally organized in two parts: 1) theoretical research, and 2) qualitative research and analysis of the content of selected texts.

2.1 Theoretical Research

The author first presents the theoretical framework of the research, including the results of some previous research on this subject matter, and clearly defines the research sample and the motive for the research. The theoretical framework also includes the collected findings in relevant sociological and criminological literature, providing examples of numerous influences that the media have on consumer behavior. Thus, the influence of the mass media on crime and the success or failure of social control can be observed through three correlated systems: 1) media content; 2) consequences of media coverage

² The COVID-19 disease pandemic was officially declared on 11 March 2020 by the WHO Director-General, Tedros Adhanom Ghebreyesus. It was officially announced the end of the emergency phase of COVID-19 in May 2023 (see Emergency Committee on the COVID-19 pandemic, *Statement on the fifteenth meeting of the IHR*, 5 May 2023, available at [https://www.who.int/news/item/05-05-2023-statement-on-the-fifteenth-meeting-of-the-international-health-regulations-\(2005\)-emergency-committee-regarding-the-coronavirus-disease-\(covid-19\)-pandemic](https://www.who.int/news/item/05-05-2023-statement-on-the-fifteenth-meeting-of-the-international-health-regulations-(2005)-emergency-committee-regarding-the-coronavirus-disease-(covid-19)-pandemic)).

³ The war in Ukraine started on 24 February 2022, when Russia launched “a special military operation” in Donbas, the eastern part of Ukraine. See <https://www.politika.rs/scc/clanak/500407/Rusija-onesposobila-74-vojna-objekta-na-kopnu-Ukrajine>

⁴ The war in Israel started on 7 October 2023, see *Izrael i zvanično u ratnom stanju; Ambasador Izraela u UN: Ovo su ratni zločini*, in Tanjug, 8 October 2023, available at <https://www.tanjug.rs/svet/politika/53545/izrael-i-zvanicno-u-ratnom-stanju-ambasador-izraela-u-un-ovo-su-ratni-zlocini/vest>.

⁵ *Zakon o potvrđivanju konvencije Ujedinjenih Nacija protiv transnacionalnog organizovanog kriminala i dopunskih protokola*, “Sl. list SRJ - Međunarodni ugovori”, in Official Gazette of the RS no. 6/2001.

of crime; and 3) the cause of criminal behavior of media consumers. The research framework also includes a brief analysis of relevant provision of international and national legal documents in the field of humanitarian law and criminal law which regulate this subject matter.

2.1.1 Research Background

The research included the collection of data from newspaper reports published by the daily newspaper *Politika* on the experiences of victims of TOC, or the perpetrators. The Serbian daily newspaper *Politika* is an irreplaceable historical source of knowledge about the history and culture of the people in the Balkans⁶. Thus, it is impossible to conduct a research on media reporting on various social phenomena without referring to newspaper articles published in *Politika* as a source of archival material.

The research takes place at the time of two significant, but diametrically different events. The first one is important in terms of national culture. On January 25, 2024, the daily newspaper *Politika* marked its 120th Anniversary since the publication of the first issue of *Politika* in 1904. Relying on the history, importance and influence of the daily newspaper *Politika*⁷, the research focuses on the newspaper articles published in online form. For the purposes of this research, we used the *Politika* online archives dating back to July 2, 2006⁸.

The second events have had a global impact; the war in Ukraine (which started on February 24, 2022) reopened the topical issue of truthful and objective reporting, as well as the war in Israel (which started on October 8, 2023).

This research's approach was rooted in the experiences from the prior researches conducted: during 2011, *Trgovina ljudima: Pravna zaštita u međunarodnim i nacionalnim okvirima* (Dimitrijević, Kostić, Knežević, eds., 2011); the other one, during 2007-2014, for the monograph *Juvenile delinquency in light of newspaper reports in the daily newspaper Politika 1904-1941* (Kostić, Dimovski, Mirić, 2015); the last one, during 2021-2022, as the chapter: "Mapping Women's Role in the History of Wars in the Former Yugoslavia, as Depicted in the Daily Newspaper Politika", (Kostić, 2023: 1-31), in the monograph: *The Handbook on Female Criminality in the Former Yugoslav Countries* (Stanojska, Dimovski, Maksimova, eds., 2023).

