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The vulnerability of the Danube region in the light of the Russian-Ukrainian war¹

Introduction

The Danube basin is an important intersection point between the EU's cohesion policy programmes, neighbourhood country programmes and the potential candidate countries. Due to its catchment area covered by a significant number of tributaries of the Danube,² the Danube region comprises a total of 14 countries,³ and therefore these nine EU and five non-EU countries implement joint programmes in response to common challenges as a development concept through the EU Strategy for the Danube Region (EUSDR), which may also be joined by non-member countries.

The countries of the Danube Region are connected by the river and its catchment area, forming it into one single unit, thus it functions as a regional subsystem from the point of view of security. The "*classical security complex theory*" applies to it, since the states of the region form a coherent territorial unit. They are thus characterised by an interdependence in terms of security, which is not permanent, but deep and permanent enough to share common interests earlier and in the present phase of history. Interdependence is based on economic (income, industry, production, transport,

¹ This study is the English version of the presentation delivered at the conference 'The Science and Practice of Law Enforcement' held in Pécs 27.06.2024.

² The most significant tributaries of the Danube are the following: Inn, Morva, Mura, Drava, Tisza, Sava, Velika-Morava, Olt and Prut.

³ Nine out of 14 EUSDR member states are EU members (Austria, Bulgaria, Czechia, Croatia, Hungary, Germany, Romania, Slovakia and Slovenia) and 5 non-EU countries (Bosnia-Herzegovina, Montenegro, Moldova, Serbia and Ukraine). Among the EU Member States, Bulgaria and Romania are full members of the Schengen Convention, with the exception of land borders. The Danube interland border belongs to the land borders.

communication, etc.), social (social situation, migration, existence of national minorities on each other's territory, etc.) and environmental matters (raw materials, energy supply, production area, waste, etc.). The concept of security can be broken down into at least five sectors; military, political, economic, social and environmental.⁴ The disruption of any segment of the unit can make the entire system and its security unstable. The Russian-Ukrainian war could bring about such a significant change in the Danube Region.

Threats and risks in the Danube Region

Over the past decade, law enforcement thinking on river safety has focused on the extent to which the Danube poses security challenges to law enforcement agencies. As Romania and Bulgaria are full members of the Schengen area only in terms of air and sea border controls – and Croatia only became one on 1 January 2023 – only Hungary had a Schengen external border on the Danube until 31 December 2022. Since that date, responsibility for this has remained with regard to vessels and various hazards coming to and from Serbia.

Europol, the EU's law enforcement agency, continuously monitors serious and organised crime trends in Europe and publishes threat assessments, called SOCTA.⁵ However, threat assessments for the Danube were last published in 2011 as a short analysis, in which it was identified as a particularly vulnerable area due to the possibility of certain crimes committed by organised crime groups.⁶

Most of the threats come from the south. The Black Sea port of Constanta, located only 179 nautical miles from the Bosphorus and 85 nautical

⁴ Buzan, B. et. al. (1998): *Security: a New Framework for Analysis*. Lynne Rienner, Boulder, USA

⁵ SOCTA: Serious and Organised Crime Threat Assessment, Source: <https://www.europol.europa.eu/publications-events/main-reports/socta-report> Accessed: 02.05.2024

⁶ Berta, K. (2015): Preface. In Herczeg Mónika (edt.): *Establishment of the structure of the Danube River Forum, DARIF*. Budapest, MoI of Hungary, 2015. p. 6

miles from the Sulina branch of the Danube, is the most important source of hazards in the direction of the Danube. It is particularly vulnerable due to corruption permeating customs, which helps it become an entry point for cocaine smugglers from Colombia, but Romanian authorities have also seized several tons of hashish and Captagon tablets coming from Syria.

The port of Constanta is also a Mecca for cigarette smugglers. Given that cargo ships can travel on the Lower Danube on the three branches of the Danube Delta (Kilia in Ukraine, Sulina in Romania and Saint-George Branch) until Braila, threats from the sea also affect the safety of the Danube. Already in 2022, the research network of the Global Initiative Against Transnational Organised Crime (hereinafter referred to as GI-TOC) found that data on the most significant known crimes affecting the Danube were occasional and that some significant cases only came to light by luck.⁷ The latter fact itself refers to the security deficit present in law enforcement along the Danube. The timely detection of risks inherent in border control at the external border plays an important role,⁸ which gives particular importance to Hungary on the Danube, even if the route covered by vessels leads through six transit countries on the more than 1400 river kilometres' journey from the Danube Delta to the border of Hungary. All of the transit countries operate some type of water border surveillance systems supported by optical surveillance devices. This means a kind of enhanced screening system in cross-border law enforcement work.

