

***Criminal Networks and their Influence in  
Democratic Systems: Baltic States Examples***

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**Abstract**

Political corruption associated to organized crime is a growing concern for a number of international organizations around the world. The crime-politics nexus erodes the principles of democratic governance, such as rule of law, equal exercise of citizenship rights, responsiveness, and transparency. The transnational expansion of organized crime makes this a global concern, also for Europe. However, there are few known examples that illustrate how the nexus between organized crime and politicians is forged and maintained, and how it undermines democratic politics.

Drawing from extensive research in the Baltic States, this paper intends to contribute to filling this gap by documenting four cases in Latvia, Estonia and Lithuania where organized crime networks and politicians have allegedly engaged with one another. These cases describe the avenues used to build these relations, as well as the entry points in the political system in each country or locality that allowed these relations to flourish. The paper pays close attention to some common features of these cases, such as the benefits they produce on both politicians and criminals; citizens' responses – or lack thereof – to these corrupt practices; and the use of donations and vote manipulation to achieve political gains.

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## **Introduction**

Political corruption is defined as the abuse of power by the top level of the public sector for private gain (U4, 2004). Organized crime's definition is more contested. It can be drawn by looking at the illicit activity that it is being conducted, the people involved in these activities, or both (UNODC, 2014). For the purpose of this paper, we look at both parameters to capture a broad scope of activities and networks (UNODC, 2000; Shaw and Kemp, 2012: 7).

The destabilizing effects that organized crime poses on economic growth and development have been recently studied by various organisations (Reuter, 2012; OECD, 2014; Kar and LeBlanc, 2013). According to them, corruption associated to organized crime drains the state of resources needed to fulfil its mandate. But political corruption not only affects economic growth and development, but also democratic governance. Although it is not alien to authoritarian systems, corruption is particularly damaging to democracy as it erodes its very principles, such as rule of law, equal exercise of citizenship rights, responsiveness, and transparency.

While organized crime becomes more transnational, so does the problem of political corruption linked to it, and Europe is part of this challenge (European Commission, 2013: 28). However, there are few known examples that illustrate how this takes place, which is key in order to enact appropriate policy responses to these challenges. This paper thus explores these issues, drawing from extensive desk and field research. The field research was conducted through interviews with a wide range of organizations, as well as three national and one regional event to validate the findings. The project also benefited from input by local researchers and experts from the Stockholm Institute for Security and Development Policy (ISDP)<sup>1</sup>. A report summarizing these findings was published in 2013 (Villaveces-Izquierdo and Uribe Burcher, 2013).

Based on the research, this paper describes four cases where organized crime networks and politicians have allegedly worked in tandem. The cases describe the avenues used to forge these relations, as well as the entry points in the political system that allowed these relations to flourish. The paper pays close attention to some common features of these cases, and how citizens have responded to these corrupt relations.

## **Organized crime's political interests**

If asked organized crime, most people would think about Mexico or Italy. Yet, no region has escaped the increase of organized crime activities (UNODC, 2010: 28), which have not only affected the 'usual suspects', namely where much of the products trafficked by these networks are produced – such as Colombia (UNODC, 2011 a: 2) and Afghanistan (UNODC, 2011b) –, but also increasingly transit regions and money laundering hubs. Organized crime activities in these places are much murkier though,

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given that they often involve transactions with clean businesses (Uribe Burcher, 2014).

In the Baltic States, exposure to organized crime activities is closely connected to its larger neighbour, Russia. Not only has the region been occupied by this country at various points in its history (Ziemele, 2003), but even during independence these countries hold important interests for Russia; organized crime is one such area (Galeotti, 2002). These small neighbours hold the keys to the European Union (EU) since 2004 when they joined in and became part of the Union's easternmost border, also becoming an important transit area for illicit products and connecting various criminal networks operating on both sides of the border (Kegö and Molcean, 2012: foreword). Native Baltic organized crime networks flourished as a consequence (Gillmore, 2010: 1), although differently in each country (AML, 2009: 36).

Organized crime needs politics. In order to conduct their activities, they require protection from law enforcement. Thus, political corruption is paramount to control the chains in the link of business (Dobovšek, 2008). Local level politicians are the ideal target for illicit networks: they sit where the activities take place (e.g. border check-points, harbours, warehouses) and enjoy fewer controls by national authorities (Casas-Zamora, 2013: 8). Baltic States politicians are no exception, and oligarchs in the region have often been associated to the challenges to further consolidate democratic gains (see Ozolts, 2011; Rulle, 2011a and b; Egle, 2006; Delfi, 2004, 2011a and 2011c; TV Net, 2004; Leijējs, 2007; Kapitāl, 2010; Zatlers, 2011; LA, 2011; Finance Net, 2011).