2.1.2 The Significance and Impact of Mass Media on End-Users' Behaviour

Criminal behavior and crime in general have always been the subject matter of public interest. The reading of black chronicle reports in newspaper is generated by mere curiosity, and aimed at satisfying the readers' interest in the perpetrators of criminal offences, their *modus operandi* and the ultimate punishment. Such accounts may generate different feelings: sympathy with victims, pleasure, frustration, anger, indifference, helplessness, etc. However, we may assume that media reports on crime are primarily

⁶ *Politika* is the oldest Serbian national daily newspaper. The first issue was published on 12 January 1904 and it has been in circulation ever since (except in the periods of the First World War and the Second World War).

⁷ N. TRKLJA, *Uticajna stara dama* (The Impactful Old Lady), available at <https://www.politika.rs/scc/stranica/4/O-nama>.

⁸ The *Politika* online archives are available via the *Politika* online portal as of 2 July 2006. See <https://www.politika.rs/scc/clanci/arhiva>.

aimed at raising awareness and making people think about the social phenomenon and initiate socially justified action.

The consumption of mass media content is most frequently associated with the consumption of entertainment contents. For this reason, sociological literature emphasizes their “marginal” importance in people’s lives, which can also be used as a form of mass manipulation because it is evident that mass communications are part of daily social activities. As noted by Giddens, “*media such as newspapers or television have a strong influence on our perceptions and the creation of public opinion in general*”⁹.

Hence, there is a need in domestic scientific and professional public to research how media reporting affects the creation of public opinion on certain social phenomena, such as: juvenile delinquency, refugees, human trafficking, domestic violence, violence at sports events, respect for human rights, etc. Moreover, there is a need to explore how forms of social control can affect the suppression of negative consequences of such an impact. The issue of social control and its impact on the individual is one of the basic issues of crime prevention policy.

3. Normative Framework (International and National Norms)

New forms of transnational cooperation between organized criminal groups at the end of the 20th century forced the international community to take the necessary steps to adopt an instrument to combat TOC activity. Therefore, in 1998, the UN General Assembly established an *ad hoc* committee and authorized it to draft a comprehensive convention against TOC and additional legal instruments. The Committee drafted the text of the United Nations Convention against Transnational Organized Crime (hereinafter referred to as the “Convention”) and three additional protocols, namely: 1) Protocol to prevent, suppress and punish trafficking in persons, especially women and children (hereinafter referred to as the “Protocol on Prevention human trafficking”); 2) the Protocol against smuggling of migrants by land, sea and air (hereinafter referred to as the “Protocol against smuggling of migrants”); and 3) the Protocol against the illegal production and trade of firearms, their parts and components, as well as ammunition. On November 15, 2000, the UN General Assembly adopted the text of the Convention and two protocols (on human trafficking and migrant smuggling), while the third protocol was adopted on May 31, 2001. The Convention and the first two protocols were opened for signature at the conference in Palermo from December 12 to 15, 2000, while the third protocol was opened for signature on July 2, 2002 in New York. The Convention and Protocol for the Prevention of Trafficking in Human Beings entered into force in 2003, while the Protocol against Smuggling of Migrants entered into force in 2004. The Republic of Serbia ratified the Convention and these two protocols in 2001. The protocol against illegal production and trade in firearms entered into force in 2005, when our country ratified it. The goal of the Convention is to improve international cooperation in order to prevent transnational organized crime and fight more effectively against this phenomenon (art. 1). It represents the so-called “umbrella” or “parent treaty”¹⁰. Chapter 34 of the Serbian Criminal Code

⁹ A. GIDDENS, *Sociologija (Sociology)*, Belgrade, 2005, p. 454.

