

IRSTI 10.77.35

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SURVIVING THROUGH ORGANISED CRIME: A COMPARATIVE STUDY OF ILLICIT NETWORKS IN TRANSNISTRIA AND ABKHAZIA

Abstract. This paper explores the connection between the existence of illicit networks and the survival of the de facto states of the Republic of Transnistria and the Republic of Abkhazia. The paper argues that organized crime plays a dual role in the continuity of state and society in these regions, both supporting and hindering state-building and the attainment of a strong, independent state. The study first provides a brief overview of organized crime and its impact on state characteristics. It then delves into the characteristics of organized crime in Transnistria and Abkhazia separately to draw conclusions about their similarities and differences. Finally, the research examines the role of illicit activities in the survival of these de facto states. The findings suggest that the presence of illicit networks has significant implications for state survival and development in post-Soviet de facto states.

Keywords: De facto states, Transnistria, Abkhazia, organized crime, state-building.

Аңдатпа. Осы құжатта заңсыз желілердің болуы мен Приднестровье Республикасы мен Абхазия Республикасының іс жүзіндегі мемлекеттерінің өмір сүруі арасындағы байланыс зерттеледі. Құжатта ұйымдасқан қылмыс мемлекет пен қоғамның осы аймақтардағы сабақтастығын қамтамасыз етуде, мемлекеттік құрылысты қолдауда да, оған кедергі келтіруде де және күшті, тәуелсіз мемлекет құруда екі жақты рөл атқарады делінген. Біріншіден, зерттеу ұйымдасқан қылмысқа және оның мемлекет сипаттамаларына әсеріне қысқаша шолу жасайды. Содан кейін олардың ұқсастықтары мен айырмашылықтары туралы қорытынды жасау үшін Приднестровье мен Абхазиядағы ұйымдасқан қылмыстың сипаттамаларын қарастырады. Ақырында, зерттеу осы іс жүзінде мемлекеттердің өмір сүруіндегі заңсыз әрекеттің рөлін қарастырады. Нәтижелер заңсыз желілердің болуы посткеңестік де-факто мемлекеттердегі мемлекеттердің өмір сүруі мен дамуына айтарлықтай әсер ететіндігін көрсетеді.

Түйінді сөздер: іс жүзінде мемлекеттер, Приднестровье, Абхазия, ұйымдасқан қылмыс, мемлекеттік құрылыс.

Аннотация. В настоящем документе исследуется связь между существованием незаконных сетей и выживанием государств де-факто Республики Приднестровье и Республики Абхазия. В документе утверждается, что организованная преступность играет двойную роль в обеспечении преемственности государства и общества в этих регионах, как поддерживая, так и препятствуя государственному строительству и созданию сильного, независимого государства. Сначала в исследовании дается краткий обзор организованной преступности и ее влияния на характеристики государства. Затем в нем рассматриваются характеристики организованной преступности в Приднестровье и Абхазии по отдельности, чтобы сделать выводы об их сходствах и различиях. Наконец, в исследовании рассматривается роль незаконной деятельности в выживании этих государств де-факто. Полученные результаты свидетельствуют о том, что наличие незаконных сетей имеет значительные последствия для выживания и развития государств в постсоветских государствах де-факто.

Ключевые слова: государства де-факто, Приднестровье, Абхазия, организованная преступность, государственное строительство.

Introduction

This study aims to investigate the features of organized crime in two post-Soviet de facto states and its impact on state-building, development, and survival as political entities. The cases under analysis are the Republic of Transnistria, or Pridnestrovian Moldavian Republic (PMR), internationally recognized as part of Moldova, and the Republic of Abkhazia, recognized as part of Georgia. The international community is concerned about the presence of illicit networks in de facto states in the post-Soviet space because these geographical areas are obscure due to their isolation from international political and economic arenas and may become hubs for cross-border organized crime. Thus, it is crucial to understand the characteristics and reasons for the existence of these networks to develop strategies to combat them.

To accomplish this task, the paper will begin by defining organized crime and transnational organized crime and identifying its existence in the two de facto states, as well as the characteristics in Transnistria and Abkhazia that enable and promote the proliferation of illicit networks. Next, the research will examine the specific features of organized crime in each state and how it contributes or hinders state-building goals. Finally, the study will compare and contrast the patterns of organized crime in Transnistria and Abkhazia. This analysis aims to provide insights into the complex dynamics of organized crime and state formation in post-Soviet de facto states.