## **Case studies**

### *Zilupe municipality, Latvia*

Zilupe is located in Eastern Latvia, at the border with Russia. In order to cross to Russia, it is necessary to go through the Terehova checkpoint in Latvia. Since 2000 people noticed that the checkpoint was busier and the situation only worsened. In 2004, approximately 99,000 trucks crossed the checkpoint; in 2006 the number reached over 138,000 (Eida, 2007). Authorities lacked the capacity – or willingness – to meet this high demand and up to 2,000 trucks started queuing; some trucks waited three days to cross, with great losses for their businesses (Delfi, 2007; Cauce and Radzevičūte, 2001).

This chaotic situation was apparently seized by Oļegs Agafonovs, city Mayor, who had notoriously been involved with organized crime groups in the past (anonymous interviews, Riga 2012). The main accusation against him involved organizing a special corridor for trucks willing to pay a bribe in order to cross the checkpoint without queuing (Velss, 2013). The allegedly also used extortion, fining drivers who refused to pay while the Police exerted intense control over those vehicles. In addition, this system was supposedly used to facilitate a smuggling scheme to bring goods from and to Russia. Border officials were ordered to avoid checking the trucks that carried the goods (anonymous interviews, Riga 2011 and 2012). This scheme apparently involved other authorities, such as border officials from the State Border Guard, the State Revenue Service, and the State Police. These accusations prompted an investigation by the State Police and other law enforcement agencies that

culminated in 2008 with the arrest of twenty six public officials, including mayor Oļegs Agafonovs. The process is still ongoing.

In spite of the accusations (Kandidati Uzdelnas, 2011), the Mayor continues to enjoy high popularity levels among the citizenry. He was re-elected in 2009 and his Party, Harmony Centre, received 12 out of 13 posts in the local council. Speculations about the reasons for this include his populist policies by sponsoring various events and investment in infrastructure projects with his private resources, and supposedly even lending money to people (anonymous interviews, Riga 2012). The Mayor also escaped any accountability by his party, National Harmony Party, who defended him during the criminal investigation (TV Net, 2007).

#### *Gariūnai market, Vilnius municipality, Lithuania*

The Gariūnai market, established in 1994 by Vilnius City Council ordinance No. 2510, originally comprised an area of 60,698 m<sup>2</sup>, but later expanded to 32,5 Ha. From the onset, the three companies involved in the market, Gerūda, Jurgena and Posūkis – whose majority shareholders are the same people –, seem to have enjoyed particularly favourable conditions, as the market was considered a ‘project of national economic interest’ (Government of the Republic of Lithuania, 2000). This meant that, upon meeting certain conditions, the companies were exempted from taxes. Those conditions were even removed in 2004 by the Minister of Economy and the Prime Minister at the time, both members of Lithuanian Social Democratic Party (LSDP) (Government of the Republic of Lithuania, 2004; Packauskaite, 2005). That Minister was later replaced by V. Uspaskich of the Labour Party (Lithuanian Social Democratic Party, 2013) who put forward, together with the Governor of Vilnius at the time – from the LSDP party –, a resolution to recognize the market as a project of national importance.

The decision, which also transferred the rights to the land during 50 years to the three companies mentioned above, was approved in 2005 by Resolution No. 808 (Delfi, 2005; Government of the Republic of Lithuania, 2005), in spite of strong opposition. Various government officials and the Parliament anti-corruption committee argued *inter alia* that other companies should be given the opportunity to bid in a public tender. Others worried that the project did not provide sufficient cost and impact assessments, and that the land should eventually be returned to its lawful owners, who were expropriated during the soviet occupation (anonymous interviews, Vilnius 2012; Parliament of the Republic of Lithuania, 2005). But it was not until 2011 that the Police, the State Tax Inspectorate and the Financial Crimes Investigation Service (FCIS) found an organized crime network that had been operating in the market (Government of the Republic of Lithuania, 2010).

Apparently, employees from the companies Robitas and Sunrise LT, jointly with members of two organised criminal groups, used Gariūnai market to import goods from China through Poland and Latvia (Verslo Naujienos, 2011). This involved forging documents with fixed prices and quantities, moving the money through intermediaries using accounts in companies registered in the Cayman Islands. The investigation also revealed that the market was used for trading smuggled tobacco, alcohol, drugs, and counterfeit products (Delfi, 2011b).