¹⁰ *Decree on the promulgation of the law on the ratification of the United Nations Convention against Transnational Organized Crime and the supplementary protocols*, in Official Gazette of the RS no. 6/2001. The Convention was adopted by Resolution A/RES/55/25 of November 15, 2000, at the 55th session of the United Nations General Assembly, and entered into force on September 29, 2003.

(CC RS)¹¹ prescribes a range of criminal offences against humanity and other rights guaranteed by international law (arts. 370-393a CC RS). They fall into the group of the most serious crimes which constitute a violation of international law. As such, they can be committed only in specific situations, including *inter alia* a state of war or armed conflicts. These criminal offences are most commonly part of a systematic organized criminal activity, aimed at supporting or putting into effect the ideology of a government or political group¹². The Republic of Serbia adopted: Decision on the establishment of a council to combat human trafficking¹³; Decision on establishing a center for the protection of victims of human trafficking¹⁴; Special protocol on the action of judicial bodies in the protection of persons who are victims of human trafficking in the Republic of Serbia¹⁵; Program for the fight against human trafficking in the Republic of Serbia for the period 2024-2029¹⁶.

4. Qualitative Research and Analysis of the Content of Selected Texts

4.1 Qualitative Research Background

The research included the analysis of the collecting data on newspaper reports published in the daily newspaper *Politika* of victims of illegal arms trade, organized prostitution, trade in radioactive substances, trade in human organs, computer crime, money laundering, corruption. The research sample included the archived numbers of the daily newspaper *Politika*, which are available via the *Politika* online portal since July 2, 2006. However, in the present research, there were two limiting factors related to the collection of data. First, due to the COVID-19 pandemic measures, in the past, the research methodology started to being used in different view, to use more often online sources. Second, although the available *Politika* online editions date back to July 2, 2006, the time frame of texts on the issues of the victims of the TOC goes beyond that date into more distant past.

4.2 Research Methodology

The following basic objectives of the work were set:

- to gain basic knowledge about the way of reporting in the written and electronic media in Serbia about the experiences of victims of TOC in the period since 2001

¹¹ *Krivični zakonik Republike Srbije* (The Criminal Code of the Republic of Serbia), Official Gazette of the RS nos. 85/2005, 88/2005-cor., 107/2005- cor., 72/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016 and 35/2019. English version available at https://www.mpravde.gov.rs/files/Criminal%20%20Code_2019.pdf.

¹² D. JOVAŠEVIĆ, *Krivično pravo-posebni deo (Criminal Law – Special Part)*, 2014, p. 310.

¹³ *Odluka o obrazovanju saveta za borbu protiv trgovine ljudima (Decision on the establishment of a council to combat human trafficking)*, in Official Gazette of the RS nos. 92/2017 and 60/2023.

¹⁴ *Odluka o osnivanju centra za zaštitu žrtava trgovine ljudima (Decision on establishing a center for the protection of victims of human trafficking)*, in Official Gazette of the RS no. 35/2012.

¹⁵ *Posebni protokol o postupanju pravosudnih organa u zaštiti lica koja su žrtve trgovine ljudima u Republici Srbiji (Special protocol on the action of judicial bodies in the protection of persons who are victims of human trafficking in the Republic of Serbia)*. Source: ParagrafLex.

¹⁶ *Program za borbu protiv trgovine ljudima u Republici Srbiji za period 2024-2029. godine (Program for the fight against human trafficking in the Republic of Serbia for the period 2024-2029)*, in Official Gazette of the RS no. 25/2024.

(the year of adoption of the United Nations Convention against transnational organized crime) and, more precisely, 2006 (the *Politika* online portal since July 2, 2006);

- to determine which committed crimes of TOC, in the period from 2001, more precisely from 2006 (the *Politika* online portal since July 2, 2006), were most often written about in the observed time period;
- to determine to what extent the forms of socially negative behavior exhibited by the victims influenced/influences the manner of reporting on them.