Research methods

The primary objective of this study is to conduct a comparative analysis of organized crime in two post-Soviet de facto states, Transnistria and Abkhazia, and its influence on state-building, development, and survival. To accomplish this aim, a literature review methodology is employed. The literature review process entails several phases, such as screening, analysis, data extraction, and synthesis, to ensure the reliability and validity of the findings. The comparative analysis is focused on identifying similarities and differences in the patterns and effects of organized crime in Transnistria and Abkhazia, which will serve as the foundation for drawing comparative conclusions.

The research design for this paper follows the most different systems design (MDS), which entails selecting two entities of the same category that diverge significantly from each other yet produce similar resultsⁱ. For this study the systems of Transnistria and Abkhazia have been chosen from among the post-Soviet de facto states. The reason for choosing these two entities is that their internal situation at the time of independence was vastly different - the former was highly industrialized while the latter was severely underdeveloped, resulting in their organized crime having substantially different characteristics. Nonetheless, in the analysis and drawing of conclusions, it will be observed that the impact of illicit networks is remarkably similar.

Conceptual framework: organised crime and transnational organised crime (TOC)

In 2003, the 'Convention Against Transnational Organized Crime and The Protocols Thereto' was adopted by the United Nations, commonly known as the Palermo Convention, with the objective of establishing a shared framework to combat cross-border illicit networks. According to the Convention, an organized criminal group is defined as "a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes [...] in order to obtain, directly or indirectly, a financial or other material benefit." The Convention further clarifies that a structured group is "a group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure." Finally, the term transnational is defined as "crime that crosses borders"ⁱⁱⁱ.

The definition of organized crime is broad and has evolved over time, taking different forms and affecting states and societies in various ways. Originally, it was primarily viewed as an economic issue that fostered shadow economies and hindered tax collection, among other areas. Nowadays, it is recognized as "having the capacity to destabilize countries where it operates, economically, socially, and politically,"ⁱⁱⁱ and is therefore targeted accordingly by governments and organizations.

The origins of organized crime can vary depending on the historical, regional, social, political, and economic context in which it emerges. However,

certain factors are observed in states where organized crime is more prevalent, as identified in the report 'Nations Hospitable to Organized Crime and Terrorism,' produced by the Federal Research Division of the United States. The report lists the following domestic factors that favour the emergence of TOC: "official corruption, incomplete or weak legislation, poor enforcement of existing laws, non-transparent financial institutions, unfavourable economic conditions, lack of respect for the rule of law in society, and poorly guarded national borders." ^{iv}

When specifically examining the cases of Transnistria and Abkhazia, all the characteristics listed by the Federal Research Division can be observed in these two states. As studied by Keefe, *de facto* states have "porous borderlands", which allow the flow of people and goods in and out of their territory; "corruption is written into the law", with legal systems that accommodate it; and their economies are very weak, with a vast informal sector^v. It is crucial to consider that the governments and authorities of the *de facto* states have a significant influence on the connection between organized crime and their survival. They not only fail to perform their duty as upholders of the law, but also intentionally engage in illegal activities within the global economy^{vi}. This is a crucial aspect to examine when analysing how organized crime affects the continued existence of these entities.

Additionally, due to their status, these two entities are severely disconnected from the international system, suffering from "diplomatic non-representation as well as exclusion from inter-governmental organizations, the application of economic sanctions and almost complete socio-cultural isolation"^{vii}, which further exacerbates the aforementioned features and impedes these organizations from being able to engage society and government in counteracting TOC.

When studying *de facto* states, a key piece is the examination of their parent states, in this case, Moldova and Georgia. Since most of the illicit activities that have Transnistria or Abkhazia as a hub are done through land transport, the two countries are directly involved in their fight or continuation. King observes that both Georgia and Moldova "are arguable among the most corrupt in the former Soviet Union [...] and in the world"^{viii}. In fact, he argues that central elites have "played a role in prolonging the disputes" with the separatist regions, to whose governments they are linked because they also benefit from and are enriched by the "state weakness" of both the *de facto* and their own state that allows organised crime^{ix}.

Furthermore, according to Closson, organised crime deters state-building because it damages the creation of government institutions that are respected by the population, as well as a functioning regulated market economy, and in the case of *de facto* states, "inhibit conflict resolution as a result of lucrative profits paid to the elites", who are disinterested in dismantling it as long as they obtain profits^x.