The investigation, which is still ongoing, thus far indicates the alleged existence of a corruption network that facilitated this system. Apparently, there was a symbiotic relationship with key people in the government and Parliament who provided political support, in return for targeted donations to several parties (Širvinskis, 2012). Indeed, the three companies managing Gariūnai market were active donors to the parties who were involved in the resolutions that granted these companies control over the land and the market's operations. They contributed over 700,000 LTL (approximately 203,000 EUR) since 2004 to various political parties, including 10,000 LTL (approximately 2,900 EUR) to a LSDP candidate during the 2009 presidential election; 40,000 LTL (approximately 11,600 EUR) to the Homeland Union-Lithuanian Christian Democrats (HU-LCD) party during the European Parliament elections in 2008, a sum that increased to 78,000 LTL (approximately 22,600 EUR) in 2010; 15,000 LTL (approximately 4,300 EUR) to the Social Democrats and the Movement of Liberals; and 140,000 LTL (approximately 40,500 EUR) to the Labour Party, led by V. Uspaskich (Central Electoral Commission of the Republic of Lithuania, 2013; Pauliuvienė, 2011).

Apparently, the companies did not only exert political influence but also had important connections with law enforcement agencies. One of the companies' shareholders used to head the Financial Crimes Investigation Services and between 2010 and 2012 was Chief of Vilnius 6<sup>th</sup> Police Station. Another MP was member of the Business and Employment Commission and the Anti-Corruption Commission; in addition, she was married to the Director of the FCIS. Her party, the Liberal and Centre Union, received 20,000 LTL (approximately 5,800 EUR) from Jurgena just two months before election (Parliament of the Republic of Lithuania, 2004; Digrytė, 2006). In 2006 she moved to the Liberal Movement; Posūkis and Jurgena consequently donated 66,000 LTL (approximately 19,000 EUR) to that party (Central Electoral Commission of the Republic of Lithuania, 2005).

Speculations point to the high level of political influence the three companies had in these law enforcement agencies as the reason why no investigations were conducted until 2010 (anonymous interviews, Vilnius 2012). It was not until 2010, when a new Director to the FCIS was appointed, that he started investigating the case. But he could not survive the political pressure this case generated. In the midst of the investigations in 2012, the Minister of the Interior at the time, from the Union of Liberals and Centre party, dismissed him together with his deputy. The case is still under investigation.

#### *Pagėgiai municipality, Lithuania*

The town of Pagėgiai is strategically located at the border with the Russian enclave Kaliningrad. The Nemunas River that runs in parallel to the border has facilitated over the years the movement of goods – licit and illicit – across the border. The political scene in this town has been largely in the hands of Kęstas Komskis, member of the Order and Justice Party and mayor between 2003 and 2008. Afterwards he became MP. His brother, Virginijus Komskis and member of the same party, took over the post after his brother. Members of their party hold most positions in the local Council and control all bureaucratic structures in the municipality, as well as many companies with strategic importance (Grižibauskienė, 2010; Ramanauskienė, 2011). The brothers have repeatedly been accused of dealing in corrupt practices. In 2007, for example,

the results of the municipal election were annulled after reports of vote manipulation, as well as political finance mishandling. In particular, their party was accused of receiving funds of unknown origin (Supreme Court of the Republic of Lithuania, 2007).

Most importantly, they have been accused of having direct links with the smuggling activities in Pagėgiai, supposedly using their political position to become brokers in the business and receiving dirty donations from people involved in smuggling (anonymous interviews, Vilnius 2011 and 2012; Tauragės Kurjeris, 2010; Pancerovas, 2010a). Some indications that this was taking place include the decision in 2003 of then mayor Kęstas Komskis to rent two lakes and a river to the ‘Centre of Sports and Tourism’, administrated by the Deputy Mayor. These properties were strategically connected to the Nemunas River, thus gaining access to the border, which was allegedly used to facilitate smuggling of goods into Lithuania (anonymous interviews, Vilnius 2011). It is not surprising that the smuggling rates increased considerably after that (Republic of Lithuania, 2004). Other indications of the connection of mayor Kestras Komskis with organized crime networks are his supposed links with Russian ‘thief in law’<sup>2</sup> Anzori Aksentjev Kikalishvili, after a meeting they held, together with an MP, the head of the border-guard service, and another member of the Order and Justice Party (Žalys, 2004; anonymous interviews, Vilnius 2012).

Apparently, Kestras Komskis also used his position as head of the Parliamentary Anti-Corruption Commission to hinder investigations into corrupt practices that might have linked his associates (anonymous interviews, Vilnius 2011; Parliament of the Republic of Lithuania, 2001). During his term the Commission failed to initiate any investigation. In addition, when the Criminal Code was being amended in 2011, his party not only rejected the proposal to increase the fines for smuggling, but they even lowered them. Finally, the brothers have been accused of repressing media coverage into their business, apparently using the administration resources to harass some papers publishing unfavourable reports (Kauno Diena, 2010; Alfa, 2010). This prompted accusations in 2010 by the Speaker of Parliament at the time that Kestras Komskis was involved in smuggling (Liberal Democratic Party of Lithuania, 2011; Gudavičius, 2010; Pancerovas, 2010b). Investigations into these accusations are still ongoing.