The basic hypothesis, which will be verified by the research, is: the professional public has shown interest in the way of reporting in written and electronic media about the experiences of victims of TOC, observing the period since 2001, while the general social attitude towards this interest has not reached the pattern of the new paradigms.

The method of content analysis of newspaper articles on the way of reporting in electronic media in Serbia on the experiences of victims of TOC in the period from 2001, and, more precisely, from the 2006 (the *Politika* online portal since July 2, 2006 is established) will be applied.

The analysis of the content of selected texts included collecting data on the manner of reporting in electronic editions of the daily *Politika*, on the experiences of victims of organized crime. The following basic goals of the work have been set:

- to gain basic knowledge about the manner of reporting on the experiences of victims of organized crime;
- to determine which illegal acts committed against victims of organized crime;
- to determine the extent to which forms of socially negative behavior by and against victims of organized crime influenced the way of reporting on them.

The material was first collected by keywords and years, by searching the online archive of *Politika*, and then, using the method of analyzing the content of articles, available data were collected on how journalists report on the experiences of victims of TOC in our region. The orientation sample was made by searching the articles using keywords: organized crime; victim; woman; suffering; migrant smuggling, trafficking in human beings; money laundering, corruption, illegal arms trade, radioactive waste tradecrime; public awareness; indifference. After collecting the basic research sample, the researcher analyzed and sorted out the selected newspaper articles into content areas by using the content analysis method. Then, the collected data on the experiences of victims and participants in the OC were thematically organized into several content-specific sub-topics.

Given the limited scope of this paper which is part of a thematic monographic issue, the selected research sample is indicative but certainly not representative. The orientation sample proves to be useful in case of a need to run a rapid research on a subject matter.

The spatial and temporal boundaries of the research were determined on the basis of the availability of newspaper reports on the research subject matter via the online portal *Politika*¹⁷, as well as the objective need to collect and present material directly related to the scope of the research task set within the framework of the article.

5. Research Results and Discussion: Content Analysis of Selected Newspaper Articles

¹⁷ Given the fact that the *Politika* online archives date back to July 2, 2006, this date was chosen as the starting point of online research.

This part of the paper presents the research results, including an overview of the selected newspaper articles from the daily newspaper *Politika* on the experiences of victims and participants in the TOC, and the content analysis of the selected material. The collected data were thematically organized into several content-specific subtopics, which will be presented here with reference to specific newspaper articles. Each narrative account will be followed by a brief discussion on the way of media reporting and interpretation of events.

5.1 The Transnational Organized Crime

There must be a beginning to every story, including the story about transnational organized crime. There are 10 hits, with key words as in the title, in the *Politika Archive*, and the oldest one is from October 15, 2006. The researcher's attention was captured by the newspaper article "*Dragan Jočić*" (*Ministar unutrašnjih poslova*, 2011)¹⁸. Among others, in the article, a reader can find: "*The murders of Goran Mijatović, Zoran Vukojević, Vojislav Jekić and others are cases that the police are actively working on. It is not easy, and it takes time to gather facts and irrefutable, solid evidence that would bring the perpetrators of these crimes to justice. World police statistics say that about 30 percent of murder cases remain unsolved forever. In our country, that percentage is, if it's any consolation, lower. Murders in the streets leave a disturbing image and cause a feeling of discomfort among the citizens of Serbia, but they cannot have a significant impact on the security situation in the country*". The article was published in the topic of the week, under the title: "*Underground of Serbia*". Dragan Jočić is not mentioned anywhere in the text. Only through a subsequent search is it possible to find the information that Dragan Jočić, as the Minister of Police of the Republic of Serbia, was seriously injured in a traffic accident in January 2008, that is, several years after the publication of this article. The article, in addition to general places, glorifying the success of internal affairs bodies, also states the following: "*It is not pleasant for any country when the president of the Supreme Court, the president of the Commercial Court, the deputy special prosecutor, the deputy State prosecutor are on the other side of the law, but this only proves the determination of the state to deal with organized crime and reduce it to the smallest possible level*". So, this is an article with general points that emphasize the achieved results, but without specific information to confirm this success. For citizens, it is difficult to read about successes in the fight against transnational organized crime.