In conclusion for this section, it has been observed that organised crime is more successful in weak states, for which de facto entities are perfect examples, due to not only their lack of international recognition and support but also the disregard for the rule of law by both their society and government, as well as their direct involvement and benefitting, which further exacerbates the issue and inhibits successful state-building and properly cemented governance structures.

Transnistria: oligarchic organised crime

Among the de facto states that emerged in the post-Soviet era, Transnistria stands out as the most economically and financially developed. This can be attributed to the fact that the region on the right bank of the Dniester River was the most industrialised area of Soviet Moldova and inherited a set of infrastructures that provided it with a significant advantage over other de facto regions^{xi}.

Despite facing international isolation for over thirty years, the state has managed to survive by developing its own economic system. The industrial areas in Transnistria have been sustained through “massive external subsidies” from Russia, while the state as a whole is “heavily reliant on the shadow economy.”^{xii} Smuggling is the primary form of illegal activity in Transnistria, although the region also sees “trafficking in drugs, human beings, weapons, and even nuclear material.”^{xiii}

The organization of these activities is carried out through a complex oligarchic system in which prominent figures in powerful positions within state structures are directly involved. Galeotti has describe this system as being composed of “semiautonomous magnates whose interests stretch from politics through legitimate business to organised crime.”^{xiv} Due to the involvement of these individuals in both the economic and political aspects of the state, the revenue they gain from illicit activities is “central to the regime's survival and the national economy.”^{xv}

The Sheriff Corporation appears at the centre of the oligarchic system in Transnistria. This business conglomerate currently holds a monopoly over supermarkets, gas stations, phone and Internet providing services, as well as controlling a bank and being involved in other industries^{xvi}. As the main goods and services supplier for the Transnistrian citizens, Sheriff plays a critical role in maintaining stability in the state, “providing the consumerist offerings vital to managing individual expectations, tastes, and preferences.”^{xvii}

Given these factors, it is imperative to examine the individuals occupying the upper echelons of the conglomerate. Initially founded by two state security officers, Viktor Gusan and Ilya Kazmaly, the conglomerate began by exerting control over the smuggling of cigarettes from Ukraine through Transnistria to Europe. Molcean and Vesträndig explain that since its inception, Sheriff has

maintained a “strong criminal profile [...] based on corruption, smuggling, money laundering, or counterfeiting scams.”^{xxviii}

A pivotal moment in its expansion came with the signing of the ‘mutual cooperation’ contract in 1996 between the conglomerate and the Transnistrian authorities, headed by former President Igor Smirnov. This accord established the framework for the monopoly of trade, commencing with supermarkets^{xix}. In his analysis, Bobick asserts that “Sheriff has created a diffuse economic structure that blurs the line between business and politics,”^{xx} attaining its current status through its connections with the state (including its own political party), while simultaneously “eliminating competition both in the licit and illicit economies.”^{xxi}

Over the course of more than three decades of de facto independence and isolation, the majority of economic activity in Transnistria has been “controlled by a few groups situated at the confluence between legal and illegal business and politics.”^{xxii} These elites gain profit from the frozen conflict, as it creates an environment that is conducive to transnational crime. Furthermore, due to the absence of oversight and intervention, local leaders can profit from it^{xxiii}. Nevertheless, it is crucial to note that organized crime is simultaneously the foundation of Transnistrian economic survival and a factor that is “slowing down any development toward independence” exacerbating dependence on the patron state, Russia, while also tarnishing its international image^{xxiv}.

It is important to consider the potential impact that the ongoing war in Ukraine may have on the ties between Transnistria and Russia and Moldova. Lesanu argues that the Russian invasion of Ukraine has generated economic shifts that will “accelerate the economic integration of the Transnistrian de facto state into the economy of the Republic of Moldova.”^{xxv} This offers an opportunity for the parent state to design a long-term integration strategy, providing financial assistance to the population in Transnistria and incorporating the businesses in the de facto state into a common customs area^{xxvi}. While these developments are ongoing and only hypothetical outcomes, they are important to consider in the analysis of the Transnistrian economy.

In conclusion, based on the research conducted on the economic and political situation in Transnistria, it may be inferred that this de facto state would not be able to sustain its current existence if all illicit activities were eradicated. Basic goods would not be provided to the citizens, the regime would crumble due to the lack of revenue, and the government structures would become inefficient. If there was a will to eliminate organized crime in Transnistria, it would have to be accompanied by a reform in the state systems, policies, and economy, which may not be feasible due to its lack of recognition and subsequent isolation from the international system.