#### *Paldiski municipality, Estonia*

The municipality of Paldiski is located in the Pakri peninsula, in north-western Estonia (Paldiski municipality, 2014). The ports are important connecting points for transport of people and goods between Europe and Russia. The cargo that goes through these ports includes vehicles, containers and heavy cargo (Paldiski Northern Port, 2014; Port of Tallinn, 2014); there are indications that illicit goods are also smuggled through some of the containers (anonymous interviews, Tallinn 2011 and 2012). The ports are also important because they attract investment by national and EU authorities (Port of Tallinn, 2014).

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<sup>2</sup> A criminal with special authority in the criminal underworld (Volkov, 1999:744)

The port is divided in north and south, each belonging to different companies who have traditionally competed to gain preferential routes and clients. There are allegations that a Russian politician tried – apparently successfully – to gain ownership of one of the harbours, although he kept his identity secret by operating through frontmen. This politician supposedly had important connections to Russian and Russian-speaking organized crime networks operating in Estonia. Their main interest apparently was gaining free access to the harbour and controlling officials to secure infiltration of products into legal containers (anonymous interviews, Tallinn 2012).

The political scene of Paldiski, on the other hand, has been traditionally dominated by former mayor Jaan Mölder, who held this position for nearly 15 years. In 2009 he lost the election, in part due to accusations of his participation in various corrupt dealings involving municipal resources, as well as his supposed connections with Russian speaking organized crime networks, particularly the Russian politician mentioned above (anonymous interviews, Tallinn 2011).

To successfully hide these dealings, and to secure preferential treatment for each harbour, the northern and southern groups apparently sought support of local politicians. The companies have allegedly been involved not only in routinely lobbying, but also bribery and offering ‘support’ during elections. In 2009, for instance, two men were arrested during the local elections for apparently buying votes on behalf of former mayor Mölder. Local criminals seemingly also mobilized voters, organising parties and taking people to vote for the candidate they indicated (anonymous interviews, Tallinn 2012). However, the two groups supposedly reached a truce and made agreements to divide their interests (anonymous interviews, Tallinn 2012).

## **Conclusions**

The cases mentioned above reveal more than just interesting anecdotes. The Zilupe and Pagēgiiai cases, for example, illustrate the *mutual benefits when organized crime works in tandem with politicians*. These networks do not operate as predatory entities. Rather, the relations work both ways. Some politicians, especially those in strategic locations, seek to venture into crime activities, either by creating their own networks or forging links with existing groups. If the allegations are true, these town mayors successfully created systems to smuggle goods from and to Russian.

These two cases, furthermore, expose the *multi-purpose use of the public administration's resources*. Local bureaucracies were apparently used, not only to allow illicit goods to move freely across borders, but also to directly use the administration's human resources and property to get bribes and extort people, as well as using state-owned property to move and store smuggled products.

The Zilupe case in particular also provides important insights into the *capacity and willingness of citizens to hold their politicians accountable*. In spite of his numerous scandals, the Mayor suffered little political backlash. Instead, citizens mobilize in his support, not contesting the accusations but rather defending his legitimacy by pointing to the various services he provided. This suggests the strong connection between the provision of services and the capacity society has to exert political accountability.

When those services are provided – even through illicit resources – citizens might feel less inclined to challenge the position of the networks and politicians involved in corrupt practices.

The Gariūnai market and Pagėgiai cases provide interesting accounts regarding the *systematic use of financial donations to political parties and candidates by organized crime to stir political decisions*. Targeted donations were apparently used to influence decision-making processes to *inter alia* obtain infrastructure permits and favourable conditions for businesses, as well as to secure routes for moving illicit goods. These two cases also expose how these networks successfully *tampered law enforcement efforts against their activities*. On both accounts, politicians supposedly offered their links with law enforcement agencies to the service of their crime associates. In the Gariūnai market case, the direct and indirect power key politicians involved in this scheme apparently prevented authorities from investigating the continued allegations of corruption and organized crime activities in the market. Similarly, in the Pagėgiai case a politician supposedly used his position to hinder investigations into corrupt practices that might have linked his associates. Not only that. While in Parliament, he apparently influenced legislation that softened the punishment for certain organized crime activities he was connected with. Finally, the Pagėgiai and Paldiski cases offer a good understanding of how these networks have *used vote manipulation to gain alliances with local politicians*. In these municipalities, the connections with organized crime networks bore fruits for politicians during election time through vote manipulation, vote-buying and mobilizations of voters by local criminals.

Interestingly, all these cases take place at the local level, where organized crime interests are located. This suggests a high level of vulnerability of local governments and the risks that weak democratic governance poses especially at the local level, as it increases the risks and challenges of facing organized crime.



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