5.2 Illegal Arms Trade

There are 13 hits, with key words as in the title, in the *Politika Archive*, and the oldest one is from July 11, 2006¹⁹, and the recent one from March 19, 2024²⁰. The researcher's attention was captured by the newspaper article from January 10, 2010 "*The Serbian*

¹⁸ *Ministar unutrašnjih poslova. Dragan Jočić*, in *Politika*, 15 October 2006, available at <https://www.politika.rs/st/clanak/1052/DRAGAN-JOCIC>.

¹⁹ M. KAZIMIROVIĆ, *Profit važniji od ljudskog života (Profit is more important than human life)*, in *Politika*, 11 July 2016, available at <https://www.politika.rs/scc/clanak/12229/>.

²⁰ *Kanadski zakonodavci glasali za prekid izvoza oružja u Izrael*, in *Politika*, 19 March 2024, available at <https://www.politika.rs/scc/clanak/604936/>.

mafia is the eighth in the world” (Srpska mafija osma na svetu)²¹; *“The Serbian mafia ranks above the Albanian and Jamaican-British mafia, and its members are estimated to commit the most serious criminal acts in ten countries of the world, including Germany, the USA, Great Britain, France and Scandinavian countries”*. And, so on: *“The “favorite” activities of Serbian criminals include drug dealing, smuggling, paid murders, racketeering, gambling scams and surveillance of casinos, i.e. theft of precious stones”*. The fact that Serbian criminals were put in the same basket by the foreign media as the Japanese *yakuza* and the Chinese triads – cruel organizations dating back to the 17th and 18th centuries – is almost impressive. Apart from extortion, pornography smuggling and the transportation of white slaves, mobsters from the Land of the Rising Sun are known for rituals of cutting off the little finger and tattooing the whole body, while Chinese criminals are considered in the West to be the most skilled thieves, hitmen, money counterfeiters, drug smugglers and pirates. This article points the reader to the data, objectively collected by various international organizations, which point to all the dangers and huge profits made by the activities of transnational organized crime.

5.3 Organized Prostitution

Using keyword “organized prostitution”, gave a total of 8 hits. In the titles of all articles, victims (prostitutes) are now exclusively mentioned, which indicates that the articles emphasize the act of execution here on the subject, the victim, and not unspecified, as in the case of illegal arms trade, or an organized criminal group: *“Whole family arrested for pimping girl”* (*“With the threat of weapons and the use of force, the suspects recruited the girl to engage in prostitution, and she gave the money she earned in this way to the Nikolić family, according to an interlocutor of ‘Politika’ close to the investigation. As we learn, H.S. she had no parents or close friends, so she was ‘easy prey’. According to unofficial information, Nikolić convinced her that she was a member of their family and that she had to help them financially. In this way, they persuaded her to engage in prostitution”*)²²; skillful hands of fake masseuses (*“Girls who indulge in parlor prostitution are at multiple risk. After the “massage”, clients often mistreat them by stealing their money, locking them in an apartment where they beat them, abuse them and put out cigarettes on their bodies”*)²³; a businessman on the run (*“In this affair, which has not been recorded in Kragujevac until now, in addition to people from the world of business, according to unofficial information, some well-known entertainers also participated. Since the police and the prosecutor’s office do not advertise, stories began to circulate in the city about the involvement of people from the judiciary and politics”*)²⁴; the most visible form of violence against women (*“The arrest of elite prostitutes, including singers, models and participants of the ‘Zadruga’ reality show, drew attention to the fact that many people who practice the ‘oldest trade in the world’ are not only seen by chance in notorious city parks, but also in prime television terms. Although the tabloids competed for days in showing the luxurious properties that ‘love sellers’ bought thanks to prostitution, while their owners sat in police custody, Dr. Zorica Mršević notes that*

²¹ *Srpska mafija osma na svetu (The Serbian mafia is the eighth in the world)*, in *Politika*, 10 January 2010, available at <https://www.politika.rs/scc/clanak/118999/>.