Abkhazia: multilevel organised crime

In Abkhazia, the situation differs significantly. Due to a more underdeveloped economy and infrastructures at the moment of its declaration of

independence, Abkhazia's GDP is rooted in “small economic units and private entrepreneurs”, rather than big corporations or a conglomerate such as Sheriff^{xxvii}. The de facto state's income primarily comes from Russian subsidies, tourism, and domestic revenue^{xxviii,xxix}. While political elites in Abkhazia are involved in illicit activities, there is also much higher involvement of ordinary citizens who participate without being the organizers or the primary beneficiaries of such operations.

The transnational illegal trade between Abkhazia, Georgia and Russia includes “narcotics, weapons and human beings, as well as consumer goods such as petroleum, timber, wheat flour, cigarettes, and even hazelnuts”^{xxx}. However, while in Transnistria one company controls the networks, the small territory of Abkhazia is divided and controlled by four crime groups that oversee different products and are mostly formed by ethnic alliances.

The Western Abkhazia group controls oil, tobacco, and a portion of the drug smuggling. The Gagra group, comprised mainly by Armenians, controls the timber trade and is involved in drug production and smuggling. The Gudauta group, primarily formed by Abkhazians, focuses on the narcotics business. Finally, the Eastern Abkhazian group, formed mainly by Chechen-Abkhazians who control transport routes and border crossings^{xxxi}. Regarding this aspect of organised crime, Keefe writes that “ethnic and cultural networks often furnish the transnational links that enable global criminal enterprises to thrive”^{xxxii}, while Kukhianidze, Kupatadze and Gotsiridze point out that they cooperate with each other “regardless of ethnic origins and political orientation”^{xxxiii}.

However, these groups do not operate solely within and between themselves. On the one hand, they rely “on a broad net of socially vulnerable people including refugees, internally displaced persons, and the poor for whom participation in smuggling is one rare opportunity to survive” amounting to “thousands of petty traders who rely on their jobs to support their families”^{xxxiv}. In fact, it has been assessed that dismantling organised crime in Abkhazia would not only harm organized criminal groups but also local people who derive their main income from it^{xxxv}. The continuous economic crisis and lack of alternatives cause for more and more people to get involved in working for them, which, in turn, expands their influence and capacities^{xxxvi}.

On the other hand, there is also a network connecting them to “government authorities, armed forces, law enforcement authorities, peacekeeping forces and private militias”^{xxxvii} in both the Abkhazian and the Georgian territories. Due to the involvement of elites on both sides of the de facto border, as well as the role Russian peacekeepers have in allowing smuggling in exchange for bribes, organised crime constitutes the base for them to “control material and coercive resources, limit democracy, and keep political power for an indefinite time”^{xxxviii}.

In this sense, Popescu argues that fragmentation in such a poor economy can be beneficial for a hypothetical path towards a democratic strong state

because it weakens the security apparatus' ability to dominate the economic agents and coerce them, because the "tens of thousands of people involved in small scale activities", whether licit or illicit, cannot be centrally controlled^{xxxix}.

In the preceding discussion, it has been established that the Abkhazian economy is not heavily reliant on organised crime for generating income. Firstly, domestic revenue extraction, or tax collection, is successful in Abkhazia and contributes significantly to its budget^{xl}. Secondly, subsidies from Russia, as Abkhazia's patron state, are key to the survival of the state, but also weaken its capacity for economic success^{xli}. Finally, tourism is a major contributor to the state's GDP, with private entrepreneurs continually developing infrastructure to attract more foreign visitors to Abkhazia^{xlii}.

However, due to its de facto status and ongoing economic crisis, Abkhazia is plagued by a "subsistence syndrome, being reliant on foreign assistance and international aid organisations to provide adequate social services to the population"^{xliii}. Despite this, the economic conditions of the Abkhazian people are less than favourable, making them susceptible to being lured by criminal organisations to participate in illegal activities, such as smuggling goods across borders, as a means of generating income. This number is continuously rising.

Regarding the potential impact of the war in Ukraine on Abkhazia, changes have been observed in its treatment within the 2023 concept of Russian foreign policy. The policy focuses on providing "comprehensive support to the republics of Abkhazia and South Ossetia and assistance in the implementation of the voluntary choice of the peoples of these states, based on international law, in favour of deepening integration with Russia."^{xliv} As such, it appears that the war in Ukraine will lead to a more aggressive policy of integration and further linkage to the Russian Federation.