In order to ensure border security, the risks of cross-border crime types should be analysed by dividing the Danube into three sections due to its length, as suggested by the new GI-TOC research report for 2024.⁹ The

⁷ Scatturo, R. – Kemp, W. (2023): Portholes. Exploring the maritime Balkan routes. Global Initiative Against Transnational Organised Crime. Source: <https://globalinitiative.net/analysis/balkans-maritime-routes-ports-crime/> Accessed: 01.07.2024. 42-45

⁸ Ritecz, Gy. (2013): A migráció kockázatai [The risks of migration]. In Gaál, Gy. – Hautzinger, Z. (eds.): XIV. Pécsi Határőr Tudományos Közlemények. Pécs, MHTT Határőr Szakosztály Pécsi Szakcsoport, 2013. 255–264

⁹ Kemp, W. – Scatturo, R. (2024): Undercurrents. Blue Crime on the Danube. Source: <https://globalinitiative.net/analysis/undercurrents-blue-crime-on-the-danube/> Accessed: 28.06.2024. 13

first stage, Section A stretches from the Rhine-Main-Danube Canal through Germany, Austria and Slovakia to the vicinity of the port of Vukovar in Croatia to the Schengen external water border, including the Hungarian-Croatian-Serbian triple border, including the Schengen port of Mohács. Section B runs from Vukovar to the Braila area in Romania, while Section C covers the area of the triple border of Romania, Moldova and Ukraine, i.e. the Danube Delta. The research report, in which the author of this paper was also involved, concludes that the upper section is the least risky, slightly contaminated by the smuggling of drugs (cannabis, small quantities of synthetic drugs), cigarettes and alcohol on ships, and irregular migration flows also cross the river, mainly between Serbia and Croatia.

The middle section of the river faces other types of challenges, mainly fuel smuggling and the smuggling of irregular migrants. The Serbian section of the Danube traditionally specialises in fuel smuggling. The Serbian police seized 1,861 tons of petroleum products from fuel smugglers in 410 cases between 2018 and 2022. The phenomenon is due to relatively high fuel prices. According to a study there is a risk of fuel smuggling in nearly forty places along the 588-kilometer stretch of the Danube passing through Serbia.¹⁰ The area around the river Delta is the most vulnerable to organised crime. GI-TOC's research finds that the Romanian-Moldovan-Ukrainian triple border region (historically called as Bessarabia) is a traditionally smugglers-friendly ecosystem dominated by criminals from many different ethnic groups, primarily Bulgarian and Gagauz gangs.¹¹

It is also obvious from the investigation documents of the Hungarian NTCA analysed by me¹² that cigarette smuggling on the Danube also originates in the Lower Danube region. 11th of October 2021, the NTCA

¹⁰ Đorđević, S. (2023): Fuel to the fire: Impact of fuel smuggling in Southeast Europe, GI-TOC, August 2023, Source: <https://globalinitiative.net/wp-content/uploads/2023/08/Saša-Dorđević-Fuel-to-fire-Impact-of-fuel-smuggling-SE-Europe-August-2023.pdf>. Accessed: 24.04.2024. 15-17

¹¹ Kemp – Scatturo (2024): Ibid. 15

¹² The South Transdanubian Criminal Directorate of NTCA has authorized providing of materials for case studies based on its authorization no. 62002-1/620/2022. ált.

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checked the unloading of a vessel of Ukrainian nationality at the commercial port of Paks. According to the available data, the cargo of the barge attached to the tug was rock salt, which was placed in large "sling-bags" weighing 1.3 tons each in the cargo hold. The Hungarian Customs finally seized 57 million pieces of smuggled cigarettes, which were hidden among the ship's cargo in Izmail, Ukraine!¹³

The new strategic importance of the Danube and the impact of war

River security risks and possible changes in cross-border criminalities can be examined as a result of Russia's war in Ukraine. During the invasion phase of the war, which began 24th February 2022, Russian attacks on the Danube and Ukrainian Danube ports have led to changes in the volume of trade and waterway transport, which, due to the network nature of commercial supply chains, may also have an impact on the activities of criminal organisations that settle on legal supply chains to deliver illegal goods.