²² M. DERIKONJIĆ, *Čitava porodica uhapšena zbog podvođenja devojke (Whole family arrested for pimping girl)*, in *Politika*, 16 May 2019, available at <https://www.politika.rs/scc/clanak/429643/>.

²³ M. LUKOVIĆ, D. BUKVIĆ, *Vešte ruke lažnih maserki (Skillful hands of fake masseuses)*, in *Politika*, 29 August 2009, available at <https://www.politika.rs/scc/clanak/101773/>.

²⁴ *Biznismen u bekstvu (A businessman on the run)*, in *Politika*, 14 April 2008, available at <https://www.politika.rs/scc/clanak/39442/>.

these houses and apartments are actually 'golden cages' in which women are allowed to they live as long as they follow the rules of the game")²⁵; a policeman is fined with electronic tag for helping organized prostitution ("As the court found, the police officer, in his capacity as an officer of the PU for the city of Belgrade, used his official powers by checking the records of the MUP in relation to vehicles and persons who appeared and linked them to the arrival of clients at addresses where prostitution took place)²⁶.

Three remaining articles – entitled "How to Get Out of the Role of Victim"²⁷, "Faces and Reverses of Organized Mafia Groups"²⁸ and "Syndicates of Death"²⁹ – do not contain in the text reports about the victims or their experiences, but in general about the activities of organized criminal groups, the mafia, for example, where one article with a clearly indicated role of the victim actually explains the political engagement on the exit of the entire nation from the category of collective victim (after the collapse SFRY).

5.4. Trade in Radioactive Substances, Trade in Human Organs, Computer Crime, Money Laundering, Corruption

Using different keywords gave very interesting results. The scores are: trade in radioactive substances (0); trade in human organs (0); computer crime (21); money laundering (933); corruption (1)³⁰. This discrepancy in the number of published articles clearly indicates the following: newspaper articles on various forms of TOC more often deal with issues in which the subjective characteristics of the victim are not discernible. Nevertheless, regardless of the central focus on the study of the victim's personality, all his activities in interaction in the mechanism of suffering (victimization), *i.e.* the phenomenological and etiological features of a certain personality and the process of his suffering, there is also a need to study collective and abstract victims, then mass victims during violations of the norms of international humanitarian law or victims of certain forms of deviance, such as prostitution or drug addiction, for example. Consumers of such a respectable daily press can hardly perceive this goal of victimology, without special education (lawyer, sociologist, political scientist). Exclusivity of observation does not affect the reduction in the extent of TOC victimization.

6. Concluding Remarks and Considerations

Observations and knowledge gained on the basis of the *Politika* newspaper articles contained in the basic (orientation) research sample and research goals may be reduced to several conclusions:

²⁵ K. ĐORĐEVOIĆ, *Najogoljeniji oblik nasilja nad ženama (The most visible form of violence against women)*, in *Politika*, 17 April 2012, available at <https://www.politika.rs/scc/clanak/505136/>.

²⁶ D. ČARNIĆ, *Policajcu nanogvica zbog pomaganja u orgnaizovanoj prostituciji (A policeman is fined with electronic tag for helping organized prostitution)*, in *Politika*, 10 October 2023, available at <https://www.politika.rs/scc/clanak/541922/>.

²⁷ G. POPOVIĆ, *Kako se izlazi iz uloge žrtve (How to get out of the role of victim)*, in *Politika*, 8 November 2013, available at <https://www.politika.rs/scc/clanak/275241/>.

²⁸ D. VUKOSAVLJEVIĆ, *Lica i naličje organizovanih mafijaških grupa (Faces and reverses of organized mafia groups)*, in *Politika*, 3 October 2009, available at <https://www.politika.rs/scc/clanak/106280/>.