In light of the aforementioned analysis of Abkhazia, it can be concluded that although its economy is not dependent on organised crime for survival, illegal activities continue to benefit many individuals, including those in positions of power and among the local population. However, organised crime is detrimental to state-building and economic development, as it is in Transnistria. Nevertheless, it has proven to be a useful tool for political elites to maintain their hold on power, limit rights, and profit financially. Therefore, there is little interest among all parties in dismantling the system.

Conclusions

In the analysis of organised crime in Transnistria and Abkhazia, the general conclusion reached is that illegal activities are important for the survival of the de facto states. However, at the same time, they are damaging to the state-building and development of a successful economy. While the kind of activities taking place in each state is similar, it is the way they are organised that differs,

as well as their degree of importance in the economies, which also results in the continuation or potential elimination affecting them differently.

On the one hand, Transnistrian organised crime is an oligarchy in which most organised crime is incorporated into the law system through deals and contracts with corporations signed between a group of people involved in business and politics. Through this system, the Sheriff conglomerate has achieved not only a monopoly over many industries and supplying channels but also entrenched itself in the political life of Transnistria. This way, it ensures its existence and, at the same time, makes the economic and political stability partially dependent on it. Furthermore, the political elites receive monetary compensation for the agreements and facilitation of the illegal business, creating an interest in their continuation and collaboration with it.

However, the fact that Sheriff plays such an important role in the economy means that in the current circumstances of the existence of Transnistria, the state requires it to exist and conduct business as usual to secure the supply of goods to the population. The population has a tolerance for it and even considers it a symbol due to the sense of normalcy and development it provides, ensuring stability and preventing the quality of life from deteriorating to the point where the population mobilizes against the local government and starts looking towards its parent or patron state for more involvement. This would result in unwanted interference by the government and secessionist groups to secure power and independence.

In comparison, the Abkhazian economy does not rely on organised crime for income. Firstly, domestic revenue extraction or tax collection is successful in Abkhazia and accounts for a significant part of its budget. Secondly, subsidies from Russia, Abkhazia's patron state, are key to the survival of the state, but at the same time, they damage the region's capabilities to successfully develop. Finally, tourism accounts for the other most important part of the state's GDP, with private entrepreneurs continuing to develop infrastructure to attract more foreign visitors to Abkhazia.

On the other hand, organised crime in Abkhazia is divided among four criminal groups that interact and cooperate with each other but that do not take the form of properly registered companies. Although the elites in Abkhazia also tolerate the illegal activities perpetrated by these groups in exchange for compensation, the groups rely much more on the involvement of the common people, who are vulnerable due to the need to make an income in a poor and weak economy.

Unlike Transnistria, organised crime does not play such a significant role in Abkhazia's economy, which derives slightly more diversified income through smaller enterprises, but is also more reliant on foreign assistance, especially from Russia, and international aid to provide essential goods and services to its population. Therefore, while organised crime is not a central part of the state's GDP or budget, it does play a critical role in many people's lives as their primary

source of income. For this reason, organised crime also provides stability to a certain extent, and the elites have an interest in maintaining it as long as the economic crisis persists.

In both Transnistria and Abkhazia, the elites in power, as well as the population, benefit from organised crime, albeit to varying degrees and in different forms, and therefore have an interest in its continuation. This, in turn, guarantees the existence of the de facto states due to the stability it brings.

However, organised crime is directly detrimental to the successful development of a robust economy, reliable and respectable government structures, and a positive international reputation. Therefore, the secessionist governments, who ostensibly aim for recognised independent states, should strive not only to eliminate organised crime but also to address the factors that make their states a hub for such activities (as described in the introduction: porous borders, weak rule of law, economic underdevelopment, etc.), as well as resolving their frozen conflicts with their parent state. It would also be expected that the parent states would collaborate in eliminating transnational organised crime related to the secessionist areas.

However, none of these initiatives have been implemented. Closson argues that "weak state is not a condition that has somehow simply happened. Continued weakness, whether in the separatist regions or in central governments, is in the interests of those in power." The elites in both Transnistria and Abkhazia, as well as in Moldova and Georgia, benefit both economically and politically from the existence of transnational crime. While the two parent states may take action against it or appear to do so, as long as they profit from organised crime, it will persist. This phenomenon not only hinders the creation of strong states but also endangers the survival of the de facto states in the long run, even as it guarantees their short-term survival.

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