With regard to the war, Russia's ambition to control the Northern, North-Western coast of the Black Sea is a pivotal threat in the Danube Region, which predicts the geopolitical goal of the possible occupation of Ukraine's Odessa region. The Odessa region was still in Ukrainian hands in the summer of 2024, when Russia captured about 18% of Ukraine's territory, and there was almost a standstill on the fronts. However, experts say that due to the war, new threats affecting the Danube may emerge, which could have a negative impact on the risks. These threats, according to the expert meeting titled *Blue Crime on the Blue Danube* (Vienna, Austria, 24-25.03.2024) organized by the GI-TOC, could include the following during course of the war:

1. drugs and precursors smuggled to the front line in Ukraine;

¹³ Növekedés: A tapasztalt nyomozók is megdöbbentek a csempészcigi mennyiségén [Even experienced detectives were shocked by the amount of contraband cigarettes]. Source: <https://novekedes.hu/nav-infotar/a-tapasztalt-nyomozok-is-megdobbentek-a-csempeszci-gi-mennyisegen-video-a-cikkben> Accessed: 24.04.2024

2. smuggling of men fleeing from conscription in Ukraine by boats;
3. increased volume of cigarette and drug smuggling.

There is a threat that the most sought-after psychoactive substances, methamphetamine derivatives and precursors from China could be delivered to Ukraine to facilitate the fatigueless movement and continued fighting of the troops. Ukraine's synthetic drug trafficking index rose from 3.50 in 2021 to 8.00 in 2023.¹⁴ These synthetic drugs, given that coincidences have previously played a role in the seizure of large quantities of drugs smuggled by ships on the Danube, may once again bring illicit transport on the Danube to the fore.

Last but not least, adult men fleeing conscription in Ukraine due to the war can arrive by boat, even with forged travel documents, which can be facilitated by the use of the poorly protected Ukrainian Seafarers' identity document, accepted by Hungary – among other countries – on the Danube.¹⁵ Since the outbreak of a full-scale war, Ukrainian tobacco factories have been bombed, allowing counterfeit cigarettes to be smuggled from Moldova to Ukraine and Romania, then to the EU via the port of Reni, and homemade synthetic drugs have been exported to Romania and other EU countries with the help of groups recruited from grain ship sailors at the port of Reni.¹⁶

However, after the end of the war, the following threats must also be taken into account:

4. 4. frontline organised crime groups;
5. 5. use of trained drone operators;
6. 6. possible smuggling of weapons in bulk goods from the front.

¹⁴ GI-TOC (2023): Drugs in the front line. Source: <https://globalinitiative.net/analysis/ukraine-synthetic-drugs-ocindex/> Accessed: 27.06.2024

¹⁵ Based on presentations at the conference and expert meeting *Blue Crime on the Blue Danube* organized by GI-TOC (Vienna, Austria, 24-25.03.2024).

¹⁶ Observatory of Illicit Markets and the Conflict in Ukraine, Port in a storm: organized crime in Odesa since the Russian Invasion, GI-TOC, Source: <https://globalinitiative.net/analysis/odesa-bessarabia-organized-crime/>. Accessed: 02.05.2024

In the Odessa region near the Ukrainian ports of Reni and Izmail, aggressive organized crime groups can use their members sent to the front, after their return with combat experience, to carry out various violent crimes. Combat-trained drone operators can use commercially available drones to carry and drop payloads of up to 30 kilograms safely on the territory of another state, which can increase the risk of smuggling.

However, the most dangerous issue for the Danube is that the Chechen mafia and other criminal organisations (mainly Armenian, Georgian, Gagauz) working to destabilise the EU can find a way to transfer weapons from the front to the Schengen territory by vessels. According to a GI-TOC study from 2023,¹⁷ Ukraine has a high level of corruption with weak law enforcement and a large number of unregistered (mainly small arms) weapons available in the country. After the war, demand for these stocks in the country decreases, which may result in the black market releasing them in several directions, which will which could result in the black market spilling them out in several directions, with a logical transport route once restored from Odessa by sea to enter the EU via the port of Constanța, Romania or the port of Varna.

For the latter two, they can use the Danube waterway. The Bulgarian port of Varna is still an entry point for weapons coming from the Republic of Türkiye.¹⁸ According to the analysis, fighters from Western Balkan countries who are currently involved in the war on both sides pose the greatest risk. (Currently on the black market in the Odessa region, the price of an AK-47 is \$1000-1500, a hand grenade is worth \$7-50, and around \$400 is the price of a Makarov pistol.)