²⁹ D. VUKOSAVLJEVIĆ, *Sindikati smrti (Syndicates of death)*, in *Politika*, 15 October 2006, available at <https://www.politika.rs/scc/clanak/1044/>.

³⁰ V. JELIČIĆ, *Konkurencija čisti korupciju (Competition cleans up corruption)*, in *Politika*, 15 July 2007, available at <https://www.politika.rs/scc/clanak/28274/>.

- a large number of articles contain examples of TOC, where that name is either missing or the content of the article does not sufficiently emphasize the danger of this type of crime (as a sample of general victimology content);
- many newspaper articles emphasize the contribution of the police, prosecution, or, vice versa, emphasizes their involvement in such actions, which may confuse the ordinary reader (learning and imitation theory, differential identification theory);
- the selected newspaper articles also contain descriptions acts of execution of certain forms of TOC, with detailed data on earnings from such acts, which can be an incentive for dealing;
- some articles draw attention to victim's suffering, exposure of victims to the risk of criminal victimization, physical humiliation and endangerment;
- several articles point to the need to find appropriate ways to address the survivors' trauma and empower victims;
- some articles indicate the need for proper institutional response to complaints and protection of victims' rights³¹, rather in the context of war victims than organized prostitution, for example; some articles containing the key search-words (OC, organized prostitution)³², for example, do not correspond in any way to the expected content.

Based on the above, the author offers several suggestions for further research:

- research should include an insight into all articles published in the daily newspaper *Politika* from the outset of the 20th century, which would be geographically and temporally related to the suffering and/or delinquency of TOC victims;
- it is necessary to determine whether there were examples of TOC victims during the dissolution of the former Yugoslavia, for example;
- there is a need to locate articles on victims' or their representatives' activism against TOC;
- there is a need to draw attention to the social phenomena arising as the consequence of TOC: poverty, sexual abuse of women, handling survivors' trauma, etc.;
- newspaper articles on victim's experiences of TOC should be made more visible and available to the readership by providing content-specific tags on the *Politika* online platform (weekly forum);
- readership should be made more aware of the examples of good and bad journalistic practices related to the way of writing about the TOC victims, to preclude bias and social stigma;
- there is a need to seek and advocate for cooperation with journalists in emphasizing examples of good practice in reporting on TOC victims;
- also, considering that the same names of journalists who write about TOC forms often appear, it would be important for *Politika* editorial board to conduct interviews with these journalists, to see their courage and journalistic ethics in reporting on the manifestations of TOC and on the immediate victims.

³¹ See D. ČARNIĆ, *Izgubljena pravna bitka za gnjilanske žrtve (Lost legal battle for Gnjilane victims)*, in *Politika*, 6 January 2015, available at <https://www.politika.rs/sr/clanak/315301>; D. STANIŠIĆ, *Sud BiH ne veruje srpskim žrtvama (The B&H Court does not believe Serbian victims)*, in *Politika*, 22 March 2021, available at <https://www.politika.rs/scc/clanak/475493/>.

³² *Rat urbanoj gerili, više muzeja i lepše obale (War against the urban guerrilla, more museums and beautiful riverbanks)*, in *Politika*, 2 January 2013, available at <https://www.politika.rs/sr/clanak/244868>. This interview with architect Mihajlo Mitrović is about the devastating effects of urbanism in Belgrade.

And, finally, some questions have remained: who are the victims of TOC? Do they have their own families, parents, brothers and sisters, and more importantly, what happened to them after the TOC victimization? The basic question for citizens is how and in what way the retributive justice bodies reacted to cases of TOC victimization. We stand for a solid concept of criminal victimology and a clear role of retributive justice in punishing perpetrators. The interest of these first victimologists continues to influence the formation of one of the main currents that continues within today's victimology. This current is called criminal/penal victimology, in relation to what is called general victimology. For the followers of criminal victimology, the field of interest is defined by criminal law: victimology is the science of victims of illegal behavior that is incriminated by provisions of criminal law. Research in the field of this victimological direction connects the data related to the causes of the crime with the data related to the role of the victim in the origin of the crime. Criminal victimology looks for a dynamic, mutual interaction between the victim and the perpetrator. An convenient alternative name for this stream would be interactionist victimology.

ABSTRACT

This paper is a work on TOC, through media reporting on the experiences of victims of illegal arms trade, organized prostitution, trade in radioactive substances, trade in human organs, computer crime, money laundering, corruption. The research would include the collection of data on the way of reporting in the written and electronic media about the experiences of victims, since 2001, when the Republic of Serbia passed the Law on the Ratification of the United Nations Convention against Transnational Organized Crime and its supplementary protocols. The research is structurally organized in two parts: 1) theoretical research, and 2) qualitative research and analysis of the content of selected texts. The basic hypothesis, which will be verified by the research, is: the professional public has shown interest in the way of reporting in written and electronic media about the experiences of victims of TOC, observing the period since 2001, while the general social attitude towards this interest has not reached the pattern of the new paradigms. The research included the analysis of the collecting data on newspaper reports published in the daily newspaper *Politika* of victims of illegal arms trade, organized prostitution, trade in radioactive substances, trade in human organs, computer crime, money laundering, corruption. The basic question for citizens is how and in what way the retributive justice bodies reacted to cases of TOC victimization. The author stands for a solid concept of criminal victimology and a clear role of retributive justice in punishing perpetrators

KEYWORDS

Corruption, Illegal Arms Trade, Indifference, Migrant Smuggling, Money Laundering, Organized Crime, Public Awareness, Radioactive Waste Trade Crime, Suffering; Victims, Trafficking in Human Beings, Women.

RAPPRESENTAZIONE DELLE VITTIME DI CRIMINI TRANSNAZIONALI E LA
LORO TUTELA LEGALE NEI MEDIA SERBIA. PUBBLICA CONSAPEVOLEZZA
O INDIFFERENZA

ABSTRACT

Questo articolo è un lavoro sulla TOC, attraverso la cronaca dei media sulle esperienze delle vittime del commercio illegale di armi, della prostituzione organizzata, del commercio di sostanze radioattive, del commercio di organi umani, del crimine informatico, del riciclaggio di denaro, della corruzione. La ricerca include la raccolta di dati sul modo di riportare le esperienze delle vittime da parte dei media scritti ed elettronici, dal 2001, quando la Repubblica di Serbia ha approvato la legge sulla ratifica della Convenzione delle Nazioni Unite contro la criminalità organizzata transnazionale e i suoi Protocolli supplementari. La ricerca è strutturalmente organizzata in due parti: 1) ricerca teorica, e 2) ricerca qualitativa e analisi del contenuto dei testi selezionati. L'ipotesi di base, che sarà verificata dalla ricerca, è: il pubblico professionale ha mostrato interesse per il modo di riportare nei media scritti ed elettronici le esperienze delle vittime di TOC, osservando il periodo dal 2001, mentre l'atteggiamento sociale generale nei confronti di questo interesse non ha raggiunto il modello dei nuovi paradigmi. La ricerca ha incluso l'analisi dei dati raccolti sui resoconti dei giornali pubblicati sul quotidiano Politika sulle vittime del commercio illegale di armi, prostituzione organizzata, commercio di sostanze radioattive, commercio di organi umani, criminalità informatica, riciclaggio di denaro, corruzione. La domanda fondamentale per i cittadini è come e in che modo gli organi di giustizia retributiva hanno reagito ai casi di vittimizzazione del TOC. L'autore sostiene un solido concetto di vittimologia criminale e un chiaro ruolo della giustizia retributiva nel punire i colpevoli.

KEYWORDS

Commercio Illegale di Armi, Corruzione, Crimine Organizzato, Donne, Indifferenza, Pubblica Consapevolezza, Riciclaggio, Sofferenza, Traffico di Migranti, Traffico di Rifiuti Radioattivi, Tratta di Esseri Umani, Vittime.