¹⁷ Galeotti, Mark– Arutunyan, Anna (2023): Peace and proliferation. The Russo-Ukrainian war and the illegal arms trade. GI-TOC Research report. Source: <https://globalinitiative.net/wp-content/uploads/2023/03/Mark-Galeotti-and-Anna-Arutunyan-Peace-and-proliferation-The-Russo-Ukrainian-war-and-the-illegal-arms-trade-GI-TOC-March-2023.pdf> Accessed: 18.07.2024. 22

¹⁸ GI-TOC, Smoke on the horizon (2024): Trends in arm trafficking from the conflict in Ukraine. Source: <https://globalinitiative.net/analysis/trends-arms-trafficking-conflict-ukraine-russia-monitor/> Accessed: 28.06.2024. 41

Due to post-war land decontamination and waste transportation, the transport of scrap metal – traditionally considered bulk cargo on the Danube – in barges may also increase, which represents a potential cover cargo for prohibited goods, mainly disassembled weapons!¹⁹ That is why I consider it vital that other bodies involved in ensuring security of navigation shall ensure appropriate precautions before the end of the war. As a sign of this, ahead of the organisation of Joint Operation DARIF on the Danube in 2024, EUSDR experts contacted the experts working for the Firearms Driver of the European Multidisciplinary Platform Against Criminal Threats (EMPACT) to exchange information and carry out joint activities.

Conclusions and proposals

Due to certain weaknesses in commercial transport on the Danube (slow movement of goods, time-consuming border crossings, poor infrastructure in some ports and limited intermodal transport systems), it would be logical that organised crime rarely chooses the river as a route. However, this invisible undercurrent runs from the Danube Delta – the riskiest part interlinked with smuggling for legal movement of goods – to the heart of the European continent.

The scarcity of data indicating illegal acts on Danube vessels and the fact that the detection of certain priority criminalities in the past was only accidental, results in a latency and security deficit at the Schengen external border as well. Due to the high level of corruption in some Lower-Danube ports, vessel hulls that cannot be inspected by conventional X-ray and the peculiarities of bulk cargo transport (safe and itemised checks are only possible at the place of loading and unloading), the river is vulnerable to organised crime.

The level of risks has increased due to the Russia-Ukraine war, which requires border control at the Schengen external water border to become increasingly intelligence- and risk analysis-based in order to be successful.

¹⁹ Kemp – Scatturo: *ibid.* 24

This can be achieved through targeted capacity building, enhanced law enforcement cooperation, such as facilitating the establishment of Joint Investigation Teams (JITs) for major investigations concerning the transport along the Danube under the support of EUROPOL.

A higher level of police cooperation must be achieved. Law enforcement along the Danube is largely treated as a national matter by the countries of the region, even though a significant proportion of crimes committed on the river are linked to cross-border crime. Cooperation is currently bilateral and ad-hoc and generally related to border management issues rather than intelligence sharing or common activities. More police and customs contact points and their network could enhance and improve law enforcement cooperation between the Danube countries. And this is not a new problem. Hungary already took the first step in 2012, concluding an agreement with Croatia on the operation of the Danube Law Enforcement Coordination Centre.²⁰ However, other states have not yet accepted joining the agreement. One of the few legacies of the initiative is the joint operation DARIF, organized annually by the Hungarian Ministry of Interior.

The last proposal is the issue of development and financing. In order to strengthen security on the Danube, it is not enough to purchase modern search tools and patrol boats for law enforcement agencies, they must also be operated and maintained in order to avoid a failure in law enforcement work. It is not possible to talk about a meaningful step forward without more frequent inspections of loading and unloading ports, and an increase in criminal intelligence and investigative capacity. Also, the information arising from these must be shared between the law enforcement agencies of the Danube countries! In order to overcome these challenges, it is essential to develop pre-notification and information exchange systems, i.e. to promote regional and international law enforcement cooperation in general!

²⁰ Act CLXXI of 2012 on the promulgation of the Agreement between the Government of the Hungary and the Government of the Republic of Croatia on the operation of the Danube Police Coordination Centre. Source: <https://njt.hu/jogszabaly/2012-171-00-00> Accessed:10.05.2024

In order to ensure effective and rapid control of cargo ships in the vulnerable river domain, it is necessary to transmit the information necessary to identify risks through the contact points of the law enforcement authorities. These would allow the competent authority of a partner country to carry out targeted vessel controls, thereby reducing inspection time and increasing efficiency and thus security of the EU and the Schengen area.

The negative effects of the Russian-Ukrainian war, primarily the start of firearms smuggling on the Danube by vessels, was not yet noticeable in the summer of 2024, but in the absence of increased cooperation between the law enforcement agencies of the member states, there is a high risk that this could happen after the end of the conflict, which must be prevented so that the situation does not escalate later!